

**Swarthmore College**  
**Student Handbook**  
**2020 – 2021**

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## **Introduction**

Since its founding in 1864 by the Religious Society of Friends (aka Quakers), Swarthmore College has given students the knowledge, insight, skills, and experience to become leaders for the common good. The diversity of perspectives represented by Swarthmore students, faculty, and staff—including different viewpoints, identities, and histories—contributes to the community’s strong sense of open dialogue and engagement with ideas and issues. As such, we are a community that prioritizes the intellectual, physical, social, emotional, and spiritual wellbeing of all our members.

Swarthmore aspires to create an academic environment grounded in intellectual discovery and guided by rational discourse and civility. In that regard, Swarthmore promotes and fosters personal growth and learning; preserves both individual rights and the wellbeing and respect of others and the community; encourages healthy choices, not only in one's self but also in relation to others; and creates opportunities to make positive impacts at Swarthmore.

To assist Swarthmore in establishing a vibrant, respectful, and inclusive community, the College has identified both support resources and developed policies and procedures that outline and support our shared community values. To that end, and as members of the community, students have a shared responsibility to ensure that their actions and behaviors are grounded in integrity, respect, and trust. As members of the Swarthmore community it is important to remember that each of us hold the responsibility for the wellbeing of all of our members, including students, faculty, and staff. The vitality and vibrancy of our community is deteriorated and diminished when an individual’s behaviors work against our shared values.

When conflict or disagreement arises, students are encouraged to turn toward one another and work through dialogue as an important step to restoring the community. Together we all share the responsibility of creating an inclusive community that values both its members and the academic environment in which we live, learn, and work.

The Swarthmore College Student Handbook (Handbook) is produced by the Student Affairs Division and is a compilation of official policies of the College. The Handbook assists the College in framing our community expectations for students and creating a mechanism to inform students of these expectations. Overall the Handbook includes information regarding student support resources and services; policies and procedures that help establish a healthy and inclusive College community; and serves as a companion piece to the Swarthmore College Bulletin. Though the Handbook addresses some academic and other administrative resources and guidelines, the College Bulletin includes detailed information about academic programs, academic requirements and policies, course descriptions, off-campus study, and graduation requirements.

This Handbook and the College Bulletin are shared with every student of the College, and students are expected to read and adhere to the policies, regulations, and procedures

within the Handbook and College Bulletin. Students are responsible for abiding by all College rules and regulations, as soon as they arrive on campus. Students should contact any member of the Student Affairs Division staff if they have questions or need advice regarding College policies.

The Handbook and specifically, the Student Code of Conduct, creates a set of expectations for student conduct, ensures a balanced process for determining responsibility when behavior may have deviated from those expectations and provides appropriate sanctions when a student or student organization/team has violated the Student Code of Conduct. When addressing allegations of misconduct, effort will be made to balance the needs and rights of the student or student organization/team with the welfare of the greater College community, as a whole.

Rules and policies are reviewed annually and may be changed at any time without prior notice; in general, the community will be notified annually of changes that occur after the Student Handbook is published each fall.

## **Academic Resources & Support**

### **❖ Academic advisers**

<http://www.swarthmore.edu/academic-advising-support>

An adviser is assigned to First-Year students by the Office of Academic Success based on academic preferences and personal interests that students have shared on the advising forms. Typically, students stay with their initial adviser until they are accepted into a major during the spring of their sophomore year, when they are then advised within their major and minor department(s) and program(s).

Changes in advisers during the first three semesters will be freely granted, subject to availability and advising load. Reassignments may also be made based upon faculty leaves or shifts in duties.

An advisee must meet with their academic adviser during the advising period, prior to course registration. Advisees must also consult with advisers for all add/drop decisions and for withdrawals from courses after the add/drop period. It is each student's responsibility to contact their advisor to schedule advising meetings.

In addition, an advisee can expect their adviser to:

1. Meet at least once per semester.
2. Provide guidance in course selection, degree requirements, majors and minors, add/drop decisions, etc.
3. Discuss academic-related questions, including academic support and other College resources.
4. Engage in initial conversations about applying for Honors study, Off Campus Study, fellowships & prizes, and other academic matters.

Many academic advisers may also provide guidance beyond academics. Students seeking further guidance are also welcome to reach out to their assigned dean.

❖ **Academic support**

<http://www.swarthmore.edu/academic-advising-support>

All disability-related accommodations must be arranged through Student Disability Services. Support in the form of department clinics and peer supports, the Writing-Associates Program, and Student Academic Mentors (SAMs) are also available. Peer tutors are provided free of charge, within reasonable use and when the tutor resource is available. Deans, professors, and other professional staff can help students access these resources.

❖ **Swarthmore Campus and Community Store**

<http://store.swarthmore.edu/home>

The Swarthmore Campus and Community Store is owned and operated by Swarthmore College for the benefit of the College and the surrounding community.

The Swarthmore Store has course materials in a variety of prices and formats, including new, used, rental, and digital textbooks. Swarthmore students have access to a personalized list of course materials, based on the courses in which they have enrolled. To ensure Swarthmore students are getting the best prices possible, the Store's website [Store.Swarthmore.edu](http://Store.Swarthmore.edu) includes a service comparing the Store's prices for course materials to prices at other online sites. Course materials can be ordered online for in-store pick-up or for shipment.

Through the [Textbook Affordability Program \(TAP\)](#), each registered student receives \$700 store credit each year, to support the student's purchase of required course materials in both print and digital formats.

The Swarthmore Store also carries school supplies, general interest reading material, technology peripherals, Swarthmore College imprinted clothing and gifts, greeting cards, snack foods and cold beverages, residence hall room accessories, health and beauty aids, laundry and cleaning supplies, and a wide selection of gifts. All products in the Store are sold at or below manufacturers' suggested list prices.

The Swarthmore Campus and Community Store is located at 4 South Chester Road, in the same building as the Swarthmore Inn, next to the Swarthmore train station.

❖ **Information Technology Services (ITS)**

[www.swarthmore.edu/its](http://www.swarthmore.edu/its)

The Information Technology Services (ITS) help desk provides students with a single point of contact for computer, network, and telephone help services at [help@swarthmore.edu](mailto:help@swarthmore.edu), ext. 4357 (HELP) from on campus, or 610-328-8513 from off

campus.

Due to modifications of campus operations related to the COVID-19 global pandemic, the ITS Department will be serving the community remotely and by appointment. Certain spaces which will be accessible have been modified to achieve physical distancing. Staff will monitor the spaces in-person, or remotely, to enforce distancing and masking requirements. Reservations will be required and spaces will not be accessible after hours.

ITS maintains about 400 computers for student use in the libraries, computer labs, classrooms, and residence halls. The Swarthmore wireless and wired computing network extends to every building, and access is provided in each residence hall room. The College network provides access to academic software, library resources, and network storage as well as email and the Internet. Use of the College's computer systems and Networks is governed by the *Acceptable Use Policy* described in the *Academic Policies* section of this handbook.

### ❖ **Libraries**

[www.swarthmore.edu/libraries](http://www.swarthmore.edu/libraries)

*Due to modifications of campus operations related to COVID-19, College libraries will have special hours of operation and access will be limited to the Swarthmore College Community. During the initial student, faculty, and staff testing period, McCabe Library will have limited hours for public printing and picking up requested materials at the front service desk. McCabe, Cornell, and Underhill Libraries will open to the Swarthmore College community only for general use and access to materials in mid to late September. The Special Collections will be open to no more than two College community researchers simultaneously.*

As the center of community, the Libraries foster critical inquiry, scholarly discovery and engagement, and innovation and creativity - a dynamic forum for people and ideas. The Swarthmore College Libraries are committed to providing a safe, productive environment for study and research.

There are three libraries on campus: McCabe Library for Humanities and Social Sciences, Cornell Science Library, and Underhill Performing Arts Library. Each library has a variety of study spaces, suited to a student's needs on any given day. When the libraries are open, the McCabe Research & Information Desk is staffed with subject specialist librarians and peer Research and Information Associates (RIAs), who are available for consultation on everything from daily coursework to most complex research projects. Students can drop by, email [librarian@swarthmore.edu](mailto:librarian@swarthmore.edu), or [chat](#) with any questions.

Additional services include laptop lending, printing, and scanning. Swarthmore partners with Bryn Mawr and Haverford College Libraries in a shared library catalog, Tripod. In

addition to an impressive breadth of books, journals, and databases, the collections also include films, CDs, and comic books.

❖ **Off-Campus Study Office**

[www.swarthmore.edu/studyabroad](http://www.swarthmore.edu/studyabroad)

The College emphasizes the importance of study abroad and encourages all students to explore possibilities for doing so as integral parts of their degree programs.

Approximately 40 percent of all students take advantage of this opportunity. The Off-Campus Study Office is the on-campus clearinghouse for information on study abroad, and normally is the starting place for exploration and planning. The Off-Campus Study Office will help all interested students at every stage of the process: planning, study abroad, and return. Proper planning begins with attendance at a general information meeting, and then a study abroad advising appointment, as early as possible in one's college career.

Participants in the Semester/Year Abroad program remain registered at Swarthmore and are subject to the rules and regulations of the College while abroad. Students may study abroad up to two semesters, beginning spring of the sophomore year, and during the junior year. Fall semester seniors may participate in study abroad with the permission of their major department as long as they meet all other eligibility requirements.

To be accepted for credit toward the Swarthmore degree, courses taken abroad must meet Swarthmore academic standards, and be pre-approved through the Off-Campus Study Office's procedures.

Generally, it is expected that students will be in good standing concerning both their academic program and student conduct in order to participate in the Swarthmore College Semester/Year Abroad program. The Off-Campus Study Office and the Dean of Students Office meet to review student standing and to determine eligibility. Students must also meet the eligibility requirements of the programs to which they apply.

Participants in the College's Semester/Year Abroad program must comply with its payment plan. Students continue to pay Swarthmore's comprehensive fee for tuition, room, and board. The College then pays for the tuition fees, room and board costs, insurance, and the round-trip travel of participating students (with Philadelphia as the gateway city). Normally, financial aid is automatically applied toward meeting study abroad fees.

❖ **Registrar's Office**

[www.swarthmore.edu/Admin/registrar](http://www.swarthmore.edu/Admin/registrar)

The Registrar's Office is responsible for course registration and maintenance of all official records related to student enrollment. This includes recording course registration and final grades, monitoring students' graduation requirements, and issuing Swarthmore



College transcripts. The Registrar's Office also coordinates course and final examination schedules, coordinates the honors program, and maintains the content of the College Catalog. The Registrar also serves as the FERPA officer for the College.

❖ **Student Disability Services**

[www.swarthmore.edu/academic-advising-support/welcome-to-student-disability-service](http://www.swarthmore.edu/academic-advising-support/welcome-to-student-disability-service)

Swarthmore College welcomes students with disabilities to participate fully in all aspects of college life. Our mission is to ensure that students with physical, learning or psychological disabilities, or chronic medical conditions are provided with equal access to all college programs, activities and services. The Student Disability Services staff advise students about the College's policies, procedures and resources, review students' clinical and educational documentation, and collaborate with students, faculty and staff to arrange reasonable accommodations that support students' individual needs. Students are encouraged to connect with Student Disability Services as early as possible.

## Academic Policies

*The Swarthmore College Bulletin* (College catalog— [www.swarthmore.edu/college-catalog/](http://www.swarthmore.edu/college-catalog/)) is the authoritative source of information on degree requirements, major requirements, and course descriptions.

❖ **Academic freedom and responsibility**

Swarthmore College has long subscribed to the fundamental tenets of academic freedom articulated in the 1940 “Statement of Principles on Academic Freedom and Tenure” by the American Association of University Professors. This doctrine has been reiterated and amplified in the association's 1970 “Statement on Freedom and Responsibility.” Swarthmore College adheres to the 1970 Statement, relevant portions of which are reproduced below. The complete texts of the association's 1940 and 1970 statements are available at [www.aaup.org/issues/academic-freedom](http://www.aaup.org/issues/academic-freedom).

Membership in the academic community imposes on students, faculty members, administrators, and trustees an obligation to respect the dignity of others, to acknowledge their right to express differing opinions, and to foster and defend intellectual honesty, freedom of inquiry and instruction, and free expression on and off campus. The right of students to exercise free expression, including peaceful dissent, orderly demonstrations, protests, and picketing, will be respected. Swarthmore College honors the American Association of University Professors' statements on freedom and responsibility, including the following: “The expression of dissent and the attempt to produce change, therefore, may not be carried out in ways that injure individuals or damage institutional facilities or disrupt the classes of one's teachers or colleagues. Speakers on campus must not only be protected from violence, but also be given an opportunity to be heard. Those who seek to

call attention to grievances must not do so in ways that significantly impede the functions of the institution.”

Expressions of dissent are expected in any living and learning community, but this expression must not interfere with normal College business. It is a violation of the norms of this academic community for anyone to prevent the conduct of College business, including lectures, meetings, events (such as admissions tours or job interviews), ceremonies, or other necessary business and community functions. Protests are permissible, except in the following locations: classrooms, offices, libraries, dining halls (including cafes), Worth Health Center, residence hall rooms, and lecture halls, ensuring that the normal work, residential experiences, and services of the College can continue. Students who disrupt the functions of the College, including violating the rights of community members and invited speakers to speak, may be subject to the student conduct process.

Students are entitled to an atmosphere conducive to learning and to even-handed treatment in all aspects of the teacher–student relationship. Faculty members may not refuse to enroll or teach students because of the student’s beliefs or the possible uses to which they may put the knowledge to be gained in a course. The student should not be forced by the authority inherent in the instructional role to make particular personal choices as to political action or their own part in society. Evaluation of students and the award of credit must be based on academic performance professionally judged and not on matters irrelevant to that performance, such as personality, race, religion, degree of political activism, or personal beliefs.

If a student has a grievance against a faculty member that cannot be resolved directly with the faculty member who is involved, then the student should take their concerns to the department chair. If the grievance remains unresolved, then the student should contact the provost. For a grievance based on discrimination, including harassment, the student is encouraged to consult with the [director of equal opportunity and engagement](#) or, in the case of sexual misconduct, the [Title IX coordinator](#).

#### ❖ **Academic misconduct**

Academic misconduct is defined as a violation of the College’s standards of academic integrity whether these violations are intentional or unintentional. Academic misconduct consists of cheating on an exam, plagiarism on an academic assignment, or unauthorized collaborative work.

Evidence of academic misconduct may include, but is not limited to, the following:

- Some of the student’s work coincides with or closely paraphrases a source that is not properly acknowledged.
- Glaring coincidences in the work of students on exams, papers, problem sets, etc.,

where cooperation in producing the work was not permitted.

- Submission of the same work in more than one course. When submitting any work to an instructor for a course, it is assumed that the work was produced specifically for that course. Submission of the same work in more than one course without prior approval is prohibited.

Sources that must be acknowledged include, but are not limited to, lab manuals, books, articles in books, journal articles, and web pages, along with graphs, charts, tables, data sets, etc., in any of the sources just mentioned. Proper acknowledgment must indicate both the source and how it served as a source for any specific portions of the student's assignment.

The informal nature of some writing may obviate the necessity of rigorously formal citation, but still requires honest attribution to original authors of all borrowed materials. Students should feel free to consult with instructors whenever there is doubt as to proper documentation.

A faculty member who has good evidence to suspect a student or students of academic misconduct will, at the faculty member's discretion, consult the department chair about the case and then meet with the student (or students) to discuss the incident in question. At the faculty member's discretion, the department chair or other department faculty member may be present. After this meeting, if the faculty member's suspicions are not allayed, the faculty member will submit a report to the Senior Associate Dean of Student Life. The report will include a narrative of the incident and evidence supporting the charge. The College Judiciary Committee will typically resolve a complaint under the academic misconduct policy, particularly if facts are contested.

However, a respondent student may request resolution through an administrative adjudication to be conducted by a student conduct administrator (typically the Senior Associate Dean of Student Life or another member of the Student Affairs Division staff). The student conduct administrator will meet with the reporting faculty member and the responding student to determine responsibility and render a decision as to what sanctions, if applicable, may be implemented. Both parties must agree to resolution by administrative adjudication. The case packet -- consisting of the faculty member's report, relevant academic materials, and any response to the allegation -- will serve as the primary evidence in making a determination of responsibility. Both parties must receive notice, the opportunity to review the case packet in advance, and the opportunity to present relevant information to the student conduct administrator.

An administrative adjudication is particularly appropriate for a first offense for which the responding student has admitted to the academic misconduct and there is no significant dispute in the relevant facts of the case packet. In deciding whether the academic policy has been violated, the student conduct administrator will reach a determination by a preponderance of the evidence standard-- that is, whether the conduct was more likely than not to have occurred as alleged. Even when requested, depending upon the nature or

severity of an allegation (entire senior thesis, a significant number of students involved, no prior College precedent, etc.) the student conduct administrator may decline to handle the matter through an administrative adjudication and refer the case to the College Judiciary Committee at any time.

In cases where a student has a pre-existing offense or in cases that do not have any existing precedent the case will be automatically referred to the College Judiciary Committee for adjudication.

### ❖ **Academic Progress Standards and Requirements**

The academic year at Swarthmore is 32 weeks long, during which time students are expected to complete 6 to 8 semester course credits of work. Normal progress toward the degree of bachelor of arts or bachelor of science is made by eight semesters' work of four course credits or the equivalent each semester. Four course credits per semester is the normal load. Students may and frequently do vary this by programs of three or five semester course credits, with special permission. College policy normally does not permit programs of fewer than 3 course credits within the normal eight-semester enrollment. Programs of more than 5 credits or fewer than 4 credits require special permission (see section 4.1 on tuition and section 8.3 on registration). Course credit earned by examination does not count in registration load.

Satisfactory progress towards the 32 credit graduation requirement includes earning passing grades, an overall grade point average of at least 2.0 by graduation, and completing at least one major and the non-major degree requirements listed in chapter 9 of the catalog. The definitions of upper-class levels are as follows: Students become sophomores when they have earned 6 to 8 semester course credits toward their degree. Students become juniors when they have earned 14 to 16 credits. Students become seniors when they have earned 22 to 24 credits. Some offices on campus, such as student housing, may have additional requirements in their definitions of the student classes.

The Committee on Academic Requirements (CAR) is a standing committee of the faculty charged with regular review of students' academic programs and the administration of faculty regulations concerning academic standards and requirements. The committee is also empowered to recommend to the faculty waivers of certain requirements (e.g. the senior-year residency requirement). Students can petition the CAR to request a waiver of a requirement by completing the [Academic Requirements Petition Form](#) available on the Registrar's Office website.

With the Vice President for Student Affairs and Dean of Students as co-chairs, the committee regularly meets approximately three weeks after the end of each semester to review the academic records of all students who earn two or more grades less than C in the preceding semester, or who have two or more Incomplete grades, or who are not making satisfactory progress in completing distribution or other degree requirements including cumulative GPA, or who are under advisement from previous CAR mandates. This committee may also review student records at other times should information arise

about academic difficulties that were not available at the time of the regular committee meetings.

The committee normally follows the guidelines outlined below, but the committee also retains the right to consider extenuating circumstances of a student's case, such as health issues, family crises or other special circumstances, which may vary from the guidelines. Additionally, the Vice President for Students Affairs or designee may vary from these guidelines within the appeals process, to take into consideration new information and/or extenuating circumstances about a student.

The committee may take one of several actions including, but not limited to:

- 1) Warnings: Students meet with their student dean as needed.
- 2) Probation: Students may be placed on academic probation, continued on probation, or removed from probation, however, students may not be continued on probation for more than two consecutive semesters. Rising seniors and current seniors may receive a specific probation senior letter, which may include probationary status, if the Committee is concerned about a student's progress to graduation. Usually, the start date of any probation is the first day of classes of the next semester. The duration of the probation is typically one semester and lasts until the committee removes the probationary status at the following committee meeting. Notification of probation is considered a change in good standing status and will normally be sent to parent(s) or guardian(s) and the student meets regularly with their student dean.
- 3) Required to withdraw: Students who fail to meet the terms of their probation are normally Required to Withdraw, which requires the student to take a leave of absence for the upcoming semester. Students whose academic performance is particularly poor may be Required to Withdraw without having been placed on probation earlier. Students on Required Leave must take a leave of absence for a semester or longer and engage in meaningful activity (i.e. academic classes at another institution, work, and/or volunteer activities).

In order to return from Required Leave, the student must write a detailed request to the Associate Dean of Academic Success requesting permission to return, explaining what happened, what was done while the student was away, and outline a plan for how the student will address, upon return, the issues that resulted in the required leave. In some cases, the student will be required to bring back credits, pre-approved by departments, to catch up with the student's class standing. The end date of the leave is normally the first day of classes of the semester of return. Appeals may be made to the Vice President for Student Affairs at the time of notification of the change of status. The student's parent(s) or guardian(s) are notified, because this is considered a change of status and is considered as a change in good standing. Students who are granted permission to return will be placed on academic probation for the return semester. The academic

probation starts the first day of classes.

### ❖ **Computer Systems and Networks Acceptable Use Policy**

Use of the Swarthmore College computer systems and networks is governed by the general norms of responsible community conduct described in the student, faculty, and staff handbooks; by the College's [electronic privacy policy](https://www.swarthmore.edu/its/electronic-privacy) (<https://www.swarthmore.edu/its/electronic-privacy>); by local, state and federal laws; and by College policies specific to use of the computer systems and networks, which are described in the following sections.

This policy refers to all who use the computers, networks, and peripherals owned or operated by the College, or who gain access to third-party computers and networks through the College's system. Swarthmore College normally grants access to its computing network and systems to currently enrolled students, to current and emeriti faculty, and to currently employed staff.

Individuals with access to the Swarthmore College network have the following obligations and responsibilities:

1. To respect other people and the College's intellectual environment. Use of the network may not violate College policies, federal, state, or local law, including the laws of defamation, forgery, copyright/trademark infringement, and harassment.
2. To not engage in copyright/trademark infringement: The copying of copyrighted materials such as music, movies, and other multi-media via Internet peer-to-peer file sharing software or other means is strictly forbidden. The Digital Millennium Copyright Act (DMCA) provides an opportunity for online service providers (OSPs) to shield themselves from liability for the actions of their subscribers who infringe on the copyrights of others. All institutions of higher education that provide Internet access fall within the scope of the definition of an OSP, with subscribers being their students, faculty, and staff. Information about the DMCA and the College's policy on copyright infringement is at [www.swarthmore.edu/its\\_copyright.xml](http://www.swarthmore.edu/its_copyright.xml).
3. To protect each individual's accounts from unauthorized use by others. Every account is provided for the use of a specific individual and may not be shared with nor loaned to others. Additionally, office computers are generally assigned to specific individuals for College-related work. All members of the community must obtain permission before using a computer not assigned to them.
4. To respect the integrity of other users' accounts. Individuals must not use another person's user ID without express permission, or attempt to decode passwords or access information illegitimately. For example, sending electronic mail under another person's name (forged email) is a violation of this policy.
5. To avoid engaging in any activity that may reasonably be expected to be harmful to the systems operated by the College, including, but not limited to, attempting to

disrupt, gain unauthorized access to, or damage computing and network systems (hardware and software) belonging to Swarthmore College, or to use the College's computing resources to disrupt, infiltrate, or damage systems belonging to others on campus or around the world. When a system vulnerability is discovered, users are expected to report it to Information Technology Services (ITS).

6. To avoid excessive use of shared resources. Excess use of resources may occur through monopolizing systems, overloading networks, misusing printers or other resources, or sending spam or unsolicited mass electronic mail.

Violations of these guidelines that come to the attention of ITS will be referred, as appropriate, to the Student Affairs Division, Provost's Office, or Human Resources Office. Where appropriate, ITS may temporarily withhold services from students, faculty, or staff while referring the case in a timely manner to the appropriate College office. Sanctions can also include termination of all OSP services to the individual(s).

#### ❖ **Leaves from the College**

<https://www.swarthmore.edu/academic-advising-support/taking-time>

***Voluntary leaves of absence.*** Student leaves of absence for the duration of a semester are freely permitted. Some fines may occur if late notice is given. A student planning a leave of absence should seek permission from a Dean and submit the necessary information to the Associate Dean of Academic Success prior to the deadline published each semester—usually November 15 and April 1. When possible, the student should specify the date of expected return and the student must secure return approval with the Associate Dean of Academic Success prior to return (usually by November 15 or July 1). Please note that some leaves may affect the student's repayment of loans.

***Withdrawal.*** Withdrawal from the College may occur for academic, disciplinary, health, personal, or financial reasons and may be voluntary or required by the College. Students withdrawing from the College before the end of the semester normally receive the grade notation "W" (withdrawal) on their permanent record for all in-progress courses.

***Involuntary withdrawals.*** The College reserves the right to exclude at any time students whose conduct it regards as unsatisfactory, or students who experience medical or behavioral needs requiring a level of support that cannot reasonably be provided while living in residence or participating in an academic program. In no case will a student's mental or physical condition itself be the basis for a withdrawal required by the College.

Such conduct includes, but is not limited to: a student engages in, or is at significant risk of engaging in, behavior that could result in physical harm to self or other(s); manifests an inability to attend to personal needs related to food, shelter, personal safety and general wellbeing, such that there is a reasonable possibility of serious physical harm; behaves in a manner that interferes substantially with the rightful daily activities of members of the College or surrounding community, with the educational and/or

residential environment, or with the orderly operation of the College, including behavior that imposes an unreasonable burden on the College's human resources needed for continued management of such behavior; fails to pay term bill by the stated due date; fails to provide required immunization records by the stated deadline; and fails to register as required at the beginning of each term or fails to complete all course work and have all course grades recorded for the prior term.

Before placing any student with a documented disability on a mandatory leave of absence, the College will do an individualized assessment to determine if there are reasonable accommodations that would permit the student to continue to participate in Swarthmore's campus community without taking a leave of absence.

An Evaluation Committee, comprising two deans, makes the decision to require withdrawal from the College. The Evaluation Committee will review the problematic behavior and may consult with the Director of Student Health and Wellness, the Director of Counseling and Psychological Services, or any other appropriate College official when making its decision. Decisions of the Evaluation Committee may be appealed to the Vice President for Student Affairs.

Students withdrawing from the College before the end of the semester normally receive the grade notation "W" (withdrawal) on their permanent record for all in-progress courses.

The provisions in this involuntary withdrawal policy does not take the place of disciplinary actions that are in response to violations of the College's policies and regulations, and they do not preclude the removal or dismissal of students from the College or campus housing as a result of violations of the College's policies and rules and regulations.

**Access to College Services & Activities.** Students who take a voluntary leave of absence from the College may seek remote assistance with academic or career planning and will maintain access to their Swarthmore email account. They will also remain eligible to use the mental health support services offered by Talkspace and CAPS On-Call. If a student misuses any College services, then the student may lose access to all services or privileges.

Students on a leave of absence do not retain library borrowing privileges, are not eligible to be on student payroll, are not eligible to register for or audit courses, and are not eligible to vote in student government elections or referenda. Students who are on leave do not have access to campus facilities and services, are not eligible to serve in leadership roles in student organizations and student government and are not eligible to use student organization funds. This is a general description and students should consult with the relevant offices for more detail as-needed.



**Return after leave of absences or hospitalization.** Students who go on a leave of absence or who are hospitalized for a period of time during the semester are subject to readmission procedures before they may return to campus to resume their studies. The College applies its readmission procedures in a nondiscriminatory manner and may require any documentation or evaluation it deems appropriate. A student returning to campus after a physical health concern must communicate with the Student Health and Wellness Center director or designee prior to returning to on-campus housing to ensure the student's readiness to resume college life and so that follow-up care can be discussed. A student returning from an inpatient mental health facility or hospital must communicate with the director of Counseling & Psychological Services (CAPS), or designee, prior to returning to on-campus housing, attending classes, or other College sponsored events.

**Readmission following withdrawal.** A student who has taken a leave of absence or withdrawn from the College for any reason, voluntary or involuntary, may apply for readmission by writing to the Associate Dean of Academic Success. Normally, the College will not accept applications for readmission until a full semester, in addition to the semester in which the student has withdrawn, has passed. For a complete description of the readmission process, please refer to the *Swarthmore College Bulletin* (College catalog — [www.swarthmore.edu/college-catalog/faculty-regulations/](http://www.swarthmore.edu/college-catalog/faculty-regulations/) at section 8.5.3).

#### ❖ **Libraries**

<https://www.swarthmore.edu/libraries/borrowing-policies-students>

As the center of community, the Libraries foster critical inquiry, scholarly discovery and engagement, and innovation and creativity - a dynamic forum for people and ideas. The Swarthmore College Libraries are committed to providing a safe, productive environment for study and research. The Libraries want students to be aware of the Swarthmore Libraries code of conduct and borrowing policies.

#### ❖ **Non-Discrimination and Equal Opportunity**

<http://www.swarthmore.edu/equal-opportunity-office>

The College expressly prohibits any form of discrimination and harassment on the basis of any College-recognized protected classification, including sex, race, color, age, religion, national or ethnic origin, sexual orientation, gender identity or expression, pregnancy, marital status, medical condition, veteran status, or disability in any decision regarding admissions, employment, or involvement in a College program or activity in accordance with the letter and spirit of federal, state, and local non-discrimination and equal opportunity laws, such as Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, The Age Discrimination in Employment Act, The Americans with Disabilities Act and ADA Amendments Act, The Equal Pay Act, the Pennsylvania Human Relations Act, and the Borough of Swarthmore Ordinance on Non-Discrimination.

Swarthmore College, as an educational community, will promptly and equitably respond

to all reports of discrimination and harassment based on a protected classification in order to eliminate the discrimination, prevent its recurrence, and address its effects on any individual or the community.

Inquiries or complaints may be directed as follows:

Who to contact to file a discrimination complaint

<b>On Campus:</b>		
Paula MacDonald Interim Director of Equal Opportunity and Deputy Title IX Coordinator 101 S. Chester Road, Room 115 500 College Avenue Swarthmore, PA 19081 610-690-5667 <a href="mailto:pmacdon1@swarthmore.edu">pmacdon1@swarthmore.edu</a>	Bindu K. Jayne Title IX Coordinator 504 Fieldhouse Lane 500 College Avenue Swarthmore, PA 19081 610-690-3720 <a href="mailto:bjayne1@swarthmore.edu">bjayne1@swarthmore.edu</a>	
<b>Off Campus:</b>		
US Dept. of Education, Office for Civil Rights 215-656-8541 <a href="mailto:OCR.Philadelphia@ed.gov">OCR.Philadelphia@ed.gov</a>	Equal Employment Opportunity Commission: 1-800-669-4000	PA Human Relations Commission: (215) 560-2496
Whistleblower Hotline: 866-292-7713		

The College's complaint resolution procedures applying to:

- **staff** can be found in Chapter 11 of the [Employee Handbook](#);
- **students** can be found in the [Student Conduct Policies and Procedures](#) section of the Student Handbook;
- **instructional staff** can be found in section II.C.1 of the [Faculty and Instructional Staff Handbook](#) (\*this policy will undergo a review during the 2019-2020 academic year); and
- **sexual violence, sexual harassment, stalking, intimate-partner violence and other sex and gender based complaints** can be found in the [Title IX and College-Defined Sexual Misconduct Policy \(https://www.swarthmore.edu/title-ix/title-ix-and-college-defined-sexual-misconduct-policy-procedures\)](https://www.swarthmore.edu/title-ix/title-ix-and-college-defined-sexual-misconduct-policy-procedures).

## **Statement of Equal Opportunity**

Swarthmore College is committed to the principle of equal opportunity for all qualified persons without discrimination against any person by reason of any College-recognized protected classification, including sex, race, color, age, religion, national or ethnic origin, sexual orientation, gender identity or expression, pregnancy, marital status, medical condition, veteran status, or disability.

In keeping with the long-standing traditions of the College and the spirit and letter of the federal and state equal opportunity laws, we affirm it is the standing policy of the College to realize equality of opportunity in education and employment; to guard against discrimination contrary to that aim; and to correct discriminatory behavior if found to exist within the College community. Consistent with maintaining an educational program of the highest quality, our standing policy includes affirmative efforts to achieve the above goals in employment and education.

The above policy has been and shall be further implemented by the President and by members of the faculty and administration designated by the President for that purpose. (Adopted by the Board of Managers 1 March 1975, with amendments 24 April 1976, 3 December 1977, 7 December 1985, and 5 March 2007.)

These policies apply to all College community members, including faculty, staff, students, and volunteers.

## **Social & Residential Resources & Support**

### **Career Services**

*<http://www.swarthmore.edu/career-services>*

Career Services engages students as they reflect on and integrate all facets of their Swarthmore experience for lifelong career development, meaning and purpose. Our vision is that every Swarthmore student has a career mentoring experience, supported by the Swarthmore community, thus graduating prepared to identify and pursue unique paths for impactful lives. Our values include collaboration, trust and respect, equitable accessibility, empowerment, inclusive & transparent communication, empathy and compassion, optimism, creativity and innovation. We counsel students using life design to help them envision ways they choose to have an impact in the world. In addition to signature programs including Extern, SwatWorks, Swarthmore Future Entrepreneurs, the Diversity Showcase and TriCo Recruiting, we cultivate internship, employment and networking opportunities for students through robust connections with global employers and Swarthmore alumni. We collaborate with students in developing strong application materials, interviewing and networking skills and in building students' cultural and social capital as they design their life and meaningful work.

## **Counseling & Psychological Services (CAPS)**

*<http://www.swarthmore.edu/counseling-and-psychological-services>*

Due to the ongoing COVID-19 global pandemic, all CAPS sessions will be offered virtually for the fall 2020 semester. Please note that, as outlined below, services will vary depending on the state you currently reside in. CAPS is staffed by clinical social work, psychology and psychiatry clinicians. In the event of an acute psychological crisis, consultation is available by utilizing the CAPS On-Call telephone consultation service, 610-328-7768, which is accessible 24/7 throughout the calendar year.

### **In-State Services**

- **INDIVIDUAL PSYCHOTHERAPY**

In the fall 2020 semester, all students who reside in Pennsylvania, whether on- or off- campus, will be able to access individual therapy services virtually at CAPS. Beginning August 31, 2020, you may request an appointment by completing this [form](#).

Swarthmore College's Counseling and Psychological Services offers short- and longer-term individual therapy based on student needs. Short-term therapy can focus on helping students to effectively manage a discrete challenge or to make a desired change in their life. In comparison, longer-term therapy offers the opportunity to address a student's overall development and longstanding concerns.

- **CAPS ON CALL**

As always, CAPS On-Call is also available for consultation 24 hours a day, every day of the year at 610-328-7768. There are multiple types of services available for urgent mental health needs. [View available resources](#).

### **Out-of-State Services**

- **INDIVIDUAL CONSULTATION**

Due to state licensing regulations, CAPS will shift our delivery of services to out of state students this fall 2020 semester. CAPS counselors will offer up to 3 tele-consultation sessions to out of state students. Beginning August 31, 2020, you may request an appointment by completing this [form](#).

- **CAPS ON CALL**

As always, CAPS On-Call is also available for consultation 24 hours a day, every day of the year at 610-328-7768. There are multiple types of services available for urgent mental health needs. [View available resources](#).

### **Other Services**

- **TALKSPACE**

Swarthmore College is partnering with Talkspace. Visit the [Talkspace](#) page to learn more. Talkspace will be available to all Swarthmore students regardless of their state of residence.

## **Student Affairs Division** (formerly Dean's Office)

<https://www.swarthmore.edu/dean-students/meet-student-affairs-division>

The Student Affairs division supports the holistic development of students through providing experiences and services that contribute to their overall learning in and out of the classroom, enhances the student experience at the College, and prepares students for life after graduation.

The Student Affairs Division oversees the academic support, residential, and social resources available to students at the College. Students are encouraged to reach out to the staff of the Student Affairs Division for academic affairs and support, disability services, and specialized advising for students interested in pre-med and pre-law preparation. The division also oversees diversity, inclusion and community development initiatives on behalf of students, including supporting resources such as the Office of Student Engagement, the Black Cultural Center, and the Intercultural Center. The Student Affairs Division attends to the health and wellbeing of students through the Student Health and Wellness Center and Counseling & Psychological Services (CAPS). Students wishing to pursue fellowships and prizes or who are seeking the support of career services should also turn to the Student Affairs Division. Finally, the Student Affairs Division is responsible for managing the student conduct process for students.

## **Identification Cards (OneCard)**

<https://www.swarthmore.edu/onecard>

Student identification cards (OneCard) are issued by the OneCard Office. Lost OneCards can be replaced for a \$15 fee at the OneCard Office. After-hours assistance related to a defective, lost, or stolen OneCard can be obtained at the Public Safety Office (Benjamin West House).

Admission to the dining hall, large-scale campus events, registered parties, and other student social events may require a valid College OneCard for admittance. OneCards may be checked at the door of these and other events/locations by SwatTeam, event hosts or College staff. At events where guests are allowed, Swarthmore students may be permitted one (1) guest, who must be signed-in with the name of both the host and guest recorded at the door of the event/party. Guests are required to present a valid state issued driver's license or ID. Guests under the age of 18 are generally not permitted at all-campus events or events registered with alcohol.

Swarthmore OneCards are not transferable. Loaning your OneCard to another individual for use at Sharples Dining Hall or any College function is prohibited and individuals may be fined \$35 and/or face violations of the student code of conduct. Misused OneCards will be confiscated and returned only on application to the Student Life division.

Upon request, students are obligated to provide College personnel with accurate

identification and must present their OneCard when requested. A student may not knowingly provide false information or make misrepresentations to any College office. Swarthmore Police Department will accept a Swarthmore College OneCard as proof of identification, except when a driver's license is required for operating a motor vehicle.

In addition, forgery, alteration, or unauthorized possession or use of College documents, records, or instruments of identification, or forged or fraudulent communications (paper or electronic mail) are prohibited and subject to disciplinary action.

### **Parking on Campus**

<http://www.swarthmore.edu/public-safety/parking>

All members of the campus community (faculty, staff, students, and visitors) are expected to follow the College's parking and transportation policies. These policies are enacted in order to increase campus safety and to preserve parking for Swarthmore College employees and students who are issued permits.

There are a limited number of parking spaces on campus for current students. For reasons of sustainability and community, students are not allowed to bring a car to Swarthmore College without explicit approval from the Parking Committee. Approximately 160 parking permits are set aside for members of the student body with extenuating needs or circumstances that will require a car. The number of student permit requests usually outnumbers the spaces we have set aside for students. As such, student parking permits applications will be prioritized by established and existing criteria: class year, extenuating need, and special medical accommodations.

Students should not plan on bringing a car to campus unless they receive explicit permission to do so. Parking regulations are enforced at all times during the Fall, Spring, and Summer semesters. Students found in violation of campus transportation policies may be referred to the Office of Student Conduct.

### **Student cars without permits parked anywhere on campus at any time**

For non-permitted student cars parked on campus, including in faculty-staff-permit spaces, student-permit spaces, handicapped-accessible spaces, or visitor spaces, Public Safety will issue a citation. After two citations, the car will be issued a Boot/Tow Notice, and will be booted or towed at the next infraction.

### **Student Cars with student permits parked in spaces other than assigned student lot**

The student permit allows the student to park only within the assigned student parking lot. If a vehicle with a student permit is parked in any other space, including faculty-staff spaces or visitor spaces, Public Safety will issue a citation. After two citations, the car will be issued a Boot/Tow Notice, and will be booted or towed at the next infraction.

### **Car towed immediately in cases of compromised safety or accessibility**

In the case of a car parked in a fire lane, loading zone, or signed accessible space, or in

any case where there is a safety or accessibility issue, the car will be towed immediately, at owner/operator's expense. Public Safety will not wait for multiple tickets to accrue.

**Fines:**

- \$20 fine for the following infractions:
  - o Prohibited Parking by Sign or Yellow Line
  - o Overtime in 20-minute zone or 2-hour zone
  - o Blocking a crosswalk, driveway, dumpster or other vehicle
  - o Parking without a permit, or while permit is suspended or revoked
  - o Taking two parking spaces for a single vehicle
  - o Failure to display a parking permit as instructed
  - o Parking in other than an authorized lot or space
- \$50 fine for the following infractions:
  - o Exceeding posted speed limit
  - o Reckless driving
  - o Driving/parking on sidewalks or grass
  - o Parking in a fire lane or zone
  - o Disobeying a traffic control device or barrier
  - o Parking in roadway (including Parrish East and West Circles and the Lang/LPAC Circle)
- \$100 fine for the following infractions:
  - o Blocking a fire hydrant, fire escape, or exit
  - o Parking in a signed handicapped-accessible parking space
  - o Removal of boot
  - o Towing fine (not including fees from towing company)

**Citation Fines Payment and Adjudication**

Drivers have 30 days to pay a citation fine. Fines are discounted 20% if paid within 5 days of issue. If a student's fine is not paid within 30 days, the fine will be added to the student's account. The student may not graduate until all fines are paid in full.

Public Safety officers will be instructed to boot the vehicle at the next infraction when a student accrues one of the following: a boot/tow notice; three unpaid citations; \$100 or more in outstanding fines. To have a boot removed, the driver must pay the boot-removal fine of \$100 and all outstanding parking fines. If a student with a permit accrues three or more citations, or is booted, that student's permit will be suspended for the remainder of the academic year. Permit revocation decisions are typically based on the accumulation of three violations that have been un-appealed or unsuccessfully appealed. All decisions are final.

**Public Safety**

<http://www.swarthmore.edu/public-safety>

Swarthmore's Public Safety Department operates 24/7/365 and is fully committed to providing a safe and healthy campus for the entire community. Uniformed officers patrol

buildings and grounds, respond to emergencies, educate the community about crime prevention, and provide individual safety escorts upon request. Public Safety also offers self-defense classes and regularly meets with RAs to discuss safety issues.

The Department's GARNET Safety Program includes free apps for smartphone devices such as LiveSafe (<https://www.livesafemobile.com/solutions/mobile-app/>) which, when activated, sends audio, video, and a GPS location to the Department's Communication Center and the Garnet Shuttle app (<http://translocrider.com/>), which provides real time location and estimated arrival times for shuttles. Information on both is available on the Public Safety website.

For general questions or to learn more about safety and education initiatives please call ext. 8281 on campus or 610-328-8281 from off campus. All emergencies should be reported to Public Safety's emergency telephone line, ext. 8333 on campus or 610-328-8333 from off campus. Any crime or suspected crime should be reported immediately to Public Safety. The Department of Public Safety works closely with Swarthmore Borough Police, who may also respond to campus for major incidents or aide in the investigation of crimes.

Public Safety works vigorously to comply with the spirit and letter of federal laws that govern campus safety and security. More information about these laws and our annual reports of information about crime on and around campus can be found at <http://www.swarthmore.edu/public-safety/clery-crime-statistics>, and also in the Annual Fire Safety and Security Report under Federal Safety Information - Clery Act on the same site.

Public Safety is located in Benjamin West House and serves as the visitor center and central phone operator for the College.

The Department strives to educate and partner with the community and instill the concept that safety is our shared responsibility.

### **Office of Student Engagement (OSE)**

<https://www.swarthmore.edu/living-swarthmore>

Swarthmore College is committed to student learning in and out of the classroom and thus supports the personal and leadership development of students through extracurricular activities. Swarthmore's housing philosophy is based on the belief that residence-hall living enhances education by contributing to an individual's academic, social, and personal development. If residential communities are to provide an environment for personal growth, residents must accept responsibility for their own actions and demonstrate respect for the rights and concerns of others and for the property of the College.

General housing policies and regulations described below are established by the Student



Life division and the Office of Student Engagement. Students are expected to familiarize themselves with the policies and rules concerning conduct in the residence halls. Acceptance of space in College housing constitutes a knowledge of, willingness, and agreement to abide by these housing policies. Living in College housing is a privilege and not a right. The Student Life division and/or Office of Student Engagement may, at any time and at its own discretion, withdraw this privilege due to behavior, which does not rise to the standards outlined below. Students who lose their housing privileges are not typically entitled to a refund of their room and board charges for the remaining weeks of the semester.

#### ❖ **Housing Eligibility**

Eligibility for College housing is contingent upon full-time enrollment status and on-time participation in the room selection process. To reside in College housing, students must be in good financial and student conduct standing with the College, and must satisfy any outstanding fees owed to the College prior to move-in day. Students with outstanding balances will not be able to move into their residence hall rooms or collect their keys until the matter is resolved.

Students are eligible for eight (8) terms of College housing, including terms spent on study abroad. Students may request housing after their eighth (8<sup>th</sup>) semester but it is subject to limited availability. Students taking part in a ninth (9<sup>th</sup>) semester teacher certification program are not eligible for College housing.

#### ❖ **Conditions of Occupancy**

Students living in College housing agree to abide by the rules, regulations, and policies stated in the *Student Handbook* and the Residential Living Agreement. Violations of residence hall rules and regulations are considered to be violations of College policy and may be referred to the Office of Student Conduct. Residents must accept responsibility for their own behavior and act in a manner that demonstrates respect for the rights and concerns of others and for the property of the College.

Official occupancy dates for the residence halls are listed in the academic calendar. Residence halls remain open during fall break, Thanksgiving break, and spring break. Residence halls are closed to students during winter break and the 2020-2021 J-Term. Specific winter vacation dates are set each year, but generally include a prolonged period from mid-November through mid-February when no campus housing is available.

When the residence halls are closed, no student may be in the building. Students found in residence halls when they are not authorized to be there are subject to fines and may be referred to the Office of Student Conduct.

#### ❖ **Room Assignments**

Most students live in college residence halls all eight (8) semesters. New students are required to live in the residence halls during their first two (2) semesters. After their first year at the College, students are permitted to live in non-College housing.

All new students are assigned roommate(s) and a residence hall room by the Office of Student Engagement. During the spring semester, rising senior, junior, and sophomore students indicate room preference for the following fall. Each student receives a lottery number, based on their official class year, which dictates their priority status in lottery room selection. The College guarantees housing for all students who participate in the housing selection process in a timely manner. While many seniors and some juniors live in single-style rooms, the College cannot guarantee that a single will be available for any student. First-year, sophomore, and junior students generally live in doubles, triples, or quad-style rooms.

A mixture of class years live in each residence hall. About 90 percent of residence hall areas are designated as gender-neutral housing either by floor, section, or building. The remaining areas are single-gender housing. Although single-gender options are offered, they are not always available and as such cannot be guaranteed.

#### ❖ **Room Access**

A member of the Student Affairs Division, Public Safety, Office of Student Engagement, and/or their designee may enter a student room, without notice, if there is reason to believe that a College policy/rule, state, federal, or local law is being violated. Also, College personnel may enter a student room in order to check the health and/or wellbeing of a student at any time.

Facilities staff, members of the Student Affairs Division, and/or Public Safety staff, may access student rooms to conduct maintenance and/or health and safety inspections at any point during the term. During College breaks members of Student Life and Facilities staff will access students' rooms to conduct safety inspections and will report violations of College policy. Violations may be subject to fines and may be referred to the student conduct process.

#### ❖ **Arrival and Departure Dates**

Students may neither arrive early at the beginning of a semester nor remain in College housing after the announced closing date without special permission from the Office of Student Engagement. A fine of at least \$100 may be assessed, per day, for violations of this policy, and the case referred to the student conduct process. Individuals found to be in the residence halls without permission will be required to leave immediately.

#### ❖ **Room Changes**

Requests for room changes can be requested by contacting the Office of Student Engagement. Making a room change request does not ensure that a room change will be made. Students are expected to work through roommate and other housing conflicts with the involved parties, with the help of resident assistants (RAs), residential community coordinators (RCCs), Office of Student Engagement professional staff, or deans.

All students are expected to occupy the rooms to which they are assigned or which they have selected through the regular room choosing process. Prior approval from the Office

of Student Engagement is required of any student making a room change. Students are restricted from occupying, moving into, or using as storage any vacant residence hall room, without expressed permission from the Office of Student Engagement. Students who switch rooms without the consent of the Office of Student Engagement may be penalized \$100 and will not be permitted to participate in the next housing lottery.

### ❖ **Room Cancellations**

If a student reserves a room through the housing lottery or waitlist system and cancels their housing assignment after the first day of classes, students will be eligible for a refund based on the date of cancellation.

If a student cancels their room and board*:	room and board reduced by:
Before the start of classes	by 100 percent
During Week 1	by 100 percent
During Week 2	by 90 percent
During Week 3	by 80 percent
During Week 4	by 70 percent
During Week 5	by 60 percent
During Week 6	by 50 percent
During Week 7	by 40 percent
During Week 8	by 30 percent
During Week 9 and beyond	No further reduction in room and board

\* Board plan reductions may incur additional reduction based on the number of Points and/or Swat points that have been spent from your plan.

### ❖ **Keys and Locks**

The College takes precautions to protect the safety and wellbeing of students, and expects students' full participation in this process. Rooms should be locked when unoccupied, even for a brief period of time, to avoid theft of personal property. Exterior entry doors must not be propped open. Public Safety officers, Environmental Services (EVS) staff, maintenance workers and their supervisors, professional staff from Student Life, Office of Student Engagement, as well as resident assistants (RAs), may have access to master keys for each residence hall. These keys may only be used in the course of fulfilling official job duties. All residence hall exterior doors are locked and can be accessed with a student's OneCard.

**Key Central.** Key Central is located in the Facilities and Services Building. Key Central is generally open weekdays from 6:30 a.m. to 2:30 p.m. The office may be contacted by emailing [locks@swarthmore.edu](mailto:locks@swarthmore.edu) or calling ext. 5397 (KEYS) from a campus phone. From off campus, call 610-690-5748. Keys will only be issued to the person to whom they are assigned.

**Lost Keys.** Lost keys must be reported immediately. Please notify Public Safety, the Residential Communities Coordinator (RCC), and Key Central immediately by email about a lost key. There is a \$50 charge to replace a lost key. If a student loses more than one key, or there is reason to believe that the key may be identifiable, a mandatory room lock change may be required.

**Found Keys.** Found keys are to be turned in to Public Safety or Key Central immediately. For security reasons, the office will not divulge the identity of a key or its owner to other students.

**Room Changes.** If a student is changing rooms, they may only have one (1) key in their possession at a time. The student is not to trade key(s) with another student. When rooms are changed, Key Central automatically reassigns new key(s) and flags the other key(s) as due. If the key(s) is not returned promptly, the involved student(s) may be charged a fine up to \$100.

**Locks.** Only College locks may be used on doors; personal locks will be removed, and the owner will be charged for damages and labor.

**Returning Keys.** At the end of the year, students must return their keys to Key Central before departing campus. If a student wishes to return a key after regular business hours, the key may be placed in the 24-hour key drop located directly at the top of the loading dock stairs of the Facilities and Services Building. If the student wishes to receive a key-return receipt, they may get one during business hours at the Key Central window. Keys must be returned to Key Central by the end of move-out day each term to avoid a replacement key charge.

Should the student elect to take a leave of absence, cancel their housing contract, or depart from the College earlier than originally scheduled, all College keys immediately become due and must be surrendered before leaving campus.

#### ❖ **Vacancies**

In all non-single rooms, if one or more assigned residents cancel their housing assignment, the Office of Student Engagement has the right to fill the empty space or to move the remaining roommate(s) to another comparable space. This will be done in consultation with the remaining occupant(s).

#### ❖ **Care of College Property**

College-provided furniture in residence hall rooms may not be removed or dismantled. Public-area furnishings are intended for general use and are not to be taken into private rooms. Students who violate these expectations or fail to rectify the situation by returning furniture to its rightful place upon request may be referred to the student conduct process. Serious or repeated violations may subject the student to a referral for noncompliance and suspension of their right to reside in College residence halls.

Personal beds—including waterbeds and mattresses— may not be added to the room. For safety reasons, construction of lofts or walls in rooms is not permitted.

Students are required to complete a room inventory form during both moving in and out of their rooms. If a student changes rooms during the semester, the student is responsible for completing a room inventory form for the room being vacated and then another form for the new room. Rooms must be returned to their pre-occupancy condition upon move-out. Rooms will be examined subsequent to each student’s departure, and a fine may be levied in the event that special cleaning beyond common procedures is required, or for the absence of, or removal of unauthorized College property from the room. Fines may also be levied if the staff must move furniture in or out of the room. Similar charges may accrue if students leave belongings in common spaces that must be removed by facilities management personnel. Typically, those charges begin at \$100 per resident and increase when extra cleaning of rooms is necessary. Room walls, floors, doors, and furniture may not be painted.

#### ❖ **Prohibited Items**

Fire regulations prohibit personal cooking appliances (hot plates, toaster ovens, or other items with open-heat elements), space heaters, candles, incense, other open-flame items, vapes, and halogen lamps. Any student with an open flame (e.g., candle, incense, etc.) may be subject to a \$500 fine. Any student in possession of prohibited items and/or in violation of the fire safety policy may be referred to the student conduct process through the Office of Student Engagement.

The cooking facilities in residence halls (excluding PPR Apartments) are designed only for occasional snack use and not for regular meal preparation. Students are not permitted to cook in traditional residence hall rooms or bring microwaves or refrigerators, unless they are rented through the MyMicrofridge rental program. Extreme care must be taken with irons, clothes steamers, curling irons, and other personal-care devices. Electrical items using excessive wattage (e.g., air conditioning units) are prohibited. Extension cords must be Underwriter’s Lab approved; outlet strips must have a built-in circuit breaker. No gas-powered vehicles, hovercrafts, or other lithium powered vehicles are permitted in the buildings.

With the exception of approved service and support animals, pets are not allowed in the residence halls. A repeat offense will cause the student with the pet to forfeit their right to reside within College housing. Students who have questions about accommodations for service and support animals are invited to contact the [Office of Student Disability Services](#).

#### ❖ **Alcohol in Residence Halls**

**\*Due to the COVID-19 global pandemic, alcohol is prohibited on campus during the Fall 2020 semester.**

Typically, students and their guests over the age of 21 are permitted to possess and consume alcohol in their own residence hall room without special approval, provided fewer than ten (10) people are present; alcohol is not being provided to any individual under the age of 21, alcohol is not served from a keg and no communal alcoholic beverage is being served (such as, punch), and there is no disruption to the community. Students are required to comply with the Student Handbook policies and applicable Pennsylvania State laws.

#### ❖ **Quiet Hours**

A student's right to study or sleep in an environment free from undue interference and disruption is a priority at Swarthmore. As a result, quiet hours have been established for all student residential areas, effective:

Sunday - Wednesday: 11:59 p.m. to 7:00 a.m.

Thursday: 1:00 a.m. (Friday morning) to 7:00 a.m.

Friday: 2:00 a.m. (Saturday morning) to 7:00 a.m.

Saturday: 2:00 a.m. (Sunday morning) to 7:00 a.m.

Residents are expected to abide by courtesy hours at all times. This would include being responsive to any requests to lower the noise level regardless of the time of day.

Twenty-four hour quiet hours are in effect beginning at 11:59 p.m. on the day before the start of the reading period on the last day of classes each term through the end of exams.

It is understood that an occasional late-night study session may need to take place in a residence hall room. If a regular pattern of late-night studying develops and the roommate needs to get a regular amount of sleep, the studier will be asked to relocate to a more appropriate location (library, classroom, or residence hall lounge). Should students experience any conflicts between roommates about sleeping, socializing, and studying schedules, they are encouraged to utilize their resident assistant (RA) or residential communities coordinator (RCC) for assistance.

#### ❖ **Guests**

Due to the COVID-19 global pandemic, approved residential students are not permitted to host or provide access to any outside guests (including family members and nonresidential students).

Additionally, non-residential students are prohibited from physically accessing the campus grounds, and campus facilities, services, or activities (Please note that all remote Swarthmore resources remain available to all students).

### ❖ **Storage and Insurance**

College storage is not available during the summer term, or while a student is taking part in off-campus study. Students should make arrangements for transporting personal items to and from campus and for storing those items when the residence halls are closed (with the exception of winter break). Please contact the Office of Student Engagement for a list of suggested storage vendors. There are many locations off-campus that offer students summer and winter break storage options. Students must work with these companies directly as they are not managed by the College.

A limited amount of storage may be available to international students who are not able to travel home during the summer term and others with extenuating circumstances. Please contact the Office of Student Engagement to determine eligibility for this option.

The insurance program for the College is designed to provide protection for College property and does not include the property of students or others. Students and their parents are strongly urged to review their insurance plan to be sure that coverage is extended to include personal effects while at college. The College assumes no responsibility for stored items; students store items at their own risk.

### ❖ **Board (Meal) Requirement**

All students living in campus housing must participate in the College's meal plan. The College's meal plan is done through Dining Services (Sharples Dining Hall). More information can be found at Dining Services: <http://www.swarthmore.edu/dining-services/meal-plans>.

### ❖ **Cable and Internet**

Limited cable access is provided throughout the residence halls. Splicing into a cable line or installing a satellite dish is a violation of College policy. Wireless network access is provided in all residence halls. The use of personal wireless access points is prohibited as they may interfere with the College-provided service.

### ❖ **Summer Housing**

The College, as a service for faculty and their student researchers, provides a limited amount of summer housing. Summer housing priority is given to international students and students conducting research with faculty members. If additional College housing is available, other active students are eligible to apply (e.g. students who wish to work on-campus during the summer or hold a local internship). Information about summer housing options are made available after spring break by the Office of Student Engagement.

### ❖ **Off-Campus Housing**

In keeping with Swarthmore's philosophy that residence hall life supports the College's academic mission, most students (approximately 96%) live in the residence halls. However, it is recognized that some students may prefer to live off-campus, and, with the exception of new students, they are generally allowed to do so. Students wishing to live

in non-College housing must submit an [‘Intent to Live Off-Campus’ form](#) each academic year, and provide a local address and cell phone number.

Due to the COVID-19 global pandemic, non-residential students are prohibited from physically accessing the campus grounds, and campus facilities, services, or activities (Please note that all remote Swarthmore resources remain available to all students).

### **Student Health & Wellness Services**

<http://www.swarthmore.edu/student-health>

Phone 610-328-8058                      Fax 610-690-5724

After-hours on call 610-328-8548

Email [health@swarthmore.edu](mailto:health@swarthmore.edu)

Student Health & Wellness Services is located in the Worth Health Center. Hours are Monday through Friday 9:00AM – 5:00PM. After hours on call is available when the Health Center is closed. **Currently, there are no walk-in appointments until further notice due to COVID-19. All students must call the Health Center to schedule an appointment to be seen.** Appointments are available to visit a nurse practitioner, physician, nutritionist/ dietitian, violence prevention advocate, alcohol and other drug counselor, and therapy dog. Student Health and Wellness supports the needs of our diverse student body by providing individualized holistic care and campus-wide education, in keeping with the broader mission of facilitating a productive and rewarding college experience. Students experiencing emergencies and/or severe medical issues should be evaluated and treated at a local hospital (i.e., Springfield Hospital or Crozer-Chester Medical Center).

Services offered: acute care, alcohol and other drug counseling, allergy injections, first aid treatment, flu vaccine clinics, health and wellness promotion, interpersonal relationship education, nutrition counseling, referral services, reproductive health services, simple diagnostic screenings, sexually transmitted infection (STI) screenings, travel health consultations, violence prevention services and well visits. Students have the right to expect that all aspects of care will be treated as confidential. Unless permitted by law, information is not shared with parents or family medical providers without the explicit permission of the student. In the case of threat to life of self or others, information will be shared with persons listed as emergency contacts as well as with relevant College officials.

Visits to the Student Health & Wellness Center are free of charge. Lab specimens are sent to Quest Diagnostics or LabCorp and are billed by the lab to the student’s health insurance. The student health insurance plan generally covers 90% of most lab fees and students are responsible for the remaining balance. Please be aware of your individual insurance coverage policy. A nominal fee is charged for simple rapid result diagnostic tests and most medications dispensed at the Student Health & Wellness Center.

The [Swarthmore College Student Health Portal](#) is available to manage needs



and forms. The Student Health Portal is accessed through your [MySwarthmore](#) account. Click on Worth Health Center, click on Student Health Portal and scroll to click on Swarthmore College, log on using your Swarthmore user ID and password. Swarthmore College requires all students to be adequately immunized against measles, mumps, rubella, meningitis and varicella according to Pennsylvania state requirements. Unvaccinated students must complete a waiver form. New students are responsible for completing health forms prior to campus arrival.

Health Center staff do not communicate with faculty members or others about missed classes, activities, or assignments. Students must give permission for the Health Center staff to be in touch with the student's dean, who will communicate with professors or other relevant community members. These communications indicate that the student is under the care of a medical professional and will be in touch once they are ready to resume work or classes. Student deans can help students strategize ways to make up work and to approach faculty members or others about their situation.

All students must be covered by a health insurance plan that meets the minimum requirements established by the College. The College offers a [student health insurance plan](#) for purchase by students. Annually, all students are enrolled in the student health insurance plan (SHIP) and may waive out of the plan if they meet the requirements and provide proof of insurance.

## **Student Code of Conduct: Expectations**

The following is a summary and explanation of the rights, responsibilities, and shared expectations for student conduct at Swarthmore College. This statement serves as a general framework and is not intended to provide an exhaustive list of all possible community infractions. Students violating community standards may be held accountable through the student conduct process. For a complete description of the College's student conduct process, please see the section on Student Conduct Policies and Procedures.

Conduct expectations are outlined under the following policies:

### **\*COVID-19**

**Academic Misconduct**

**Alcohol and Other Drugs**

**Assault, Endangerment, or Infliction of Physical Harm**

**Banners, Chalkings, and Posters**

**Bullying, Intimidation, and Stalking**

**Discrimination, including Harassment Based on Protected Class**

**Disorderly Conduct**

**Events and Parties**

**Failure to Comply**

**False Representation**

**Fire Safety**

**Hazing**  
**Housing Violations**  
**Retaliation**  
**Sexual Misconduct: Title IX and College-Defined Sexual Misconduct**  
**Smoking**  
**Theft, Vandalism, or Property Damage**  
**Unauthorized Entry or Access**  
**Unauthorized Use of College Facilities or Services**  
**Violation of Local, State or Federal Laws**  
**Weapons and Fireworks**

❖ **\*COVID-19**

The novel coronavirus, COVID-19, is a highly infectious, life-threatening disease declared by the World Health Organization to be a global pandemic. There is no current vaccine for COVID-19. COVID-19's highly contagious nature means that contact with others, or contact with surfaces that have been exposed to the virus, can lead to infection. Additionally, individuals who may have been infected with COVID-19 may be asymptomatic for a period of time, or may never become symptomatic at all. Because of its highly contagious and sometimes "hidden" nature, it is currently very difficult to control the spread of COVID-19 or to determine whether, where, or how a specific individual may have been exposed to the disease. Therefore, the College has put in place a new set of policies and expectations, introduced as the Garnet Pledge, which is designed to reduce the spread of COVID-19 at Swarthmore College. All students are expected to abide by the Garnet Pledge and this COVID-19 policy.

Each student should recognize and understand that this policy, the Garnet Pledge, and the College's efforts must be consistent with both Pennsylvania and federal law, and align with the recommended guidelines from the Centers for Disease Control and Prevention (CDC) and the best available guidance from the medical community. As a result, the measures and expectations detailed in this policy may be updated at any time. All students are required to read, sign, and adhere to the Garnet Pledge.

Additionally, students must also agree to stay informed and follow any updated protocols. Questions regarding the College's residential life or student activities and social events expectations and limitations should be directed to the [Office of Student Engagement \(OSE\)](#). Questions regarding student health and wellness expectations or protocols should be directed to the [Student Health and Wellness Office](#). All other questions regarding this policy should be directed to the [Dean of Students Office](#). Students need to recognize that all of your behaviors carry some amount of risk to yourself and the health and safety of the entire Swarthmore community. Additionally, students should agree to think before you act and to ask yourself, who might I be putting at risk? While acknowledging that the College's Garnet Pledge and the safety expectations, precautions, and limitations in this COVID-19 policy may or may not be effective in mitigating the spread of COVID-19, Swarthmore College has developed the

following rules and expectations for the benefit of the entire Swarthmore College community.

#### *Approved Residential Students*

- Students will complete all required COVID-19 training, testing, and self-monitoring required by the College prior to returning to campus.
- Students who are exhibiting [symptoms of COVID-19](#) will not travel to campus and will remain isolated and quarantined until they have been cleared by medical professionals.
- Students who have a temperature of 100.4°F or higher, or signs of a fever (aches and chills), will not travel to campus, and will remain isolated and quarantined until they have been cleared by medical professionals.
- Students will comply with all travel restrictions imposed by both the Commonwealth of Pennsylvania and the College.

#### *Health and Wellness*

- Students understand that the College will conduct COVID-19 testing on all residential students and that they must consent to such testing to remain a residential student.
- Students will actively engage in self-monitoring health screenings, including taking their temperature daily and reporting it through the electronic student health portal (Medicat).
- If a student exhibits [symptoms of COVID-19](#), or has a fever of 100.4°F or higher or signs of a fever (aches and chills), they will remain isolated/quarantined until they have been cleared by a medical professional and Student Health and Wellness staff.
- If a student has knowingly been exposed to someone who has tested positive for COVID-19, they will follow all protocols, guidelines, and instructions from College officials for isolation and/or quarantine.
- If a student is presumed or confirmed to have COVID-19, or has been directly exposed to someone else who is presumed or confirmed to have COVID-19, the student will inform [Student Health and Wellness](#) and provide information about their contacts with others in and/or around campus.
- Students will actively participate in all contact-tracing protocols and procedures and understand that, in order to effectively perform contact tracing, College officials may have a legitimate need to share student information with others. The identity of individuals who test positive will remain confidential during the contact-tracing process.

#### *Personal Prevention and Self Care*

- Students are required to wear a face mask/covering outside on campus. Certain exceptions may be made for approved College events/activities.
- Students are required to wear a face mask/covering inside all buildings, except inside one's own residence hall room. This expectation includes while accessing

common spaces within one's residence hall or residential suite (e.g., lounges, common bathrooms, and laundry rooms).

- Students are required to engage in proper handwashing and respiratory etiquette by covering coughs and sneezes.
- Students are required to cooperate with directives of Student Health and Wellness staff or other College officials to self-isolate and/or quarantine. For example, students may be required to relocate to approved isolation and/or quarantine locations until cleared by Student Health and Wellness staff.
- Students will assist in the frequent sanitizing of high-touch surfaces and common-use areas after personal use, such as bathroom fixtures, light switches, doorknobs, kitchen appliances, and lounge areas.

#### *Accessing or Leaving Campus*

- Approved residential students are not permitted to host or provide access to any outside guests (including family members and non-residential students).
- Approved residential students will consider the risk to oneself and others prior to deciding to leave campus and will limit travel to essential errands (for food, medications, toiletries, and other essential personal items), work, or emergencies.
- Students understand that if they leave campus for any reason, they may be subject to a period of isolation or quarantine.
- OneCard access will be limited on campus to students' own residence halls and other specific campus buildings. Students are prohibited from using their own OneCard to allow another person access into a campus facility.

#### *Student Activities and Social Gatherings*

- **Alcohol is prohibited on campus during the Fall 2020 semester.**
- All group gatherings are restricted to no more than 10 participants (including one's self) in approved physical spaces, including outdoor locations.
- All in-person social gatherings and activities must comply with College policies and public health directives.
- Students will respect the physical space around others and actively work to maintain a distance of at least 6 feet between oneself and any other person.
- Students will follow all directional signs and practice physical distancing within all buildings, classrooms, laboratories, libraries, and other College spaces.
- Students will practice physical distancing in all bathrooms, lounges, laundry rooms, and other common spaces within their residence hall.
- The Office of Student Engagement and other College offices will organize social events in compliance with College policies and public health directives and provide both synchronous and asynchronous programming.
- Student clubs/organizations are encouraged to convert most of their programming efforts to a virtual experience for all, providing both synchronous and asynchronous programming.
- All student clubs/organizations will commit to using a universal online calendaring system for scheduling and organizing events.

### *Sharples Dining Hall and Dining Services*

- Students must observe all physical distancing guidelines and expectations and abide by College Dining protocols in all campus dining facilities (e.g., Sharples Dining Hall, Essie Mae's, and Kohlberg Coffee Bar)
- Students must procure meals during assigned times.
- Students must comply with all instructions from Dining Services staff.

### *Matchbox and Athletic Facilities*

- Students must abide by all College protocols, guidelines, and expectations for use of athletics facilities (including but not limited to rules regarding mask wearing, physical distancing, etc.).
- Students must comply with all instructions from athletics facilities staff.
- Student athletes participating in varsity and club sports must follow all College Athletics Department guidelines and protocols regarding both organized and unorganized (pickup) athletics training, practice, and conditioning.

### *Students Engaging in Remote Learning*

- Non-residential students are prohibited from physically accessing the campus grounds, and any campus facilities, services, or activities (Please note that all remote Swarthmore resources remain available to all students).
- Non-residential students who host events with approved residential students may be subject to College disciplinary action.
- The Office of Student Engagement and other College offices will organize both synchronous and asynchronous social events/activities.
- Student clubs/organizations are encouraged to convert most of their programming efforts to a virtual experience for all.

## **COVID-19 Policy Enforcement**

Students should understand and acknowledge that given the unknown nature of COVID-19, it is not possible to fully list each and every individual risk of contracting COVID-19. Additionally, the risk of becoming exposed to or infected by COVID-19 at the College may result from the actions, failures to act, or negligence of one's own actions or the action of others.

By voluntarily choosing to return to the Swarthmore College campus under these conditions, students commit to following the College's protocols, procedures, and requirements described in this policy. Students should understand that failing to comply with these safety expectations, precautions, and limitations puts all students, faculty, and staff at risk and may be subject to disciplinary action.

When addressing violations of the College's COVID-19 policy, the primary approach will be educational. In situations where a student may have accidentally, unintentionally,

or carelessly violated a COVID-19 policy, which could put other members of the Swarthmore community in greater risk, students will typically be reminded of the COVID-19 policy, the Garnet Pledge and encouraged to reflect on how their behavior may be impacting Swarthmore's commitment to the common good through a conversation with their Student Dean. If at any time a student becomes unwilling or unable to abide by the commitments outlined in this policy or the Garnet Pledge, they will be expected to remove themselves from campus.

However, students should also understand that the College will not tolerate deliberate, reckless, or repeated disregard of the COVID-19 policy or the Garnet Pledge. The health and wellbeing of the entire Swarthmore College community is all of our responsibility. Students who engage in conduct in deliberate, reckless, or repeated disregard of the COVID-19 policy or the Garnet Pledge will have forfeited the privilege to be on campus and will be removed from College housing and will be restricted from accessing all campus facilities. If this were to occur, these students would be invited to complete their 2020-2021 academic coursework remotely.

Members of the Dean of Students office will review all allegations of COVID-19 policy violations, to determine if a violation has occurred and if appropriate, remove a student's eligibility to remain in campus housing and/or refer the student to the College student conduct process. A student's parents may also be contacted regarding violations of the Garnet Pledge and/or COVID-19 policy.

### **Countering Stigma**

Swarthmore College expressly prohibits any form of discrimination and harassment on the basis of any College-recognized protected classification, and will promptly and equitably respond to all reports of discrimination and harassment based on a protected classification in order to eliminate the discrimination, prevent its recurrence, and address its effects on any individual or the community, in keeping with its [Non-Discrimination and Equal Opportunity policy](#).

During this time of great uncertainty, all College community members are expected to treat one another with the respect every human being deserves, and not promote, participate in, or allow bias to impede the access and opportunity of anyone in our community. Managers have also been asked to remain alert to and discourage offensive or discriminatory comments regarding the coronavirus and vulnerable groups of individuals. If you experience or witness bias in our community please report it by using the following link: <https://www.swarthmore.edu/public-safety/how-should-i-report>

### **❖ Alcohol and Other Drugs Policy**

The overarching priority of the College with respect to alcohol and drugs is to help ensure the safety and wellbeing of Swarthmore students and comply with all applicable laws. The College is committed to providing guidance so that students can learn to

develop a responsible approach to social challenges, including whether to consume alcohol, how to do so in moderation, and how to comply with local, state, and federal laws governing alcohol consumption.

The unlawful possession, use, purchase, or distribution of alcohol on College property or as part of any College activity is prohibited. The unlawful possession, use, purchase, or distribution of illicit drugs, controlled substances (including stimulants, depressants, narcotics, or hallucinogenic drugs), or paraphernalia—or the misuse of prescription drugs, including sharing, procuring, buying, or using in a manner different from the prescribed use, or by someone other than the person for whom it was prescribed—is prohibited on College property or as part of any College activity.

**\*Due to the COVID-19 global pandemic, alcohol is prohibited on campus during the Fall 2020 semester.**

The College believes that everyone has the right to work and study in an environment free from the effects of substance misuse and that those individuals who develop problematic levels of using may be a danger to themselves and others.

**Objectives.** The objectives of these policies reflect the College’s desire to create an intentional community based on principles of respect for oneself and others.

The Alcohol and Other Drugs Policy has several objectives:

- to promote the safety and wellbeing of the Swarthmore community and its members;
- to maintain a safe campus, where students can enjoy their social lives amid a comfortable and coercion-free atmosphere;
- to provide information about alcohol and other drugs so that students can make responsible, healthy choices;
- to provide confidential support for community members seeking treatment for alcohol- and/or drug-related problems; and
- to be in compliance with federal statutes, Pennsylvania laws, and borough ordinances that regulate the consumption of alcohol.

### **ALCOHOL AND OTHER DRUG AMNESTY (AOD AMNESTY)**

Swarthmore College recognizes that there may be situations in which students would be in need of swift medical assistance for themselves or others, as a result of alcohol and/or drug use. The College expects each student to share information for the safety and wellbeing of their fellow students and to seek assistance from College officials (Public Safety, Resident Advisors, Student Life staff) and/or medical emergency services through 911, without fear of College disciplinary action for the consumption of alcohol and/or use of controlled substances.

Under the College’s Alcohol and Other Drug Amnesty policy, typically neither the

student in need nor the student or student organization requesting assistance will be subject to disciplinary action as a result of a violation of the Alcohol and/or Drug Policy.

Additionally, the College seeks to remove any barriers to reporting incidents of sexual assault and/or harassment, hazing, and for providing assistance to students in need of medical attention. The College will generally offer any student, complainant, third party, and/or witness who reports sexual misconduct limited immunity from being charged for violations related to the College's alcohol or other drugs policy, provided that any such violations did not and do not place the health and safety of any person at risk. The College may choose, however, to recommend educational or therapeutic remedies in certain situations.

Though a student or student organization participating in the College's AOD Amnesty policy will not normally be subject to disciplinary action, they will be required to meet with a College official to discuss the incident and/or participate in a College educational program. In order to avoid a disciplinary consequence, the student(s) involved in the AOD Amnesty policy will meet with the College's Alcohol and Other Drugs Counselor and Educator and adhere to the agreed upon recommendations. Information discussed in any session with the Alcohol and Other Drugs Counselor and Educator is considered confidential. Failure to meet with the College's Alcohol and Other Drugs Counselor and Educator and to adhere to the agreed upon recommendations may result in the reinstatement of the College disciplinary process for this incident and/or further sanctions from the College.

Although a student involved in the AOD Amnesty program may not be subject to disciplinary action from the College for the referred incident, that AOD Amnesty referral could be taken into consideration in determining sanctions, should they be found responsible for any student conduct incident(s) in the future.

The AOD Amnesty policy only applies to violations of the College's Alcohol and/or Other Drug policy and does not apply to other violations of the Student Code of Conduct. In incidents where other violations of the Student Code of Conduct have occurred (e.g., assault, harassment, vandalism), one's decision to call for assistance for an individual in need of medical attention may be considered a mitigating factor in any disciplinary process. Similarly, one's failure to request medical assistance for someone in need may be considered an aggravating factor in any disciplinary process.

Students who participate in the College's AOD Amnesty policy are not immune from any legal or other law enforcement actions that may result from any given incident.

### **AVAILABLE ASSISTANCE**

The College's Alcohol and Other Drug Counselor and Educator provides mandatory training sessions during orientation each year to educate students about the ramifications



of drug and alcohol use and to help students identify substance problems in themselves and their friends. Alcohol and other drugs can interfere with academics, friendships, jobs, family, and most importantly, one's health, as well as create legal problems including warnings, citations, arrests, and jail.

Students needing help responding to alcohol or drug problems are encouraged to speak with Josh Ellow, Alcohol and Other Drugs Counselor and Educator and/or other Student Health and Wellness Center personnel, Counseling & Psychological Services (CAPS) counselors, deans, Office of Student Engagement (OSE) staff, and/or resident assistants (RAs). These professionals can help review the situation and make referrals to outside agencies or internal resources that respond to alcohol and drug abuse.

Drug and alcohol problems are treatable. Most often, an individual responds to tailored treatments that assist in cessation and relapse prevention. Treatments should acknowledge the medical, psychological, social, and societal aspects of an individual and their families. Accordingly, evidence-based treatments have been established since the 1970's and have been infused into the following treatment settings:

- **Outpatient Counseling:** Typically offer 1-2 hours of support per week through a licensed mental health clinician;
- **Intensive Outpatient Counseling:** Typically requires 9 hours of support per week over 3 or more days;
- **Inpatient Care:** Typically, residential treatment offering biomedical, psychiatric, and clinical care along with psycho-educational components;
- **Detox Services:** Provide medication-based support for physiological dependence (i.e., Benzodiazepines and alcohol withdrawal) and typically require inpatient admission for 4 days;
- **Medication Assisted Treatment:** May require daily program attendance for medication, or may allow for 1 medication check-up per month. Typically used for detox or maintenance for physiological dependence (e.g. Opioid dependence, Alcohol dependence); and/or
- **Peer Support:** Typically offer recommendations through group meetings and may provide daily or weekly offerings based on location (e.g. 12-step meetings, SMART recovery, etc.).

## **HEALTH RISKS**

All drugs, including alcohol, can cause marked changes in behavior and have side effects. Their influences can affect the safety and wellbeing of the users as well as those around them.

Alcohol is a central nervous system depressant that is absorbed into the bloodstream and transmitted to all parts of the body. Even low doses significantly impair one's judgment and coordination, including the ability to drive a car safely and increases the likelihood that a driver may be involved in an accident. Low to moderate doses reduce physical coordination and mental alertness, while increasing the incidence of aggressive or

unpredictable behavior. Moderate to high doses of alcohol drastically impair an individual's ability to function, sometimes rendering them unconscious. Long-term drinking of large quantities of alcohol can increase the risk of developing liver and heart disease, circulatory and stomach problems, various forms of cancer, and may cause irreversible brain damage or ethanol dependence.

Illicit drugs can interfere with important brain activities, including coordination, memory, and learning. They may increase the risk of lung cancer, destroy liver cells, initiate severe weight loss, and may weaken the immune system. Users may also experience abdominal pain, nausea, vomiting, rapid heartbeat, and irregular breathing. Convulsions, coma, and death are also possible. Combining drugs can be fatal (e.g., two central nervous systems depressants, alcohol and benzodiazepines, alcohol and opioids, etc.). See [Controlled Substances - Uses and Effects](#) for more information.

		<b>Commonly Abused Drugs</b> Visit NIDA at <a href="http://www.drugabuse.gov">www.drugabuse.gov</a>		National Institutes of Health U.S. Department of Health and Human Services <i>NIH... Turning Discovery Into Health</i>
Substances: Category and Name	Examples of Commercial and Street Names	DEA Schedule*/How Administered**	Acute Effects/Health Risks	
<b>Tobacco</b>				
Nicotine	Found in cigarettes, cigars, bids, and smokeless tobacco (snuff, spit tobacco, chew)	Not scheduled/smoked, snorted, chewed	<i>Increased blood pressure and heart rate; chronic lung disease; cardiovascular disease; stroke; cancers of the mouth, pharynx, larynx, esophagus, stomach, pancreas, cervix, kidney, bladder, and acute myeloid leukemia; adverse pregnancy outcomes; addiction</i>	
<b>Alcohol</b>				
Alcohol (ethyl alcohol)	Found in liquor, beer, and wine	Not scheduled/swallowed	<i>In low doses, euphoria, mild stimulation, relaxation, lowered inhibitions; in higher doses, drowsiness, slurred speech, nausea, emotional volatility, loss of coordination, visual distortions, impaired memory, sexual dysfunction, loss of consciousness; increased risk of injuries, violence, fetal damage (in pregnant women); depression; neurologic deficits; hypertension; liver and heart disease; addiction; fatal overdose</i>	
<b>Cannabinoids</b>				
Marijuana	Blunt, dope, ganja, grass, herb, joint, bud, Mary Jane, pot, reefer, green, trees, smoke, sinsemilla, skunk, weed	Used, swallowed	<i>Euphoria; relaxation; slowed reaction time; distorted sensory perception; impaired balance and coordination; increased heart rate and appetite; impaired learning; memory; anxiety; panic attacks; psychosis/schizophrenia; frequent respiratory infections; possible mental health decline; addiction</i>	
<b>Opioids</b>				
Heroin	Diacetylmorphine: smack, horse, brown sugar, dope, H, junk, skag, skunk, white horse, China white; cheese (with OTC cold medicine and antihistamine)	Used, smoked, snorted	<i>Euphoria; drowsiness; impaired coordination; dizziness; confusion; nausea; sedation; feeling of heaviness in the body; slowed or arrested breathing; respiratory; endocarditis; hepatitis; HIV; addiction; fatal overdose</i>	
Opium	Laudanum, paregoric: big O, black stuff, block, gum, hop	II, III, Used, swallowed, smoked		
<b>Stimulants</b>				
Cocaine	Cocaine hydrochloride: blow, bump, C, candy, Charlie, coke, crack, flake, rock, snow, tuck	Used, smoked, injected	<i>Increased heart rate, blood pressure, body temperature, metabolism; feelings of exhilaration; increased energy, mental alertness, tremors; reduced appetite; irritability; anxiety; panic; paranoia; violent behavior; psychosis/weight loss; insomnia; cardiac or cardiovascular complications; stroke; seizures; addiction</i>	
Amphetamine	Bupropion, Dexedrine: bennies, black beauties, crosses, hearts, LA turnaround, speed, truck drivers, uppers	Used, snorted, smoked, injected	<i>Also, for cocaine—nasal damage from snorting</i>	
Methamphetamine	Desoxy: meth, ice, crank, chalk, crystal, fire, glass, go fast, speed	Used, snorted, smoked, injected	<i>Also, for methamphetamine—severe dental problems</i>	
<b>Club Drugs</b>				
MDMA (3,4-methylenedioxymethamphetamine)	Ecstasy, Adam, clarity, Eve, lover's speed, peace, uppers	Used, snorted, injected	<i>MDMA—mild hallucinogenic effects; increased tactile sensitivity; empathic feelings; lowered inhibition; anxiety; chills; sweating; teeth clenching; muscle cramping/ sleep disturbances; depression; impaired memory; hyperthermia; addiction</i>	
Flunitrazepam***	Rohypnol: forget-me pill, Mexican Valium, R2, roach, Roche, roofies, roofinol, rope, roofies	Used, snorted, snorted	<i>Flunitrazepam—sedation; muscle relaxation; confusion; memory loss; dizziness; impaired coordination/addiction</i>	
GHB***	Gamma-hydroxybutyrate: G, Georgia home boy, grievous bodily harm, liquid ecstasy, soap, soxop, goop, liquid X	Used, swallowed	<i>GHB—drowsiness; nausea; headache; disorientation; loss of coordination; memory loss; unconsciousness; seizures; coma</i>	
<b>Dissociative Drugs</b>				
Ketamine	Ketalar: S/ cat Valium, K, Special K, vitamin K	Used, snorted, smoked	<i>Feelings of being separate from one's body and environment; impaired motor function; anxiety; tremors; numbness; memory loss; nausea</i>	
PCP and analogs	Phencyclidine: angel dust, boat, bug, love boat, pease pill	I, Used, snorted, smoked, injected	<i>Also, for ketamine—analgesia; impaired memory; delirium; respiratory depression and arrest; death</i>	
Sabes dinitromum	Sabes, Shepherd's Herb, Miami Pedora, magic mint, Sally D	Not scheduled/chewed, swallowed, smoked	<i>Also, for PCP and analogs—analgesia; psychosis; aggression; violence; slurred speech; loss of coordination; hallucinations</i>	
Dextromethorphan (DXM)	Found in some cough and cold medications: Robitussin, Robo, Triple C	Not scheduled/swallowed	<i>Also, for DXM—euphoria; slurred speech; confusion; dizziness; distorted visual perceptions</i>	
<b>Hallucinogens</b>				
LSD	Lysergic acid diethylamide: acid, blotter, cubes, microdot, yellow sunshine, blue heaven	Used, absorbed through mouth tissues	<i>Altered states of perception and feeling; hallucinations; nausea</i>	
Mescaline	Buttons, cactus, meso, peyote	Used, swallowed, smoked	<i>Also, for LSD and mescaline—increased body temperature, heart rate, blood pressure; loss of appetite; sweating; sleeplessness; numbness; dizziness; weakness; tremors; impulsive behavior; rapid shifts in emotion</i>	
Psilocybin	Magic mushrooms, purple passion, shrooms, little smoke	Used, swallowed	<i>Also, for LSD—flashes/back, Hallucinogen Persisting Perception Disorder</i> <i>Also, for psilocybin—nervousness; paranoia; panic</i>	
<b>Other Compounds</b>				
Anabolic steroids	Anadrol, Oxandrin, Durabolin, Depo-Testosterone, Equipoise: nids, juke, gym candy, pumpers	Used, swallowed, applied to skin	<i>Steroids—no intoxication effects; hypertension; blood clotting and cholesterol changes; liver cysts; hostility and aggression; acne; in adolescents—premature stoppage of growth; in males—prostate cancer, reduced sperm production, shrunken testicles, breast enlargement; in females—menstrual irregularities, development of beard and other masculine characteristics</i>	
Inhalants	Solvents (paint thinners, gasoline, glues); gases (butane, propane, aerosol propellants, nitrous oxide); nitrites (isobutyl, cyclohexyl); laughing gas, poppers, snappers, whippers	Not scheduled/inhaled through nose or mouth	<i>Inhalants (varies by chemical)—stimulation; loss of inhibition; headache; nausea or vomiting; slurred speech; loss of motor coordination; wheezing/cramps; muscle weakness; depression; memory impairment; damage to cardiovascular and nervous systems; unconsciousness; sudden death</i>	

## REGULATION OF ALCOHOL AT SWARTHMORE

The presence of alcoholic beverages on campus is limited in two ways. First, it is limited by federal, state, and borough laws, including those summarized below. Second, College rules specify the circumstances under which alcohol may legitimately be served on campus. See *Events and Parties* (<https://www.swarthmore.edu/student-handbook/events-and-parties-policies>).

## **COLLEGE DISCIPLINARY SANCTIONS REGARDING VIOLATIONS OF THE ALCOHOL AND OTHER-DRUGS POLICY**

The College will impose disciplinary sanctions on students (consistent with the local, state, and federal laws described below) for violations of the Alcohol and Other Drugs Policy. Disciplinary action, including, but not limited to, warnings, fines, probation, suspension, expulsion, or referral for prosecution may result from any of the following violations:

- the possession or consumption of alcoholic beverages by anyone under the age of 21 on property owned, leased, or controlled by Swarthmore College;
- the furnishing of alcoholic beverages to individuals under the age of 21 and/or who are visibly intoxicated;
- the consumption, possession, or furnishing of hard alcohol at registered campus events or those events that should have been registered;
- the use of common sources of alcohol, especially punches, party bowls, and sangria (excluding officially registered kegs\*);
- engaging in or coercing others into activities, games, and/or other behaviors designed for the purpose of rapid ingestion or abusive use of alcohol (e.g., use of paraphernalia such as funnels, keg stands, “around-the-world” parties, flip cup, quarters, beer pong, Beirut, power hour, and other alcohol consumption based on speed and/or volume, etc.);
- the sale, possession, production, purchase, distribution, or use of any controlled substance or illegal drug on College premises or at College-sponsored activities;
- abuse and/or illegal distribution of prescription medication prescribed to you;
- misuse, possession, and/or illegal distribution of prescription medication prescribed to others;
- violent acts against persons or property
- drunkenness and disorderly conduct;
- driving under the influence;
- the manufacturing (including malt beverages/beer) and/or use of grain alcohol; and
- the violation of rules governing the use of alcohol at College events.

(\*kegs are never permitted in residence hall rooms, suites, and any other non-approved campus space)

**Note:** Sanctions may be assessed against individuals and/or organizations, including event host(s).

Violations of the Alcohol and Other Drugs Policy regarding both individual behavior and party guidelines may be referred to the student conduct process for review, adjudication, and referral when appropriate. If a student presents at Student Health and Wellness at the Worth Health Center due to intoxication or drug use, typically they will be referred to the alcohol and other drugs counselor under the College’s AOD Amnesty policy. Organizations may also be found to be in violation of these policies.

When addressing violations of the College's Alcohol and Other Drugs policy, the health and safety of the College community is a central consideration of this process. The student conduct response to a violation of this policy considers many factors including: the nature of the violation, an individual or organization's conduct history and/or time between previous AOD violation(s), and/or aggravating or mitigating factors (e.g., other misconduct, deception, completion of AOD treatment program, etc.). Typically, a first violation of the College's alcohol and other drug policy related to an incident with alcohol or marijuana will result in a warning and referral to the alcohol and other drugs counselor and educator (minimum penalty) and/or a requirement to attend an alcohol education program. A second violation usually results in probation and/or a requirement to attend and/or further contact with the AOD counselor. Subsequent and/or severe violations will typically result in suspension or expulsion.

Student organizations may also be subject to a restriction from hosting social events/parties for a period of time, restriction from recruitment of new members, restriction to College funds and/or use of facilities, suspension, and/or derecognition by the College.

In all situations, a student or organization may also be subject to penalties and/or fines imposed by outside authorities. College fines may be imposed for any violation to cover expenses related to repair or replacement of damage or for cleanup. Sanctions increase in severity with repeated offenses and/or major misconduct (e.g., production and/or distribution of a controlled substance, driving under the influence of alcohol or drugs, etc.).

### **LOCAL, STATE, AND FEDERAL LEGAL SANCTIONS**

A student who violates the College's Alcohol and Other Drugs policy is subject both to the College's sanctions and to criminal sanctions provided by federal, state, and local law.

#### **The Drug-Free Schools and Communities Act.**

In 1989, the federal government adopted the Drug-Free Schools and Communities Act. As a condition of receiving federal grants, the College must certify that it is in compliance with this law. This means that underage drinking is not only a violation of state law, but also a violation of College policy and will be sanctioned under the College's student conduct system.

**Alcohol.** Under Pennsylvania state law, a person less than 21 years of age may not purchase, consume, possess, or transport alcohol. Anyone 21 years old and older may not purchase or provide alcohol to anyone under the age of 21. Any person convicted of violating this law will have their driver's license suspended for ninety (90) days. A second offense will result in a one-year suspension of driving privileges and a fine up to \$500. Additionally, any person who intentionally provides alcohol to a person less than 21 years of age is guilty of a misdemeanor of the third degree, and will be required to pay a \$1000.00 fine for the first offense and a \$2500.00 fine for each subsequent offense.

Pennsylvania state law considers a driver, 21 years of age or older, to be intoxicated and can be charged with driving under the influence (DUI) if the driver has symptoms of intoxication and a blood-alcohol content (BAC) greater than 0.08 percent. A BAC of 0.08 percent can be obtained by consuming a little less than one (1) drink per hour. A driver of legal drinking age will be charged with a DUI if the driver's BAC exceeds 0.08 percent.

Under Pennsylvania state law, if the driver is under 21 years of age, in addition to charges for underage drinking, the driver will be charged with a DUI if the driver's BAC exceeds 0.02 percent within two hours after the minor has driven, operated or been in actual physical control of the movement of the vehicle.

Additionally, Pennsylvania state law penalizes public drunkenness and defines it as: "A person is guilty of a summary offense if he/she appears in any public place manifestly under the influence of alcohol to the degree he/she may endanger himself/herself or other persons or property, or annoy persons in his/her vicinity." It is also a violation of Swarthmore Borough Ordinance 759 to be found in a drunken or intoxicated condition under circumstances tending to disturb the neighborhood or to cause a breach of the public peace. Swarthmore Borough police will enforce these laws on and off campus.

**Drugs.** Both federal and state laws impose sanctions for the possession, use, and distribution of illegal drugs. The sanctions for any given offense depend on the type and quantity of the drug involved and whether the offense is possession, use, or distribution.

Under federal law, simple possession of a controlled substance carries a penalty of imprisonment for up to one (1) year, plus a minimum fine of \$1,000. If the controlled substance contains a cocaine base and the amount exceeds five (5) grams, the first-time offender will be imprisoned for not less than five (5) years and not more than twenty (20) years and fined. Also, under federal law, any person 18 or more years old who distributes drugs to anyone under age 21 will be imprisoned or fined, or both, up to twice what is otherwise provided by law, with a minimum prison sentence of one (1) year. This same penalty applies to any person who distributes or possesses with intent to distribute drugs to anyone within 1,000 feet of a college campus.

Pennsylvania law imposes similarly strict sanctions on the unlawful use, possession, and distribution of drugs. In addition to imposing fines and imprisonment for violation of its drug laws, Pennsylvania can seize all of the violator's property when certain crimes are committed.

**International students.** Additional penalties and sanctions may apply for international students who are in the US on a visa. Pursuant to the Foreign Affairs Manual of the US Department of State (9 FAM 403.11-3(A)), a visa can be revoked when the international student "...is subject to a Watchlist Promote Hit for an arrest or conviction of driving under the influence, driving while intoxicated, or similar arrests/convictions (DUI) that occurred within the previous five years, pursuant to 9 FAM 403.11-5(B)(c)." DACA and undocumented students may experience dire consequences, such as revocation of DACA

status or removal, for a violation of the law.

## **STATE AND FEDERAL SANCTIONS**

The following is a summary description of the legal sanctions under state and federal law for the unlawful possession or distribution of illicit drugs and alcohol.

1. Drugs—state penalties and sanctions for illegal possession, sale, or delivery of a controlled substance:

a. The Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S. § 780-101 et seq. sets up five schedules of controlled substances based on potential for abuse, dangerousness, and medical uses. The act prohibits, among other things, the manufacture, distribution, sale, or acquisition by misrepresentation or forgery of controlled substances except in accordance with the act, as well as the knowing possession of controlled substances unlawfully acquired. Penalties for first-time violators of the act range from thirty (30) days imprisonment, a \$500 fine, or both, for possession or distribution of a small amount of marijuana or hashish, but which was not for sale, to fifteen (15) years imprisonment, a \$250,000 fine, or both, for the manufacture or delivery of a schedule I or II narcotic.

Fines and terms of imprisonment may be doubled under certain circumstances, including the distribution of a controlled substance to a person under 18 years of age or a conviction for a second or subsequent offense.

b. The Pennsylvania statute 18 Pa. C.S. §§ 6314, 6317 (Crimes and Offenses). A person over 18 years of age who is convicted for violating the Controlled Substance, Drug, Device and Cosmetic Act shall be sentenced to a minimum of at least one (1) year total confinement if the delivery or possession with intent to deliver the controlled substance was to a minor. If the offense is committed within 1,000 feet of the real property on which is located a public, private, or parochial school or a college or university or within 250 feet of the real property on which is located a recreation center or playground or on a school bus (“drug free school zones”), the person shall be sentenced to an additional minimum sentence of at least two (2) years total confinement. Such offenses not involving minors in drug-free school zones are subject to a mandatory minimum of two (2) years of total confinement.

c. The Pharmacy Act of 1961, 63 P.S. § 390-8 prohibits, among other things, procuring or attempting to procure drugs by fraud, deceit, misrepresentation, or subterfuge or by forgery or alteration of a prescription. The first offense is a misdemeanor, with a maximum penalty of one (1) year of imprisonment, a \$5,000 fine, or both. For each subsequent offense, the maximum penalty is three (3) years of imprisonment, a \$15,000 fine, or both.

d. The Vehicle Code, 75 Pa. C.S. § 3802 et seq. prohibits driving, operating, or

being in actual physical control of the movement of a vehicle while under the influence of alcohol or a controlled substance, or both, if the driver is thereby rendered incapable of safely driving, operating, or being in actual physical control of the movement of the vehicle or if the alcohol concentration in the individual's blood or breath exceeds the stated limits. Penalties for first-time violators of the act range from a mandatory term of six (6) months' probation, a \$300 fine, or both, to a maximum of seventy-two (72) hours' imprisonment, a \$5,000 fine, or both. Penalties for subsequent violations increase to a maximum of not less than one (1) year imprisonment, a \$10,000 fine, or both. In addition to the above penalties, the court has discretion to order any or all of the following: highway safety training, drug or alcohol treatment, community service, attendance at a victim-impact panel, use of an ignition interlock device, and/or suspension of operating privileges.

2. Drugs—federal penalties and sanctions for illegal possession or trafficking of a controlled substance:

a. 21 U.S.C.S. § 844(a). For the first conviction: up to one (1) year of imprisonment and a fine of at least \$1,000, or both. After one (1) prior drug conviction: at least fifteen (15) days' imprisonment, not to exceed two (2) years, and a fine of at least \$2,500. After two (2) or more prior drug convictions: At least ninety (90) days' imprisonment, not to exceed three (3) years, and a fine of at least \$5,000.

The special sentencing provisions for possession of flunitrazepam (the “date rape drug”) include imprisonment not to exceed three (3) years and fine of at least \$1,000.

In addition to the above penalties, the court has discretion, upon conviction, to order a fine in the amount of the reasonable costs of the investigation and prosecution of the offense.

b. 21 U.S.C.S. §§ 853(a) and 881(a). This statute allows for the forfeiture of personal and real property used, or intended to be used, to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one (1) year of imprisonment.

Additionally, this allows for the forfeiture of money, controlled substances, drug paraphernalia, firearms, books and records, vehicles, boats, aircraft or any other conveyance used, or intended to be used, to transport or facilitate the transportation, sale, receipt, possession, or concealment of a controlled substance or any raw materials, products, or equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance.

c. 20 U.S.C.S. § 1091(r). A student who has been convicted of any offense under any federal or state law involving the possession or sale of a controlled substance for conduct that occurred during a period of enrollment for which the student was receiving any grant, loan, or work assistance under federal law, shall not be eligible to receive any grant, loan, or work assistance during the period beginning on the date of such conviction and ending after the interval specified as follows. If convicted of an offense involving the possession of a controlled substance: first (1st) offense, the student is ineligible for one (1) year; second (2nd), offense, the student is ineligible for two (2) years; third (3rd) offense, the student is ineligible indefinitely. If convicted of an offense involving the sale of a controlled substance, the penalty for the first (1st) offense is an ineligibility period of two (2) years; the penalty for a second (2nd) offense is ineligibility for an indefinite period.

A student whose eligibility has been suspended under the above paragraph may resume eligibility before the end of the ineligibility period if (a) the student satisfactorily completes a drug rehabilitation program that (i) complies with such criteria as prescribed by regulations and (ii) includes two (2) unannounced drug tests; (b) the student successfully passes two (2) unannounced drug tests conducted by a drug rehabilitation program that complies with such criteria as prescribed by regulations; or (c) the conviction is reversed, set aside, or otherwise rendered not valid.

d. 21 U.S.C.S. § 862. The following penalties are for possession of a controlled substance. Penalties are increased for trafficking. Denial of federal benefits, such as grants, contracts, loans, and professional and commercial licenses, up to one (1) year for the first (1st) offense and up to five (5) years for the second (2nd) and subsequent offenses

e. 18 U.S.C.S. § 922(g). Under this statute, one who is an unlawful user of, or addicted to, controlled substances is ineligible to own or possess firearms or ammunition.

f. Miscellaneous statutes. Revocation of certain federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual federal agencies.

g. See the chart describing [Federal Trafficking Penalties](#) for additional information.



## FEDERAL TRAFFICKING PENALTIES

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500-4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.  <b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.  <b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
Cocaine Base (Schedule II)	28-279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40-399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10-99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100-999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1-9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5-49 grams pure or 50-499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10-99 grams pure or 100-999 grams mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual. <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual. <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual. <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
Flunitrazepam (Schedule IV)	Other than 1 gram or more			
All Schedule V drugs	Any amount	<b>First Offense:</b> Not more than 1 yr. Fine not more than \$100,000 if an individual, \$250,000 if not an individual. <b>Second Offense:</b> Not more than 4 yrs. Fine not more than \$200,000 if an individual, \$500,000 if not an individual.		

### FEDERAL TRAFFICKING PENALTIES—MARIJUANA

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight)	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish (Schedule I)	1 to 49 marijuana plants; 10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

\*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.

### 3. Alcohol—state penalties and sanctions for illegal possession or other violations:

The Pennsylvania Liquor Code, 47 P.S. § 1-101 et seq., controls the possession and sale of alcoholic beverages within the commonwealth. The code (in conjunction with portions of the Pennsylvania statutes pertaining to crimes and offenses involving minors, 18 Pa. C.S.A. § 6307 et seq., and the crime of public drunkenness and similar misconduct, 18 Pa. C.S. § 5505) provides as follows:

- a. It is a summary offense for a person under the age of 21 to attempt to purchase, consume, possess, or knowingly and intentionally transport any liquor or malt or brewed beverages. The penalty for a first (1st) offense is suspension of driving

privileges for ninety (90) days, a fine up to \$500, and imprisonment for up to ninety (90) days; for a second (2nd) offense, suspension of driving privileges for one (1) year, a fine up to \$1000, and imprisonment for up to ninety (90) days; and for a subsequent offense, suspension of driving privileges for two (2) years, a fine up to \$1000, and imprisonment for up to one (1) year. Multiple sentences involving suspension of driving privileges must be served consecutively.

b. It is a crime intentionally and knowingly to sell or intentionally and knowingly to furnish or to purchase with the intent to sell or furnish, any liquor or malt or brewed beverages to any minor (under the age of 21). "Furnish" means to supply, give, or provide to, or allow a minor to possess on premises or property owned or controlled by the person charged. The minimum fine for a first (1st) violation is \$1,000; \$2,500 for each subsequent violation; and imprisonment for up to one (1) year for any violation.

c. It is a crime for any person under 21 years of age to possess an identification card falsely identifying that person as being 21 years of age or older, or to obtain or attempt to obtain liquor or malt or brewed beverages by using a false identification card. The penalty for a first (1st) offense is suspension of driving privileges for ninety (90) days, a fine up to \$500, and imprisonment for up to ninety (90) days; for a second (2nd) offense, suspension of driving privileges for one (1) year, a fine up to \$500, and imprisonment for up to one (1) year; and for a subsequent offense, suspension of driving privileges for two (2) years, a fine up to \$500, and imprisonment for up to one (1) year.

d. It is a crime to intentionally, knowingly, or recklessly manufacture, make, alter, sell, or attempt to sell an identification card falsely representing the identity, birth date, or age of another. The fine is a minimum of \$1,000 for the first (1st) violation; for subsequent violations, the fine is a minimum of \$2,500; and imprisonment for up to two (2) years for any violation.

e. It is a crime knowingly to misrepresent one's age to obtain liquor. Penalties are as stated in (c) above.

f. It is a crime for any person to appear in any public place manifestly under the influence of alcohol to the degree that she/he may endanger herself/ himself or other persons or property, or annoy persons in her/his vicinity. The fine is up to \$500 for the first (1st) violation; for subsequent violations, the fine is up to \$1,000 and imprisonment for up to ninety (90) days for any violation.

g. It is a crime knowingly, willfully, and falsely to represent that another is of legal age to obtain liquor, malt, or brewed beverages. The penalty is a minimum fine of \$300 and imprisonment for up to one (1) year.

h. It is a crime to hire, request, or induce any minor to purchase liquor or malt or

brewed beverages. The penalty is a minimum fine of \$300 and imprisonment for up to one (1) year.

i. Sales without a license or purchases from an unlicensed source of liquor or malt beverages are prohibited.

j. It is unlawful to possess or transport alcohol within the Commonwealth unless it has been purchased from a Pennsylvania State Liquor Store or in accordance with Liquor Control Board regulations.

❖ **Assault, Endangerment, or Infliction of Physical Harm**

Physical restraint, assault, or any other act of violence or use of physical force against any member of the community, or any act that threatens the use of physical force is forbidden. Conduct—whether reckless or intentional—that a person knows, or which any reasonable person under the circumstances would know, places oneself or another at risk of bodily harm is subject to disciplinary action, whether or not the risk is realized. The Senior Associate Dean of Student Life, in consultation with the Vice President for Student Affairs, will review the conduct and the circumstances in which it occurred and decide whether it falls under a minor or major adjudication, or to refer it to the College Judicial Committee for adjudication. The more reckless the conduct and the greater the risk of serious bodily harm and/or the greater the actual bodily harm caused, the greater the likelihood of a severe sanction.

❖ **Banners, Chalkings, and Posters**

As stated in the [Academic Freedom and Responsibility Policy](#), membership in the academic community imposes on students, faculty members, administrators, and trustees an obligation to respect the dignity of others, to acknowledge their right to express differing opinions, and to foster and defend intellectual honesty, inquiry and instruction, and free expression on and off campus. These freedoms of expression extend so far as the expression does not impinge on the rights of other members of the community or the orderly and essential operations of the College. These are fundamental norms and expectations of expression for Swarthmore College. Banners, chalkings, and posters are subject to reasonable requirements on their display and may be removed when a violation of College policy or the requirements described below occur. Some examples of behaviors that are inconsistent with our norms and expectations include actionable harassment or bullying; threats, intimidation, or incitement of violence; and defamation or other unlawful invasion into the privacy of others. All are encouraged to engage in the civil exchange of viewpoints, with the understanding that even where we disagree, we can still recognize that we are all valued members of the Swarthmore College community.

Students are also encouraged to read the Disorderly Conduct policy within the Student Code of Conduct.

**Banners.** Banners may only be hung on Clothier Hall’s façade facing Parrish Beach, in Cosby Courtyard, or in Sharples Dining Hall. Banners hung elsewhere, including on or in Parrish Hall, will be removed. The standard maximum duration for banner display is one (1) week; groups and student organizations are limited to one (1) banner reservation per month. Priority is given to student organizations or community-wide events (e.g., Winter Formal, Large-Scale Event, etc.).

Requests for banner space must be made to the Office of Student Engagement five (5) business days in advance of the requested starting display date. All banners must be reviewed by the Office of Student Engagement prior to installation. Students acknowledge that a banner is at risk of being stolen, and the College is not responsible for such loss or damage. External advertisements and solicitations of a commercial nature are prohibited.

For banners in Sharples, once approved, students may hang their banner using tape or string. Students are responsible for removing their banner after the five-day display period.

For banners hung on Clothier or in Cosby Courtyard, once approved, students must deliver their banner to the Facilities Service Building by 2 p.m. on the Friday before the start of the reservation to ensure their banner is properly hung and according to the schedule. Installations will not occur on weekends and are subject to the availability of staff. During the first weeks of the semester and the move-out period, staff are not available to hang student banners. Banners must be no more than 8-feet wide and no more than 5-feet tall; made of vinyl or durable plastic or color-fast printed/painted fabric (hemmed); grommets should be present on the banner corners to ensure secure attachment to the wall; and a few short slits should be cut in the banner to inhibit the wind from catching and ripping the material. Banners will be removed on Monday mornings, and students must retrieve their banner from facilities no later than noon the following day. Failure to do so could result in banner disposal.

**Chalkings.** Chalkings are permitted only on paved, outdoor walkways that are open to the rain. Walkways under porches or archways and vertical surfaces may not be used, and such chalkings will be washed away. Science Center outdoor blackboards are meant for dynamic use while members of the community are present. Questions about particular chalkings or postings should be directed to the Office of Student Engagement.

**Posters.** All advertisements, flyers, notices, etc., constitute posters and may only be posted on public bulletin boards. Outdated posters must be promptly removed; anyone may remove outdated posters from public boards.

Recommended posting spots include the post office boards, residence hall bulletin boards, Sharples boards and tabling, and Clothier in Tarble boards. Masking or painter’s tape is approved for use for securing the posters—duct tape is not allowed. Posters may not be placed on light posts, trash cans, buildings, walls, floors, doors, windows in doors,

walkways, bike racks, handrails, stairs, or trees, nor may they be placed on the assigned group bulletin boards in Parrish without permission from the group.

Posters need to be “signed” with a recognized student organization or the individual name of a matriculated student. No mentions or images of alcohol are allowed. Posters that violate any of these rules will be removed by College staff or faculty and the individual or group may be fined or held financially responsible for damage.

#### ❖ **Bullying, Intimidation, and Stalking**

**Bullying.** Bullying includes any electronic, written, verbal, or physical act or a series of acts of physical, social, or emotional domination that is intended to cause, or any reasonable person should know would cause, physical or substantial emotional harm to another person or group. Bullying conduct may not only cause a negative effect on individuals targeted, but also others who observe the conduct. Bullying conduct is severe, persistent, or pervasive and has the effect of doing any of the following:

- (i) substantially interfering with a community member’s education, employment, or full enjoyment of the college;
- (ii) creating a threatening or intimidating environment;
- (iii) substantially disrupting the orderly operation of the College; or
- (iv) unreasonable actions directed towards an individual (or a group) resulting in intimidating, degrading, humiliating, or undermining behavior that creates a risk to the health or safety of individuals.

Bullying is prohibited, and participating in such acts will result in disciplinary action.

**Intimidation.** Intimidation is any verbal, written, or electronic threats of violence or other threatening behavior directed toward another person or group that reasonably leads the person(s) in the group to fear for their physical wellbeing. Intimidation is prohibited and will result in disciplinary action.

**Stalking.** Stalking is engaging in a course of conduct, repeated acts or communication toward another person, including unauthorized following, which demonstrate either an intent to put another person in fear of bodily injury or cause the person substantial emotional distress.

Anyone who attempts to use bullying, intimidation, or stalking to retaliate against someone who reports an incident, brings a complaint, or participates in an investigation will be in violation of retaliation as described within this Handbook and will be subject to disciplinary action.

When acts of bullying, intimidation, or stalking occur in the context of intimate-partner violence or when the behavior is perpetrated on the basis of sex or gender, the conduct will be resolved under the [Title IX and College-Defined Sexual Misconduct Policy](#).

### ❖ **Discrimination, including Harassment, Based on a Protected Class**

Discrimination, including harassment, based on a protected class is defined as unreasonable, unwelcome conduct, based on an individual's sex, race, color, age, religion, national or ethnic origin, sexual orientation, gender identity or expression, pregnancy, marital status, medical condition, veteran status, disability, or any other legally protected classification, that objectively and subjectively harms the person by severely, persistently, and/or pervasively denies the person equal access to educational opportunities, residence and community life, or terms and conditions of employment.

This type of discrimination can occur in any form and can be directed at individuals or groups. Depending on the severity of the circumstances, infractions may be resolved through a variety of appropriate methods, ranging from informal, remedial steps, including training, counseling, or mediation to disciplinary action, up to and including suspension or expulsion. In all cases, the College encourages individuals to seek support and assistance as soon as possible. Before any behavior can be considered for the student conduct process, it must be clear that no substantial free expression interests are threatened by bringing a formal charge of discrimination. If a person has been subject to discrimination including harassment on the basis of a protected classification, as described above, the student should consult with the [director of equal opportunity and engagement](#) for guidance.

The College's [Title IX and College-Defined Sexual Misconduct Policy](#) specifically prohibits all forms of sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, indecent exposure, intimate-partner violence, dating violence, and domestic violence, retaliation, stalking, and other misconduct that is sex or gender based, or in the context of an intimate partner relationship including: bullying and intimidation, stalking, physical assault, and discrimination. The full policy can be found at <https://www.swarthmore.edu/title-ix/title-ix-and-college-defined-sexual-misconduct-policy-procedures>.

If a person has been subject to sexual misconduct in any form, the person should consult with the Title IX coordinator for guidance and resolution of sex or gender based complaints under the [Title IX and College-Defined Sexual Misconduct Policy](#).

### ❖ **Disorderly Conduct**

Students at Swarthmore College have the right to express their views, feelings, and beliefs inside and outside the classroom and to support causes publicly, including by demonstrations and other means.

These freedoms of expression extend so far as expression does not impinge on the rights of other members of the community or the orderly and/or essential operations of the College. In light of the principles and expectations described within the policy on [Academic Freedom and Responsibility](#), disorderly conduct is not permitted.

Disorderly conduct is a violation that prevents the orderly operation of the College, which includes, but is not limited to:

1. Excessive noise, which interferes with classes, College offices, residence hall neighbors, or other campus and community activities;
2. Unauthorized entry into or occupation of a private work area or closed meeting;
3. Conduct that restricts or prevents faculty, staff or student employees from performing their duties, including interruption of meetings, classes, or events;
4. Failure to maintain clear passage into or out of any College building, passageway, and/or work space;
5. Failure to disperse when a building, office, or campus space is closed;
6. Other conduct that disrupts the normal operations of the College, such as lectures, meetings, events (such as admissions tours or job interviews), ceremonies, or other necessary business and community functions; and/or
7. Any other action(s) that result in unreasonable interference with the learning/working environment or the rights of others.

#### ❖ **Events and Parties**

The College defines an event as an academic, intellectual, cultural, and/or social gathering, held by students or a student organization, in campus space. Events can be open to the entire campus community, open to all enrolled students, or closed events held for a smaller group of students and/or members of an organization. Usually, events are not open to the general public without written permission from the Office of Student Engagement. Typically, guest(s) of enrolled students are permitted at campus events; please see the guest policy for additional information on the College's guest policy. Both open and closed events follow the same expectations and process for registration.

The College further differentiates between alcohol registered events (A.R.E.s) and dry events (events where alcohol is not present). A.R.E.s are registered events where alcohol will be present, either provided by the host or brought by attendees, and/or alcohol will be served. All A.R.E.s require advance registration and approval of a College Alcohol Permit.

**\*Due to the COVID-19 global pandemic, alcohol and ALL A.R.E.s are prohibited on campus during the Fall 2020 semester.**

**Unless specifically authorized, in writing, by the Senior Associate Dean of Student Life or designee, no College funding may be used to purchase alcoholic beverages** (written authorization may be given for senior only events, associated with senior week/senior class only events at off-campus locations).

A College event may be held on- or off- campus and may only be sponsored by Swarthmore students. All events held on-campus are automatically subject to this



policy. An individual and/or organization holding an event off-campus may be subject to the student code of conduct and/or Pennsylvania state law.

- **Open events** are defined as an event where all students are permitted to attend. Open events may or may not be open to the larger campus community.
- **Closed events** may be held for a smaller group of students and/or members of an organization. A guest list may be required depending on the size and scale of the event.

\*No A.R.E. events should charge an entry fee at any time.

If a student is unsure about whether their event is ‘open’ or ‘closed’, they may seek advice from the Office of Student Engagement.

Any violations of these responsibilities will be referred to the Senior Associate Dean of Student Life and/or Office of Student Engagement for appropriate follow-up and possible adjudication through the College’s Student Conduct process.

Public Safety should be contacted for any emergencies and/or safety issues at any time during an event/party.

Additionally, if A.R.E. or other College protocols are not being followed, the event/party may be shut down by Public Safety or other College staff.

### **General Host Responsibilities for Student Events and Parties on Campus –**

Only students who are actively enrolled at the institution may host an event on campus.

- Hosts and/or hosting organizations (hosts) are responsible for reading all of the event and party policies outlined in the Student Handbook.
- Hosts must attend the College’s A.R.E Hosting Training during the academic year for which they are hosting an event.
- At least one Host must be over the age of 21.
- Hosts are responsible for reserving the event space and requesting an alcohol permit when alcohol will be present at the event.
- Hosts are responsible for any damage to campus space or property that occurs during or as a result of their event.
- Hosts are responsible for the safety of the event attendees.
- Hosts are responsible for determining if guests of enrolled students will be allowed at their event.
- Hosts are responsible for restricting and/or removing alcohol from any dry event.
- Hosts are to ensure there is no smoking or vaping at any student event on campus.

- Hosts are required to clean the event spaces immediately after the event. This includes removing all trash and returning the space to its original condition. If deep cleaning of the event space is required and/or additional cleaning supplies are needed, it is the responsibility of the host to make appropriate arrangements to acquire these items. Cleaning supplies (includes mops, vacuums, and spray cleaning bottles) can be acquired by contacting the Office of Student Engagement.

**If, during an event, the hosts are unable to uphold these guidelines or meet host responsibilities, or there is an emergency, they should contact Public Safety at 610-328-8333 or ext. 8333 for assistance.**

There are several additional expectations for hosts of Alcohol Registered Events outlined in the “**A.R.E. Events - Host Responsibilities**” section below.

#### **Event Funding –**

Chartered organizations should use their Student Budget Committee (SBC) allocated budget for event funding. Chartered Organizations may also request supplemental funding through the weekly SBC application process. Individual students and non-chartered organizations may request limited funds through OSE for events. All OSE funded events are required to be open to all students. **No College funding, including SBC funds, may be used toward the purchase of alcohol for student events.**

#### **Fundraisers--**

Students holding an event to raise funds for a nonprofit or humanitarian cause may advertise that donations are encouraged, but they must not serve as an entry fee to the event. Advertisements for the event may mention that it is a fundraiser. **No amounts of the donations may be used to purchase alcohol.**

#### **Publicizing Events –**

Generally, advertising is permitted for any event that is open to all students and is free of charge. Conversely, closed events are not permitted to be advertised on campus and are generally by invitation only. All OSE sponsored/funded events must be publicized on campus and open to all students. Advertising (posters, flyers, chalkings, table tents, email, written, verbal invitations, social media posts, and banners) for all College events must **NOT** refer to availability of alcoholic beverages, either in writing or in graphics/gifs. If there is any question as to whether or not some form of advertising meets this criterion, it should be cleared in advance with OSE. Inappropriate advertising will be removed and the individual and/or organization and may be restricted from hosting the event/party. For additional information, see the *Banners, Chalkings, and Poster* policy (<https://www.swarthmore.edu/student-handbook/student-code-conduct-rules-and->

regulations#banners\_chalkings\_posters). The standard method for advertising open student events is through the reserved student digest.

### **Authorized Campus Locations and Times**

Designated campus spaces for student events can be found on [SwatCentral](#) and may periodically change; an updated list of available student spaces can be found in the Office of Student Engagement.

**Event Reservations:** Students or student organizations are required to register their event, in the form of a space reservation, if the event is held in a designated campus space with more than ten (10) attendees. A student may reserve a space for dry events through “[SwatCentral](#)”, the campus event management system. Dry event reservations must be made at least 48 hours before the event. For A.R.E., students must also complete an Alcohol Permit Request form, by 12:00PM(noon) on the Wednesday prior to an event occurring that week. The Alcohol Permit Request form can be found on the Office of Student Engagement (OSE) website.

**Duration:** All events are expected to begin and end at a reasonable, specified time. A.R.E functions may not exceed four (4) hours in duration and should end no later than midnight Sunday through Wednesday and by 2:00 AM for Thursday through Saturday night events. Thursday events lasting beyond midnight must be in non-residential spaces. Undue noise or unwanted guests may nullify previous agreements. Students and student organizations are limited to hosting no more than one A.R.E within a 24-hour period. An Alcohol Registered Event may not take place in multiple locations. There must be at least one hour between the end of an A.R.E and the beginning of the next scheduled event (A.R.E or dry event) in the same location.

Alcohol Registered Events (A.R.E.s) may not be registered or held in the following locations:

- Academic Classrooms
- Athletic Facilities
- Black Cultural Center
- Bond Memorial Hall
- College Amphitheater
- Sharples Dining Hall
- Upper Tarble
- Women’s Resource Center
- IC Big Room

(Exceptions can only be made with express permission from the Dean of Students Office).

**\*Alcoholic beverages are specifically prohibited at all athletic contests or related events.**

The Office of Student Engagement generally approves space reservations 1-2 weeks before an event is to be held. Any student may request to use a residential or student social space, and those requests are generally reviewed in the order they come in. When determining if a space reservation is approved for an event, including those with alcohol, OSE may take the following factors into consideration before confirming a reservation.

- Availability of student/professional staff
- Impact of event on residential community
- Time of the semester
- Duration of event
- Weather
- Accessibility of space
- Location and proximity to public bathrooms
- Size of event
- Frequency of event
- General health and safety concerns
- Failure to meet host expectations in the past

If a requested space is not available and/or the location is not the most appropriate for an event, the Office of Student Engagement may confirm your event for another location. You will receive confirmation of your space request no later than 48 hours before your event, and earlier if possible.

#### **A.R.E. Events: Alcohol Permits (during non-COVID-19 restrictions)**

All A.R.E.s require an approved alcohol permit. Prior to requesting an A.R.E. permit, students must reserve an appropriate space for their event using [Swat Central](#). After reserving space for a social function, the student must register the function by obtaining and submitting an [Alcohol Permit](#), which collects the information required for hosting an event with alcohol. An A.R.E. Permit is required if: a) ten (10) or more people are present or expected to attend, b) if there is a keg, and/or c) the party will be held on campus.

Students or student organizations hosting an A.R.E., must complete an A.R.E. Permit Request form, by 12:00 PM (noon) on the Wednesday prior to an event occurring that week and must also have a confirmed space reservation. The A.R.E. form can be found on the Office of Student Engagement website and will review all event submissions.

For events with an expected or actual attendance of between 10 and 74 people, two (2) responsible sober hosts must be indicated on the Alcohol Permit application, one (1) of which must be over the age of 21. For events with more than 75 people expected or in attendance, three (3) responsible sober hosts are required to sign the alcohol permit. The alcohol permit must include the name of the responsible hosts, one of whom must be at least 21 years of age. All hosts must have attended the College's A.R.E. Host Training during the academic year for which they are hosting the event.

Additionally, all hosts of the registered event/party **must** meet with Public Safety to review and sign the A.R.E. Permit prior to the event/party starting.

**Alcohol Permits will not be approved and alcoholic beverages may not be served at parties or other events that take place during the early return period, New Student Orientation, the first week of the Fall and Spring academic semester, vacation periods, reading days, final examination periods, or large-scale Admissions Offices events (e.g. Discover Swarthmore, SWATstuck, and SWATlight).**

In the event of a large-scale campus event (such as, Halloween Party, Winter Formal, Worthstock, etc.), or inclement weather or campus emergency, the Office of Student Engagement or the Student Affairs Division may identify additional days each semester during which students may not register events with alcohol. When possible, these dates will be announced with as much advance notice as is reasonable but advance notice may not always be given. The OSE also reserves the right to limit the total number of events. on any particular day if staffing or other resources are not available to safely support the event. The first available date to register an event/party with an A.R.E. Permit is the first Saturday after classes begin each semester.

Alcohol that is present at an event/party but not approved and specifically not included on the Alcohol Permit, will be removed and disposed of and the event/party may be shut down, and the hosts/organization will typically be referred to the College student conduct process.

#### **A.R.E. “BYO” Policies:**

Approved hosts are permitted to hold open/closed BYO events if approved through the Alcohol Permit process. Attendees over the age of 21 are permitted to bring one (1) six pack of beer or one (1) 750ml bottle of wine. All alcohol must be dropped off with the open/closed A.R.E. host(s) prior to the start of the event. Hosts are expected to coordinate with attendees to determine the requested amount of alcohol prior to the submission of the A.R.E. Permit. At some large-scale campus events, students 21 and older may bring beer or wine for personal use which must be checked-in, prior to the event beginning, and at the designated location.

#### **A.R.E. Event: Host Responsibilities**

Hosts and/or hosting organizations are responsible for reading and following all of the event and party policies outlined in the Student Handbook. By signing the A.R.E. Permit, the hosts agree to be responsible for compliance with the College’s Event and Party policy and local, state, and federal law before, during, and following the event.

While the social function is in progress and/or when alcoholic beverages are available (whichever is longer), the event/party hosts and SwatTeam (if applicable) must be in attendance at all times. It is the responsibility of the hosts to regulate the serving of alcoholic beverages to attendees over the age of 21. Hosting an open event/party without the approved or required presence of SwatTeam members for a party will result in the function being shut down.

In addition to the general event and party host responsibilities listed above, the A.R.E. hosts must adhere to the following requirements:

- Read and adhere to all expectations outlined in the “Events and Parties Policy” section above.
- Meet with SwatTeam representatives and Public Safety before the A.R.E. will be permitted to begin.
- A.R.E. Permit and signs must be posted in clear view at the entrance and where the alcohol is being served at all times during an event/party stating; “You must be 21 years of age to consume alcoholic beverages in the Commonwealth of Pennsylvania” and also must indicate what type/how much alcohol is being served on the permit. If the permit is not displayed, the party cannot begin.
- Hosts must assist SwatTeam in being stationed at the doors to regulate entry into the A.R.E. and to ensure that alcoholic beverages are not brought into or carried out of the A.R.E.
- Only guests over the age of 21 will be provided a wristband or marking indicating they are of the legal drinking age. The sharing or reuse of wristbands is strictly prohibited and will result in referral to the student conduct process.
- Hosts or servers must regulate the serving of alcoholic beverages and observe all laws and College guidelines regarding A.R.E.
- All alcoholic beverages may only be dispensed by A.R.E. hosts or a server identified by the host. Servers must be designated by A.R.E. hosts and have been A.R.E. Host Trained.
- **Hosts/servers shall not consume alcohol prior to and for the duration of their hosting/serving responsibilities.**
- Hosts are required to prohibit visibly intoxicated persons from obtaining alcoholic beverages at the A.R.E.
- Hosts will identify and request that problematic attendees leave the A.R.E. In the event that problematic attendees are uncooperative, the host will contact Public Safety for assistance.
- Hosts must assist Public Safety in A.R.E. walkthroughs (pre-event walk-through and mid-event walk-through) and emergency response.
- Alternative non-alcoholic beverages must be served during the entirety of the A.R.E.
- Substantial food, such as fruits, vegetables, and/or pretzels, must also be provided at all A.R.E.

- There is to be no smoking, including cigarettes e-cigarettes, or vapes, at any A.R.E.
- Hosts are required to clean the event spaces immediately after the event. This includes removing all trash and returning the space to its original condition. If deep cleaning of the event space is required, cleaning supplies (includes mops, vacuums, and spray cleaning bottles) supplies can be acquired by contacting the Office of Student Engagement. Deep cleaning must be completed by 2:00 PM the following day after the event. Cleanup is the responsibility of the hosts and/or sponsoring organization and must be done immediately following the event. The College may impose a monetary fine, ranging from a minimum of \$50 to several thousand dollars (depending on the scope of the damage) for failure to comply with agreements regarding space cleanup and/or destruction to College property (including Swaudio equipment). In addition, hosts and/or sponsoring student organizations will be held responsible for any damages to the facility or equipment in that space.

**\* If, during an A.R.E., the hosts are unable to uphold the guidelines and keep the A.R.E. under control, they are required to call Public Safety at 610-328-8333 or ext. 8333.**

**Guests at A.R.E. Events** - Typically, an enrolled Swarthmore student is permitted to host one (1) non-College guest to an event/party (including Tri-Co students). The guest, accompanied by the student host, must check in at the door. All guests are required to provide either a current Tri-Co or valid United States government issued ID with a birth date. If there is a disagreement as to if an ID is considered valid, a host, SwatTeam staff or the guest should seek advice from Public Safety or the Office of Student Engagement. Usually, events are not open to the general public without written permission from OSE.

College employees are not permitted to attend student-hosted A.R.E., unless their attendance is directly related to their role and responsibilities as an employee of the College.

#### ❖ **Failure to Comply**

The College expects students to comply with the directions of law enforcement officers or College officials acting in the performance of their duties.

Furthermore, the College expects students held responsible for Student Code of Conduct violations to fully comply with all disciplinary sanctions imposed by the College. A responsible student's failure to comply with imposed sanctions or any related directions of a College official in the performance of their duties will be subject to further disciplinary action.

❖ **False representation**

A student may not knowingly provide false information or engage in misrepresentation to any College office/official. In addition, forgery, alteration, or unauthorized possession or use of College documents, records, or instruments of identification, forged or fraudulent communications (paper or electronic mail) are prohibited.

Upon request, students are obligated to provide College personnel with accurate identification and must present their OneCard when requested. Swarthmore Police Department will accept a Swarthmore College OneCard as proof of identification, except when a driver's license is required for operating a motor vehicle.

❖ **Fire safety**

Fire regulations prohibit personal cooking appliances (hot plates, toaster ovens, or other items with open-heat elements), space heaters, candles, incense, other open-flame items, vapes, and halogen lamps. Open flames, including the burning of candles, incense or other unauthorized objects, are not permitted in residence halls or any other unauthorized area of campus. It is also a violation to hang items from any part of fire safety equipment including conduits and sprinkler heads. Any student with an open flame (e.g., candle, incense, etc.) may be subject to a \$500 fine.

Tampering, interference, misuse, causing damage, and/or destruction of fire safety and fire prevention equipment are prohibited and are a violation of state law. Any student who causes an alarm to be set off for improper purposes may be liable for the expenses incurred by the fire department(s) in responding to the alarm, in addition to any fines, charges or sanctions that may be applied for violation(s) of this policy.

If no individual(s) accept responsibility when a violation of this policy occurs in a residence hall, all residents of that residence hall may be subject to fines and charges for costs incurred by the College and/or fire department(s).

Fire drills are held on a regular basis. Directions for fire drill procedures are posted in every building. Failure to vacate any College building during an active fire alarm, including drills is a violation of College policy, may result in disciplinary action. Hallways and stairwells must be kept clear of bicycles, trunks, and furniture, and may not be used for storage. Items impinging on free movement in public spaces, including halls and stairways, will be removed (including cutting locks, when necessary) and their owners may be charged for their removal.

Students are financially responsible for damages resulting from reckless conduct or violation of this policy. Any student in violation of the College's fire safety rules (e.g., unauthorized candle/incense/object burning, tampering with fire safety equipment, etc.) may be subject to restitution and replacement costs, a fine, adjudication through the student conduct process, or other reasonable resolution as deemed by the student conduct administrator.



Any student in possession of prohibited items and/or in violation of the fire safety policy may be referred to the student conduct process.

❖ **Hazing**

Swarthmore College prohibits any form of hazing, whether the activities occur on or off property owned or operated by the College. Additionally, the College supports and enforces the Commonwealth of Pennsylvania’s Timothy J. Piazza Anti-hazing Law, Act 80 of 2018. Failure to notify the College of an incident of hazing, may be a violation of this policy.

Hazing includes, but is not limited to, any behavior and/or acts of servitude that is designed or intended to humiliate, degrade, embarrass, harass, or ridicule an individual, or that which a reasonable person would deem harmful or potentially harmful to an individual’s physical, emotional, or psychological wellbeing, as an actual or perceived condition of new or continued affiliation with any organization, and/or team. Hazing also includes knowingly or recklessly engaging in such behavior and/or acts.

Engagement in any of these behaviors, regardless of the intent to cause harm or the willingness of an individual to participate in such activity, for the purpose of initiation, admission, or continued affiliation and/or membership, is a violation of this policy.

Examples of such behavior include but are not limited to:

- Brutality of a physical nature
- Exposure to environmental elements, without appropriate protections
- Assigning demerits and/or deprivation of privileges granted to other members

- Whipping, Beating, Paddling or other forms of assault
- Forced/coerced consumption of any food or drink
- Asking members to wear embarrassing or humiliating attire
- Branding, burning, or other forms of physical mutilation
- Forced/coerced consumption of alcohol or liquor
- Activities with degrading, crude, or humiliating acts
- Acts of servitude: (ex. carrying books, errands, cooking, cleaning, etc.)
- Forced/coerced consumption of drugs or other substance abuse
- Expecting members to deprive themselves of a normal level of cleanliness

- Forced calisthenics or exercise
- Name calling
- Verbal abuse
- Deception
- Sleep deprivation
- Sexual simulations
- Abductions/kidnaps
- Public nudity
- Threats or implied threats
- Expecting illegal activity
- Bondage
- Social isolation

- Expecting specific items to always be in one's possession
- Lineups or other forms of drills
- Tests on meaningless information
- Assigning members demeaning terms or labels, while requiring other members to be identified with titles
- Water intoxication

To report an incident of hazing please click [here](#).

The Commonwealth of Pennsylvania's Timothy J. Piazza Anti-hazing Law (excerpted): Students are strongly urged to read the entire criminal statute in order to have a full understanding of the legal standards, penalties and the terms of the limited safe harbor provision allowed by the State.

#### §2801 Definitions (selected definitions)

- Minor is defined as an individual younger than 18 years of age.
- Organization is defined as any of the following:
  - A fraternity, sorority, association, corporation, order, society, corps, club or service, social or similar groups, whose members are primarily minors, students or alumni of the organization, an institution or secondary school
  - A national or international organization with which a fraternity or sorority or other organization as enumerated under paragraph (1) is affiliated.

### §2802 Hazing

(a) A person commits the offense of hazing if the person intentionally, knowingly, or recklessly for the purpose of initiating, admitting, or affiliating a minor or student into or with an organization, or for the purpose of continuing or enhancing a minor or student's membership or status in an organization, causes, coerces or forces anyone to do any of the following:

- (1) Violate Federal or State criminal law.
- (2) Consume any food, liquid, alcoholic liquid, drug or other substance which subjects the minor or student to a risk of emotional or physical harm.
- (3) Endure brutality of a physical nature including whipping, beating, branding, calisthenics, or exposure to the elements.
- (4) Endure brutality of a mental nature including activity adversely affecting the mental health or dignity of the individual, sleep deprivation, exclusion from social contact or conduct that could result in extreme embarrassment.
- (5) Endure brutality of a sexual nature.
- (6) Endure any other activity that creates a reasonable likelihood of bodily injury.

#### (b) Grading

- (1) Except as provided under paragraph (2), hazing is a summary offense.
- (2) Hazing shall be a misdemeanor of the third degree if it results in or creates a reasonable likelihood of bodily injury to the minor or student.

(c) Limitation--Hazing shall not include reasonable and customary athletic, law enforcement or military training, contests, competitions or events.

### §2803 Aggravated Hazing

(a) Aggravated hazing--A person commits the offense of aggravated hazing if the person commits a violation of §2802 (related to hazing) that results in serious bodily injury or death to the minor or student, And

- (1) The person acts with reckless indifference to the health and safety of the minor or student; or
- (2) The person causes, coerces or forces the consumption of an alcoholic liquid or drug by the minor or student.

(b) Grading---Aggravated hazing shall be a felony of the third degree.

### § 2804 Organizational Hazing

(a) Organizational hazing---An organization that intentionally, knowingly or recklessly promotes or facilitates a violation of §2802 (relating to hazing) or §2803 (related to aggravated hazing) commits the offense of organizational hazing and shall be subject to any of the following penalties:

- (1) A fine of not more than \$5,000 for each violation of §2802
- (2) A fine of not more than \$15,000 for each violation of §2803
- (b) Penalties--In addition to any other sentence imposed, if an organization commits the offense of organizational hazing, the organization shall be subject to such other relief as the court deems equitable.

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**ATHLETICS: DEPARTMENT OF ATHLETICS/NCAA**

The Department of Athletics, Physical Education & Recreation prohibits hazing of any kind. Hazing of any Swarthmore student will not be tolerated and will result in College and Athletic Department disciplinary action, including, but not limited to, suspension or expulsion from a team, or the forfeiture of athletic eligibility.

In addition to Commonwealth of Pennsylvania's Timothy J. Piazza Anti-hazing Law, all Swarthmore student athletes are subject to the NCAA's anti-hazing guidance. The NCAA defines hazing as "any act committed against someone joining or becoming a member or maintaining membership in any organization that is humiliating, intimidating or demeaning, or endangers the health and safety of the person. Hazing includes active or passive participation in such acts and occurs regardless of the willingness to participate in the activities. Hazing creates an environment/climate in which dignity and respect are absent." [Click here to review the NCAA's Hazing Prevention Handbook.](#)

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**SANCTIONS/OUTCOMES**

Individuals and/or organizations found in violation of this policy are subject to Swarthmore College disciplinary action, and may also be subject to criminal penalties applicable under Pennsylvania's anti-hazing law.

The sanctions for violations of College policy may include remedial or corrective actions as warranted. The following list of sanctions is illustrative rather than exhaustive, and the College reserves the right to impose other reasonable sanctions or to combine sanctions as it deems appropriate:

- a. Warning - A written notification that a violation of policy occurred and that any further responsible finding of misconduct may result in more severe disciplinary action. Warnings are typically recorded for internal purposes only and are not considered part of a student's permanent student conduct record. Though disclosed with a student's signed consent, a student who receives a warning is still considered in good standing at the College.

b. Probation - A written notification that indicates a serious and active response to a violation of policy. Probation is for a designated period of time and includes the probability of more severe sanctions, if found responsible for additional violations of the Student Code of Conduct or Title IX and College-Defined Sexual Misconduct Policy, including suspension or expulsion from the College. Notification of probation is considered a change in status and will normally be sent to parents or guardians. As a result of a change in status, a student who is placed on probation is not considered to be in Good Standing at the College during their period of probation.

c. Suspension - The separation of a student from the College for a specified period of time, after which the student is eligible to return. Conditions for re-enrollment may be required and will be included in the notification of suspension. Suspended students are required to comply with the College's re-admission process prior to being eligible for re-enrollment.

During the period of suspension, the student may not participate in College academic or extracurricular activities; may be barred from all property owned or operated by the College; and depending on the severity of the charge, the student might not be allowed to progress toward completion of their Swarthmore degree by taking courses at other institutions while suspended. Students who are suspended may not be on campus without specific, written permission of the Vice President for Student Affairs or designee.

Suspension is for a designated period of time and includes the probability of more severe sanctions, including expulsion, if found responsible for additional violations of the Student Code of Conduct or Title IX and College-Defined Sexual Misconduct Policy. Notification of suspension will normally be sent to guardians or parents, as it results in a change of status. As a result of a change in status, a student who is suspended is not considered to be in good standing at the College during their period of suspension.

d. Expulsion - Expulsion is the permanent separation of the student from the College. Students who have been expelled may not be on campus without specific, written permission from the Vice President for Student Affairs or designee. Notification of expulsion will normally be sent to guardians or parents, as it results in a change of status.

Expulsion may be particularly appropriate if the College has determined that the respondent has engaged in the same or similar conduct and/or has been found in violation of the in the past.

e. Revocation of Affiliation - Revocation of affiliation is the permanent removal of a student as a member of a specific organization and/or the permanent removal of an organization's recognized affiliation with the College.

f. Loss of privileges - Denial of the use of certain College facilities or the right to participate in certain activities, events, programs or to exercise certain privileges for a designated period of time. This includes Contact Restrictions, denial of ability to represent the College in official capacity, and/or organizational sanctions.

g. Restitution - A student or organization may be required to make payment to an individual or to the College related to the misconduct for damage, destruction, defacement, theft, or unauthorized use of property.

h. Fines - Swarthmore reserves the right to impose fines, as appropriate, in addition to requiring payment for costs resulting from or associated with the offenses.

i. Relocation or removal from (College-operated) housing - Relocation is the reassignment of a student from one living space to another. Removal from housing is the removal of a student from all College-operated housing. Relocation and removal from housing are typically accompanied by the loss of privileges regarding the visitation to specific residential areas for a specified period of time.

j. Educational requirements/referrals - The College reserves the right to impose counseling or substance assessments or other required educational sanctions.

The student conduct administrator may broaden or lessen any range of recommended sanctions based on significant mitigating circumstances or egregiously offensive behavior. The student conduct administrator will not deviate from the range of recommended outcomes unless compelling justification exists to do so. The student conduct administrator may issue a single sanction or a combination of sanctions.

k. In considering the appropriate sanction within the recommended outcomes, the student conduct administrator will consider the following factors together with any impact statements provided from the complainant and/or respondent:



- (i.) the respondent's prior discipline history;
- (ii.) how the College has sanctioned similar incidents in the past;
- (iii.) the nature and violence of the conduct at issue;
- (iv.) the impact of the conduct on the complainant, and their desired sanctions, if known;
- (v.) the impact of the conduct on the community, its members, or its property;
- (vi.) whether the respondent has accepted responsibility;
- (vii.) whether the respondent is reasonably likely to engage in the conduct in the future;
- (viii.) the need to deter similar conduct by others;
- (ix.) any other mitigating or aggravating circumstances, including the College's values.
- (x.) the respondent's optional good faith participation in restorative / remedies based educational options during the report, complaint and investigation portions of the resolution process.

If a sanction includes suspension, the respondent is subject to the readmission process as described in the Student Handbook.

A sanction imposed by the College under this section is separate from and would be in addition to any criminal penalty imposed by the Commonwealth of Pennsylvania for violation of an offense under the Timothy J. Piazza Anti-hazing law or the other criminal laws of the Commonwealth. A violator of this policy may also be separately sanctioned for a violation of other College policies.

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## **REPORTING OF HAZING INCIDENTS**

As required by Commonwealth of Pennsylvania's Timothy J. Piazza Anti-hazing Law, Act 80 of 2018, twice a year the College will provide the College community with a report that includes information about violations that have been reported to the College for the prior five (5) consecutive years.

This report will not include the personal identifying information of any individual and will reflect charged incidents of hazing to the extent that the institution has retained information about these violation(s). The College posted an initial report on January 15, 2019. The College will update and repost this report on January 1 and August 1, each year. The College will retain each report for five (5) years.

### ❖ **Housing Violations**

General housing policies and regulations described below are established by the Student Life division and the Office of Student Engagement. Students are expected to familiarize themselves with the policies and rules concerning conduct in the residence halls.

Acceptance of space in College housing constitutes knowledge of, willingness, and agreement to abide by these housing policies. Living in College housing is a privilege and not a right. The Student Life division and/or Office of Student Engagement may, at any time and at its own discretion, withdraw this privilege due to behavior, which does not rise to the standards outlined below. Students who lose their housing privileges are not typically entitled to a refund of their room and board charges for the remaining weeks of the semester.

### ❖ **Retaliation**

The College will not tolerate retaliation. Retaliation against any person or group who makes a complaint, cooperates with an investigation, or participates in a resolution process is a violation of College policy. Retaliation can take many forms, including continued abuse or violence, bullying, threats, intimidation, and stalking. Any individual or group of individuals, not just a complainant or respondent, can engage in retaliation.

Retaliation should be reported promptly to the Senior Associate Dean of Student Life and may result in disciplinary action independent of any sanction or interim measures imposed in response to the underlying allegation of misconduct.

### ❖ **Sexual misconduct: Title IX and College-Defined Sexual Misconduct**

Swarthmore College is committed to establishing and maintaining a community rich in equality and free from all forms of discrimination and harassment. The College seeks to create an environment in which the greatest holistic academic potential of students and professional potential of employees may be realized. In order to create and maintain such an inclusive climate, all who work and learn at the College are partners in the endeavor to ensure that the community is free from discrimination based on sex or gender, including sexual harassment, sexual assault, and other forms of sexual misconduct. These behaviors threaten our learning, living, and work environments and will not be tolerated.

The College's Title IX and College-Defined Sexual Misconduct Policy prohibits all forms of sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, indecent exposure, intimate-partner violence, dating violence and domestic violence, retaliation, stalking, and other misconduct that is sex or gender based, or in the context of an intimate partner relationship including: bullying and intimidation, physical assault, and discrimination. The full policy can be found at:

<https://www.swarthmore.edu/title-ix/title-ix-and-college-defined-sexual-misconduct-policy-procedures>.

[Click here to submit a Title IX Report and Concern Form](#)

❖ **Smoking**

Smoking and vaping is prohibited in all indoor spaces throughout the College, including meeting rooms, lounges, offices, and residence halls (including individual's residential rooms). Violation(s) may result in a referral to student conduct, a fine, and/or other potential penalties, including exclusion from campus housing. Altering smoke detectors creates danger for all building occupants and may be met with disciplinary action.

Smoking is only allowed outdoors at a minimum distance of 25 feet from all buildings.

❖ **Theft, vandalism, or property damage**

Theft, negligent, intentional, or accidental damage to personal or College property is prohibited, as is possession of stolen property. Restitution may be charged to the appropriate individual(s) and may warrant College disciplinary action. In the event that damage occurs in residence-hall common space for which no one assumes responsibility, restitution may be divided equally among all residents of that hall. Administrative fees may be added if students do not comply by the end of the semester.

For damage that occurs during a student event for which no individual student(s) accept(s) responsibility, the sponsoring students and/or organizations may be held accountable for restitution and may be subject to further disciplinary action.

❖ **Unauthorized Entry or Access**

Unauthorized entry into or presence within enclosed College buildings or areas, including athletic facilities, construction sites, and student rooms or offices, even when unlocked, is prohibited. Climbing on any College building or College-owned structure or being present on building roofs is prohibited without authorization. Tampering with locks to College buildings, unauthorized possession or use of College keys, and alteration or duplication of College keys is against College policy. Participation in any of these activities may subject a student to fines and/or further disciplinary action.

❖ **Unauthorized Use of College Facilities or Services**

The unauthorized use of College property, including but not limited to College buildings, spaces and grounds; College documents and records; or College furnishings, equipment and materials, is a violation of College policy and is subject to disciplinary action. The Acceptable Use Policy under Academic Policies provides guidelines for use of College computer systems and networks.

❖ **Violation of Local, State, or Federal Law**

Any violation of local, state, federal, or international law may subject a student to College disciplinary action. A pending appeal of a conviction shall not affect the application of this rule.

### ❖ **Weapons and Fireworks**

No student may possess or use a firearm on Swarthmore College property or its environs. Firearms, including rifles, shotguns, handguns, air guns, and gas-powered guns and all ammunition or hand-loading equipment and supplies for the same, are not allowed. No student may possess or use fireworks, dangerous devices, chemicals, or explosives on Swarthmore College property or its environs. Items such as knives, even if decorative, that could be viewed and/or used as weapons are forbidden.

## **Student Conduct Policies & Procedures**

The College places great value on freedom of expression, but it also recognizes the responsibility to protect the values and structures of an academic community. It is important, therefore, that students assume responsibility for helping to sustain an educational and social community where the rights of all are respected. This includes conforming their behavior to standards of conduct that are designed to protect the health, safety, dignity, and the rights of all. Community members also have a responsibility to protect the possessions, property, and integrity of the institution as well as of individuals. The aim of Swarthmore College's Student Code of Conduct is to balance all these rights, responsibilities, and community values fairly.

The Student Conduct process is an administrative educational process informed by legal and compliance requirements that guide academic institutions together with the holistic mission of the College to help students realize their full potential. Students share responsibility for upholding community standards and are expected to participate in good faith with investigation and adjudication processes meant to resolve a code allegation. Decisions about whether a student or group is responsible for a conduct violation are based on a fair preponderance of the evidence standard meaning, the allegation is supported by evidence that sufficiently demonstrates that it is more likely than not that a violation occurred. Without sufficient evidence, a student or group will be found not responsible and allegation records will be removed. The student conduct process strives to be both thorough and efficient and suggested process timelines may be shortened or extended if warranted by extenuating circumstances.

### **Jurisdiction**

Swarthmore College's policies normally apply to the conduct of matriculated students and any other special or exchange students. These policies apply to conduct occurring on Swarthmore College property or at College-sanctioned events or programs that take place off campus or in the Borough of Swarthmore, Pennsylvania. In situations in which the College becomes aware of possible violations of student code of conduct expectations by members of the Swarthmore College community, College policies may apply regardless of the location of the incident.

In the event that a student organization violates a College regulation, the organization, as well as its individual members, may be held accountable for the violation and sanctioned

by the College. Finally, students should also realize that they have the responsibility to ensure that their guests do not violate College policies, rules, and regulations while visiting and that student hosts may be subject to disciplinary action for misbehavior of their guests.

### Reporting a Student Code of Conduct Allegation

The Senior Associate Dean of Student Life oversees the College's student conduct system. Consultation with this dean or any other dean in no way obligates a student to file a formal complaint or report. Mediation and other informal methods of support and resolution are often available before, during and after a report is made, but is not a required step before proceeding with formal adjudication.

An allegation against a student may be reported to the Senior Associate Dean of Student Life by any member of the College community including another student, a public safety officer, a member of the College's faculty or staff, or a College department. Allegations involving sexual misconduct will be forwarded to the Title IX Coordinator or may be made directly to the Title IX Coordinator will be resolved under the Swarthmore College's Title IX and College-Defined Sexual Misconduct Policy. Other allegations proceed under the College's student conduct policies.

The Senior Associate Dean of Student Life will oversee the review of information received to determine further action including:

- a. informal follow up to support a student of concern
- b. formal follow up under the minor misconduct process for allegations that if proven, would likely *not* result in suspension or expulsion from the College.
- c. formal follow up under the major misconduct process for allegations that if proven, could result in sanctions that include suspension or expulsion from the College.

If the alleged incident represents a violation of federal, state, or local law, the reporting complainant is encouraged to initiate proceedings in the criminal or civil court system regardless of whether a complaint is filed within the College.

### **Record Retention and Reporting.**

In all cases of adjudication covered by this student conduct policy, the Student Conduct Office will keep records of proven allegations and of the sanction(s), if any, imposed. These records are private and sanctions are not disclosed on transcripts or shared without consent outside the scope of College staff with a demonstrated need to know in order to support, carry out sanctions or help adjudicate future allegations.

In order to verify compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, all student conduct records are retained for seven (7) years after a student's last enrollment. These records are only released to the

authorities to which information must be made available under federal and/or state law or as otherwise required or permitted by law.

Most graduate schools, some employers, and some governmental agencies may require a student to consent to disclosure by the College of a student's disciplinary findings. Additionally, students who transfer to other colleges or participate in off-campus study programs may also be required to provide such consent for disclosure. In some circumstances, Swarthmore College may disclose disciplinary records or other information related to student conduct, when a student consents to such disclosure or when permitted or required by law. Further, with consent, if a student withdraws from the College with a pending allegation of misconduct, the College will report that information. If a student withholds consent, that withholding may be reported to the school or agency or may have implications for the level of support Swarthmore is able to provide in the application process. Generally, warnings and findings of "not responsible" are not reported.

### **Contact Restrictions**

Contact Restrictions are directives to students by the Senior Associate Dean of Student Life, Vice President for Student Affairs, Dean of Students, Director of Public Safety, or designees that restrict the contact and/or communication between or among designated parties. Contact Restrictions may be the result of a student conduct process, remedies-based resolution, or put in place temporarily. For emergency situations involving personal safety, the Director of Public Safety, or their designee, may issue a temporary Contact Restriction which will be confirmed, modified, or rescinded by the Senior Associate Dean of Student Life or designee typically within 72 hours of its issuance.

The College will consider all facts and circumstances that may be relevant to whether a Contact Restriction should be issued, including, but not limited to, the following factors:

- When there are allegations, threats, or evidence of physical violence by one student against another;
- When there are allegations, threats, or evidence of harassment, as defined by College Policy, by one student of another;
- When continued contact between students may have a material impact on the student conduct process;
- When requested or agreed to in good faith by both students involved; and
- When there are allegations of serious college policy violations.

Contact Restrictions prohibit all forms of communication between designated parties, direct or indirect, including in person, social media, text messaging, email, mail, and third-party communication. Third party communication includes friends, family, or acquaintances making requests on another student's behalf. Contact Restrictions are not legal protective orders, which are issued by a court of law. Depending on the circumstances, Contact Restrictions may or may not be reciprocal.

Contact Restrictions may include additional protective measures or terms specific to the safety, wellbeing, or other needs of either or both designated parties and may restrict a student from parts of the campus when their participation in academic activities is not required. Any additional terms will be expressly stated in a Contact Restriction directive letter.

Students who have interpersonal conflicts that do not raise concerns for safety or potential policy violations will not be granted Contact Restrictions. These individuals should pursue other forms of conflict resolution and may contact the Dean of Students Office for assistance.

Contact Restrictions do not guarantee that designated students will avoid sightings or passing interactions on campus or in the local community, and incidental contact will not be considered a violation of the Contact Restriction. The College expects that all parties will be intentional to avoid contact.

The College reviews Contact Restrictions at the beginning of each academic semester. Contact Restrictions may remain in effect until the graduation or withdrawal of at least one of the designated students, unless the Contact Restriction is modified or rescinded by the College in writing. A student seeking the modification or rescission of a Contact Restriction shall make such a request to the administrator who issued the original Contact Restriction. Students may request that Contact Restrictions be lifted after an appropriate sustained period of compliance. Such decisions will be made in consultation with the administrator who issued the Contact Restriction.

When Contact Restrictions are administered as an interim measure through the College's Title IX and College-Defined Sexual Misconduct Policy, alleged violations will be resolved under that policy. If a party believes that a Contact Restriction has been violated, that party should immediately report the suspected violation to the Senior Associate Dean of Student Life, Public Safety, or to the Title IX Coordinator.

To request a Contact Restriction, contact the Senior Associate Dean of Student Life, Vice President for Student Affairs, Dean of Students, Director of Public Safety, Title IX Coordinator or a Deputy Title IX Coordinator.

### **Student Conduct Sanctions**

In determining appropriate sanctions when violations of the College's Student Code of Conduct are addressed, the student conduct process attempts to balance student accountability with an educational response. Sanctions are determined by taking the interests of the complainant, respondent, and the overall wellbeing of the College community into consideration, as well as a respondent's present and past disciplinary record if an allegation has been proven. The College will also consider the nature and severity of the offense, injury or harm resulting from the prohibited behavior, and any

other relevant factors. The following list includes potential sanctions for violations of the College's Student Code of Conduct. The College reserves the right to impose any, all, or any combination of these sanctions depending on the nature and circumstances of the violation.

**Warning**—A written notification that a violation of the Student Code of Conduct occurred and that any further responsible finding of misconduct may result in more severe disciplinary action. Warnings are recorded for internal purposes only and are not considered part of a student's permanent student conduct record, but would be taken into consideration by the College, if a student were to be found responsible for additional violations of the Student Code of Conduct. A student who receives a warning is still considered in good standing at the College.

**Reprimand**—A written notification that a repeated or more significant violation of the Student Code of Conduct occurred. Contrary to a *Warning*, a reprimand is considered part of a student's permanent student conduct record. Though disclosed with a student's signed consent, a student who receives a reprimand is still considered in good standing at the College.

**Probation**—A written notification that indicates a repeated or serious and active response to a violation of the Student Code of Conduct. Probation is for a designated period of time and includes the probability of more severe sanctions, if found responsible for additional violations of the Student Code of Conduct, including suspension or expulsion from the College. Notification of probation is considered a change in status and will normally be sent to parents. A student who is placed on probation, is not considered in good standing during their period of probation.

**Loss of privileges**—Denial of the use of certain College facilities or the right to participate in certain activities, events, programs, or to exercise certain privileges for a designated period of time.

**Restitution**—A student may be required to make payment to an individual or to the College related to the misconduct for damage, destruction, defacement, theft, or unauthorized use of property.

**Fines**—Swarthmore reserves the right to impose fines, as appropriate, in addition to requiring payment for costs resulting from or associated with the offenses.

**Relocation or removal from (College-operated) housing**—Relocation is the reassignment of a student from one living space to another. Removal from housing is the removal of a student from all College-operated housing. Relocation and removal from housing are typically accompanied by the loss of privileges regarding the visitation to specific residential areas for a specified period of time. The College may take such action for remedial, rather than disciplinary purposes.



**Contact Restrictions**— Contact Restrictions are directives to students by the Senior Associate Dean of Student Life, Vice President for Student Affairs, Dean of Students, Director of Public Safety, or designees that restrict the contact and/or communication between or among designated parties. Contact Restrictions may be the result of a student conduct process, remedies-based resolution, or put in place temporarily. For emergency situations involving personal safety, the Director of Public Safety, or their designee, may issue a temporary Contact Restriction, which will be confirmed, modified, or rescinded by the Senior Associate Dean of Student Life or designee within 72 hours of its issuance.

Contact Restrictions prohibit all forms of communication between designated parties, direct or indirect, including in person, social media, text messaging, email, U.S. mail, and third-party communication. Third-party communication includes friends, family, or acquaintances making requests on your behalf. Contact Restrictions are not legal protective orders as those are issued by a court of law. Depending on the circumstances, Contact Restrictions may or may not be reciprocal.

**Educational requirements/referrals**—The College reserves the right to impose counseling or substance assessments or other required educational sanctions.

**Suspension**—The separation of a student from the College for a specified period of time, after which the student is eligible to return. Conditions for re-enrollment may be required and will be included in the notification of suspension. A student who is placed on suspension, is not considered in good standing during their period of suspension.

During the period of suspension, the student may not participate in College academic or extracurricular activities; may be barred from all property owned or operated by the College; and depending on the severity of the charge, the student might not be allowed to progress toward completion of their Swarthmore degree by taking courses at other institutions while suspended. Students who are suspended may not be on campus without specific, written permission of the Vice President for Student Affairs or designee.

Suspension is for a designated period of time and includes the probability of more severe sanctions, including expulsion, if found responsible for violations of the Student Code of Conduct. Notification of suspension will normally be sent to parents, as it results in a change of status.

**Expulsion**—Expulsion is the permanent separation of the student from the College. Students who have been expelled may not be on campus without specific written permission from the Vice President for Student Affairs or designee. Notification of expulsion will normally be sent to parents, as it results in a change of status.

**\*Good Standing**— *A student is not in good standing when the student has been found responsible for a student conduct policy violation and as a result is serving a sanction of probation, suspension, or expulsion. Residential Peer Leader roles (GAs, RAs, and SAMs) require that students must be in and remain in good standing throughout their*

*employment as an RPL.*

### **Interim Temporary Suspension**

If the President, the Vice President for Student Affairs or designee decides at any point that the safety of a student or of the College is at stake, interim temporary suspension may be imposed against a student who is suspected of violating the Student Code of Conduct or any other rules, regulations, or procedures of the College or otherwise poses a risk to the safety to the campus, until the time student conduct resolution, disciplinary action, or a hearing can be completed. This action assumes no determination of guilt, and the hearing will be held as soon as possible.

## **Student Conduct Procedures**

**Minor misconduct process.** Allegations in which possible sanctions do not include suspension or expulsion from the College if the student were found responsible are addressed through the minor misconduct process. A minor misconduct process is typically conducted by the Senior Associate Dean of Student Life or a professional staff member in the Office of Student Engagement (hereinafter, referred to as the “student conduct administrator”) and includes investigation and formal resolution. Prior to a meeting with a student conduct administrator, the respondent is encouraged to meet with the Case Manager and Grievance Adviser made available by and through the College to review the student conduct system, student rights, and potential sanctions.

The student conduct administrator will send the respondent written notification of the allegations of misconduct and the aspects of the Student Code of Conduct that allegedly have been violated and the name, telephone number, and office location of the student conduct administrator. In addition, the respondent will receive the date and time of the scheduled administrative review with the student conduct administrator to adjudicate the matter. During the formal resolution, the respondent will be given the opportunity to review all available information regarding the allegation(s) in question and an opportunity to respond to those allegations. If, during the course of the administrative review with the respondent, the student conduct administrator determines the incident being discussed is more serious than was originally believed, the administrative review will be stopped immediately, and the incident will be referred to the College Judiciary Committee (CJC).

After the administrative review and a review of the information available, including an opportunity for the respondent to respond, the student conduct administrator will make a determination if the alleged respondent violated the Student Code of Conduct and issue sanctions, as appropriate. Should the respondent fail to attend the administrative review with the student conduct administrator, the student conduct administrator will consider the information available and render a decision regarding the respondent’s responsibility and sanctions, if any.

The minor misconduct process is subject to appeal pursuant to the appeal procedures discussed below.

**Major misconduct process.** Allegation(s) subject to this policy in which possible sanctions could result in suspension or expulsion from the College if the student were found responsible, including all academic misconduct cases, are addressed through the major misconduct process.

*Administrative adjudication* — A complaint under the major misconduct process will generally involve an adjudication before the College Judiciary Committee (CJC). A complainant or respondent, however, may request resolution through an administrative adjudication, to be conducted by the Senior Associate Dean of Student Life (hereinafter referred to as the “student conduct administrator”). The student conduct administrator will meet with the complainant and respondent to determine responsibility and render a decision as to what sanctions, if applicable, may be implemented. Both parties must agree to resolution by administrative adjudication. The investigative report will serve as the primary evidence in making a determination of responsibility. In cases of major misconduct, an investigative report will be compiled of any information report(s), interview summaries, written statements, and any other documentary information that will be considered by the student conduct administrator.

Both parties must have notice, the opportunity to review the investigative report in advance, and the opportunity to present relevant information to the student conduct administrator. The option of an administrative adjudication is also applicable for cases involving academic misconduct, but must be requested by both the respondent and reporting faculty members (see the [academic misconduct policy](#)).

An administrative adjudication is particularly appropriate when the respondent has admitted to the misconduct and there is no discernible dispute in the relevant facts of the investigation report; however, at the discretion of the student conduct administrator, it may also be used when the facts are in dispute.

In reaching a determination as to whether the pertinent policy has been violated, the student conduct administrator will reach a determination by a preponderance of the evidence—that is, whether the conduct was more likely than not to have occurred as alleged. Depending upon the nature and severity of the allegations, the student conduct administrator may decline to handle the matter administratively and refer the case to the College Judiciary Committee at any time.

## **College Judiciary Committee (CJC)**

A complaint under the major misconduct process will be resolved by the College Judiciary Committee (CJC).

The CJC is a review board composed of faculty, administrators, and students. The CJC pool consists of five (5) or more faculty members (selected by the Committee on Faculty Procedures), three (3) or more senior administrators (selected by the

President), and five (5) or more students (selected by the Student Council appointments process). All CJC members must participate in appropriate annual training including training about non-discrimination, the factors relevant to a determination of credibility, the appropriate manner in which to receive and evaluate sensitive information, the manner of deliberation, the application of the preponderance of the evidence standard, sanctioning, and the College's policies and procedures. CJC members who are no longer on the Committee but have been trained may be called to service if current members are not available for a particular adjudication.

Each CJC panel convened to adjudicate a case is comprised of five (5) voting panelists: two (2) faculty members, one (1) administrator, and two (2) students. The CJC Panel is supported by the student conduct administrator (the Senior Associate Dean of Student Life or designee) who will be present to facilitate the process. They are not a voting member of the CJC.

The student conduct administrator will be available to meet with all involved parties prior to the adjudication, be present during the adjudication to serve as a resource for the CJC on issues of policy and procedure, and to see that policies and procedures are appropriately followed throughout the adjudication meeting.

## **College Judiciary Committee Adjudication Determination Procedures**

### **1. Initiation of allegations**

The College is responsible for investigating complaints of misconduct and determining if the information provided has reached the level of initiating formal student conduct proceedings. The student conduct administrator makes the threshold determination to resolve the allegation through the College Judiciary Committee (CJC) process. If a threshold to hold a CJC adjudication is reached, a respondent who is alleged to have violated policy will be issued an allegation letter and provided an opportunity to respond in the course of the investigation, the pre-adjudication procedures, and the CJC adjudication.

### **2. Case manager**

Assistant Dean and Director of Case Management oversees the College's case management program. In any CJC/Administrative adjudication a respondent will be assigned a College-appointed case manager (typically the respondent's Student Dean) trained to help the respondent navigate the student conduct process. At the discretion of the respondent, the case manager may accompany the student to any meeting/adjudication process related to these procedures.

The case manager is present to provide process support directly to the respondent and ask for breaks as needed. They do not actively participate in the process, ask questions or speak for the respondent and may be cautioned or asked to leave if their participation acts

to delay, disrupt or otherwise interfere with the integrity of the meeting or adjudication. The student conduct administrator has the right at all times to determine what constitutes appropriate behavior on the part of the case manager and whether the person may remain at the student conduct proceedings.

Though the College will assign a case manager, a respondent has the right to request any current member of Swarthmore College community (student, faculty, or staff) to serve as their case manager. If not assigned, this individual will be required to meet with the student conduct administrator in advance of any participation in the CJC proceedings.

The case manager cannot be a witness in the proceedings.

Absent extenuating circumstances, and outside of the Title IX and College-Defined Sexual Misconduct process, witnesses and others involved in an investigation or student conduct adjudication process are not entitled to have a case manager.

### **3. Attorney/outside agreements**

The College prohibits outside attorneys from actively participating in the CJC/Administrative adjudication proceedings. A complainant or respondent may choose to seek the advice and assistance of any attorney at their own expense but the attorney may not actively participate in investigatory interviews or any CJC proceedings (formal or informal). Similarly, the College will not recognize or enforce agreements between parties made outside of the CJC procedures.

### **4. Pre-adjudication meeting**

When a CJC hearing is deemed necessary based on the review of the information available, the student conduct administrator will typically contact the complainant and respondent to schedule separate meetings with each party. At this pre-adjudication meeting, each party will receive an explanation of the CJC process and have the opportunity to ask any questions before the hearing occurs.

### **5. Notice of CJC allegation and adjudication**

The student conduct administrator will send a notice of the CJC adjudication to the respondent. The notice of adjudication provides the respondent with a statement of the policy violation(s) that are alleged to have taken place and a summary of the facts underlying the allegation(s). Where appropriate, a notice will also be sent to a complainant. In addition, the notice provides the parties with the designated manner of adjudication (CJC or administrative adjudication administrator), the date, time, and place of the CJC adjudication, as well as the names of the administrative adjudication administrator/CJC panel members. If the notice does not include this information, a scheduling letter containing this information will follow the notice.

In general, the CJC adjudication will be scheduled within fifteen (15) business days of the notice of adjudication. Under extenuating circumstances, this time frame may be extended by the student conduct administrator.

## **6. Composition of the CJC panel**

The complainant or respondent may submit a written request to the student conduct administrator to contest a member of the CJC if there are reasonable articulated grounds to suspect bias, conflict of interest, or an inability to be fair and impartial. This challenge must be raised within four (4) business days of receipt of notification of the CJC panel members. All objections must be raised prior to the commencement of the adjudication or are deemed waived. Failure to object prior to the adjudication will forfeit one's ability to appeal the outcome based on perceived or actual bias. The student conduct administrator will make the determination whether to seek an alternative CJC panel member.

## **7. Review of documents**

The respondent will have the opportunity to review all investigative documents, subject to the privacy limitations imposed by state and federal law, at least five (5) business days prior to the adjudication, unless the student has requested an expedited adjudication, waiving this right. The investigative report will include any information report(s), interview summaries, written statements, and any other documentary information that will be presented to the CJC panel. Where appropriate, a complainant will also be provided these same rights. Typically, all information and/or materials the parties wish to include in the investigative report or have considered at the adjudication must be provided to the student conduct administrator at least five (5) business days prior to the adjudication.

## **8. Witnesses**

Witnesses will only be called to participate in the adjudication at the request of the CJC and/or student conduct adjudicator. During the investigation, the complainant and respondent will have been asked to identify witnesses. The College may also identify witnesses during the course of the investigation. Witnesses must have observed the act in question or have information relevant to the incident and cannot participate solely to speak about an individual's character.

If either party wishes to identify witnesses, the following must be submitted no later than ten (10) business days before the hearing to the student conduct administrator by email or in hardcopy format:

- the names of any witnesses that either party wishes to identify;
- a written statement and/or description of what each witness observed, if not already provided during investigation;
- a summary of why the witness' presence is relevant to making a decision about responsibility at the hearing; and

- the reason why the witness was not interviewed, if applicable.

The student conduct administrator will determine if the witness(es) have relevant information.

If witnesses are approved to be present, the respondent and complainant are provided with a list of witnesses and any relevant documents related to their appearance at the adjudication no later than five (5) business days before the adjudication. All parties have the opportunity to pose questions of witnesses (through the CJC panel or student conduct administrator), regardless of who identified them to participate.

### **9. Relevance**

The student conduct administrator will review any investigative report, any witness statements, and any other documentary evidence to determine whether the included information contained is relevant and material to the determination of responsibility given the nature of the allegation. In general, the student conduct administrator may redact information that is irrelevant, more prejudicial than probative, or immaterial. The student conduct administrator may also redact statements of personal opinion, rather than direct observations or reasonable inferences from the facts, and statements as to general reputation for any character trait, including honesty.

### **10. Request to reschedule adjudication**

A complainant or respondent can request to have an adjudication rescheduled. Absent extenuating circumstances, requests to reschedule must be submitted to the student conduct administrator at least three (3) business days prior to the adjudication. A request to reschedule an adjudication must be supported by a compelling reason for the delay. The student conduct administrator may also reschedule the adjudication, without a request by either the respondent and/or complainant, when there is reasonable cause to do so. The student conduct administrator will notify the parties of any changes to the scheduled adjudication.

### **11. Consolidation of adjudications**

The student conduct administrator has the discretion to consolidate multiple reports against a respondent in one adjudication if the evidence related to each incident would be relevant and probative in reaching a determination on the other incident.

Additionally, in cases where two or more respondents are allegedly responsible for the same or related incidents, the student conduct administrator shall have the authority to direct that the respondents be heard simultaneously as individuals, as a group, or in sub-groups. All decisions of the student conduct administrator regarding consolidation shall be final.

# **College Judiciary Committee (CJC) Adjudication Meeting Procedures**

## *1. Attendance at adjudication*

If a party misses an adjudication for any non-emergency or non-compelling reason, the adjudication may be held in the individual's absence at the discretion of the student conduct administrator.

If a respondent chooses to withdraw from the College prior to the conclusion of an investigation or student conduct resolution under this policy, for non-medical or non-disability-related reasons, the student must go through the re-entry process coordinated by the Dean of Students Office and, except where the Vice President for Student Affairs in their sole discretion finds exceptional circumstances, the case must be heard prior to the student's readmission to the College.

A complainant or respondent may request participation by other suitable means that would not require physical proximity to the other party. This can include, but is not limited to, partitioning an adjudication room or using technology, such as video or teleconferencing from an alternative location, to facilitate participation. Any proposed alternative must be reviewed in advance to ensure that it is consistent with the goals of a fair and equitable process.

## *2. Participants in College Judiciary Committee (CJC) procedures*

The adjudication is closed, meaning it is not open to the public. Besides the CJC panel members and the student conduct administrator, other persons allowed to be present at the adjudication under this policy include, the complainant, the respondent, any individuals serving as case managers, and any individuals who are witnesses. Witnesses may only be present for their own testimony. Attorneys are not permitted.

## *3. Participant integrity*

Parties and other individuals who offer information at a hearing are expected to respond honestly and to the best of their knowledge. A complainant, respondent, or witness who intentionally provides false or misleading information may be subject to discipline under the Student Code of Conduct.

## *4. Safeguarding privacy*

All participants involved in the CJC process are required to keep private the investigative report and any information learned at the hearing. Consistent with the Family Educational Rights and Privacy Act (FERPA) regulations, the participants may not share any copies of documents presented at the adjudication. All documentation provided during the adjudication must be returned to the College at the conclusion of the adjudication and/or



any appeals. Any breach of this duty is subject to disciplinary action by the College. Nothing in this paragraph precludes disclosure of the outcome of this adjudication.

### *5. CJC procedures*

A CJC adjudication is intended to provide a full and fair opportunity for the complainant and respondent to present their account of events and for the adjudicator to determine the facts of the case, and make a determination regarding the alleged violation(s) of College regulations, and to recommend appropriate educational outcomes and sanctions, if necessary.

The CJC panel is expected to review all information pertinent to the incident in question. Generally, the investigative report will be made available for CJC panel members to review (5) business days prior to the adjudication.

#### *During the adjudication*

- i. An adjudication will be called to order by the student conduct administrator, who will explain the adjudication process, make introductions of adjudication attendees, and will provide an opportunity for all parties to ask procedural questions prior to initial statements and the presentation of information.
- ii. If appropriate, the investigator will provide a summary of the investigation. The CJC, (when applicable the complainant) and/or respondent, through the student conduct administrator, may make brief inquiries of the investigator at the conclusion of the summary.
- iii. When applicable, the complainant may present a brief opening statement. The CJC and the respondent, through the student conduct administrator, may pose questions to the complainant.
- iv. The respondent may present a brief opening statement. The CJC and the complainant, through the student conduct administrator, may pose questions to the respondent.
- v. The CJC and/or student conduct administrator will identify and call relevant witnesses. The CJC and/or student conduct administrator will question each witness and provide the complainant or respondent an opportunity to pose questions through the student conduct administrator.
- vi. The student conduct administrator may call back any participant for additional questions or clarifications.
- vii. The complainant may present a brief closing statement.
- viii. The respondent may present a brief closing statement.
- ix. At the conclusion of the adjudication, the complainant and respondent may submit a written impact statement to the student conduct administrator that will

only be considered at the sanctioning phase, should the respondent be found in violation of the student code of conduct.

#### *6. Questioning*

It is the responsibility of the CJC to assure that the information necessary to make an informed decision is presented. The student conduct administrator may play an active role in questioning all parties and witnesses involved in the case. At times, the CJC may need to ask difficult or sensitive questions in order to understand areas of factual dispute or gain a full understanding of the context. The CJC reserves the right to recall any party or witness for further questions and to seek additional information necessary to make a decision.

At no time will the complainant or the respondent be permitted to directly question one another. Any questions from the complainant or respondent to any participant must be submitted through the student conduct administrator.

#### *7. Deliberation*

After all of the information has been presented, the parties will be dismissed from the adjudication room so that the CJC panel may deliberate. The student conduct administrator will remain for deliberations but does not vote. The CJC panel will first try to reach a determination by consensus; but a simple majority vote as to responsibility will suffice.

The findings of the CJC panel will be reduced to writing by the student conduct administrator. The findings will detail the findings of fact and determination of responsibility, making reference to the evidence that led to the finding and will serve as the record of the proceeding. The vote itself shall not be shared with any parties.

#### *8. Preponderance of the evidence*

The CJC panel will determine a respondent's responsibility by a preponderance of the evidence. This means that the CJC panel will decide whether it is "more likely than not," based upon the information provided at the adjudication, that the respondent is responsible for the alleged violation(s).

#### *9. Sanctions*

If the CJC finds a student, group, or organization responsible for a violation of the Student Code of Conduct the CJC will determine the appropriate sanctions.

The sanctions may include, but are not limited to, those set forth in the *Student Handbook*. The student conduct administrator may be consulted in determining an appropriate sanction.

Any respondent who is determined to have engaged in any prohibited form of conduct may receive a sanction ranging from a warning to expulsion and appropriate educational

requirement.

The CJC may broaden or lessen any sanctions based on significant mitigating circumstances or egregiously offensive behavior. The CJC may issue a single sanction or a combination of sanctions.

In considering the appropriate sanction, the CJC will consider the following factors:

- (1) the respondent's prior discipline history;
- (2) how the College has sanctioned similar incidents in the past;
- (3) the nature and violence of the conduct at issue;
- (4) the impact of the conduct on the complainant, and their desired sanctions, if known;
- (5) the impact of the conduct on the College community, its members, or its property;
- (6) whether the respondent has accepted responsibility;
- (7) whether the respondent is reasonably likely to engage in the conduct in the future;
- (8) the need to deter similar conduct by others; and
- (9) any other mitigating or aggravating circumstances, including the College's values.

#### *10. Notice of outcome*

The student conduct administrator will communicate the findings of the CJC panel to the respondent and the complainant (if applicable and legally permissible). The notice will be in writing and will include notification of appeal options. Generally, the outcome of the hearing will be final and communicated to the parties within five (5) business days from the date the adjudication is concluded.

The respondent will be informed of any sanctions, the date by which the requirements must be satisfied (if applicable), and the consequences of failure to satisfy the requirements. The complainant will only be informed of the sanction and any appropriate outcomes that directly relate to the complainant (if applicable).

Typically, the imposition of sanctions will take effect immediately and will not be stayed pending the resolution of the appeal.

#### *11. Recording of proceedings*

The College will not audio or video record the CJC proceedings or deliberations, nor is any other individual permitted to record the proceedings.

## Appeals

Respondents or complainants may appeal the determination of responsibility or sanction(s) in writing to the Vice President for Student Affairs or designee. The appeal must be filed within five (5) business days of receiving the written notice of outcome.

Dissatisfaction with the outcome of the hearing is not grounds for appeal. The limited grounds for appeal are as follows:

- new evidence that would affect the finding of the adjudication and that was unavailable at the time of the investigation;
- procedural error(s) that had a material impact on the outcome; or
- the sanctions imposed were grossly disproportionate to the violation committed.

The appeal shall consist of a plain, concise, and complete written statement outlining the grounds for the appeal. Upon receipt of an appeal, the Vice President for Student Affairs will notify both parties. Each party has an opportunity to respond in writing to the appeal. Any response to the appeal must be submitted to the Vice President for Student Affairs within two (2) business days from receipt of the appeal.

The appeal consideration will be conducted in an impartial manner by the Vice President for Student Affairs. In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and sanction are presumed to have been decided reasonably and appropriately. The appeal is not a new review of the underlying matter.

The Vice President for Student Affairs shall consider the merits of an appeal only on the basis of the three (3) grounds for appeal and supporting information provided in the written request for appeal and the record of the original hearing. The Vice President for Student Affairs can affirm the original findings, alter the findings, and/or alter the sanctions, depending on the basis of the requested appeal.

If the appeal is granted based on procedural error(s) that materially affected the outcome of the hearing, the Vice President for Student Affairs will return the case to the CJC for additional review or forward the case for a new hearing, which may (at the Vice President for Student Affairs discretion) be heard by an alternate CJC panel.

In the case of new and relevant information, the Vice President for Student Affairs can recommend that the case be returned to the original CJC to assess the weight and effect of the new information and render a determination after considering the new facts.

Typically, the Vice President for Student Affairs will communicate the result of the appeal to the student requesting the appeal within three (3) business days from the date of the submission of all appeal documents by both parties, but the time may be longer or shorter depending on the nature of the case. Appeal decisions are final.

## **Records**

The Dean of Students Office will retain records of all reports, allegations, and complaints of student misconduct regardless of whether the matter is resolved through informal resolution or formal resolution.

Students/student organizations found responsible for a violation of College policy through an administrative or panel hearing, the outcome will be recorded on a student's/student group's disciplinary record. Such records shall be used in reviewing any further conduct or in developing sanctions and shall remain a part of a student's conduct record.

Individual student conduct records are kept on file for no fewer than seven (7) years from the year in which the offense occurred, except in cases resulting in suspension or expulsion, in which case, disciplinary records are kept indefinitely. Students have an official College transcript maintained by the Registrar and a disciplinary student conduct record maintained by the Senior Associate Dean of Student Life. Generally, all formal disciplinary violations (excluding Warnings and AOD Amnesty) addressed through the student conduct process are noted on a student's disciplinary record. Disciplinary violations are externally reported for no fewer than seven (7) years from the year in which the offense occurred, except in cases resulting in suspension or expulsion, in which disciplinary records are kept and reported on indefinitely. (A student's disciplinary records are not released externally without a student's written permission or absent that, under narrowly defined circumstances).

At the beginning of the academic year, a summary report of case dispositions reviewing the outcome of all cases that were heard the previous academic year, without revealing the identity of any of the participants in the proceedings, is prepared and published.

## **Title IX and College-Defined Sexual Misconduct Policy**

Swarthmore College is committed to establishing and maintaining a community rich in equality and free from all forms of discrimination and harassment. The College seeks to create an environment in which the greatest academic potential of students and professional potential of employees may be realized. In order to create and maintain such an inclusive climate, all who work and learn at the College are partners in the endeavor to ensure that the community is free from discrimination based on sex or gender, including sexual harassment, sexual assault, and other forms of sexual misconduct. These behaviors threaten our learning, living, and work environments and will not be tolerated.

Read the full policy, including resolution procedures for complaints against faculty, staff and students (<https://www.swarthmore.edu/title-ix/title-ix-and-college-defined-sexual-misconduct-policy-procedures>).

**[Click here to submit a Title IX Report and Concern Form](#)**

## **Family Educational Rights & Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. An "eligible student" under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution at any age. These rights include:

1. The right to inspect and review the student's education records within 45 days after the day Swarthmore College (Swarthmore) receives a request for access. A student should submit to the registrar, dean, head of the academic department, a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of the student's education records that the student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

A student who wishes to ask the school to amend a record should write the school official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed.

If Swarthmore decides not to amend the record as requested, Swarthmore will notify the student in writing of the decision and the student's right to a hearing re-garding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to provide written consent before Swarthmore discloses personally identifiable information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

Swarthmore discloses education records without a student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official typically includes a person employed by Swarthmore in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person serving on the Board of Managers; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of Swarthmore who performs an institutional service or function for which the school would otherwise use its own employees

and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing their tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibilities for Swarthmore.

Upon request, the school also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Swarthmore to comply with the requirements of FERPA. The name and address of the office that administers FERPA is:

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

See the abridged list below of the disclosures that postsecondary institutions may make without consent. For a full list, see § 99.31 of the FERPA regulations.

FERPA permits the disclosure of PII from students' education records, without consent of the student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, disclosures to a party with written consent from the parent or student, and disclosures to the parent in some instances or to the student, § 99.32 of FERPA regulations requires the institution to record the disclosure. Eligible students have a right to inspect and review the record of disclosures.

A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the student —

- To other school officials, including teachers, within Swarthmore whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the College's State-supported education programs. Disclosures under

this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§ 99.31(a)(3) and 99.35)

- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4))
- To the parents of a student who is under 18, not in attendance at the College, or who is a dependent student as defined by the Internal Revenue Code.
- To organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))
- To comply with a judicial order or lawfully issued subpoena. (§ 99.31(a)(9))
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of § 99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§ 99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of § 99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school's rules or policies with respect to the allegation made against him or her. (§ 99.31(a)(14))
- To parents of a student regarding the student's violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))
- Information the school has designated as "directory information" under § 99.37. (§ 99.31(a)(11))

## **Parental Notification Policy**

It is the College's general policy to treat the student as the person primarily privileged to authorize release of personal information. This policy reflects our philosophy that an important goal of undergraduate education is to continue the student's development as an autonomous adult. The College encourages students to share information with their



parents or legal guardians, but ultimately the decision of what information to share normally rests with the student. Hence, the vast majority of communications are directed to the student rather than to the parents/guardians. For example, grades are sent only to the student, unless the student gives written authorization to the registrar to send grades to a parent or guardian.

We recognize, however, that this commitment to fostering the development of the student must be balanced with the parents' interest in the wellbeing and progress of their student in the College, and we recognize that there are times in which parental involvement can be in everyone's best interests. Thus, while the general policy is to be protective of the student's privacy, there are instances, including those enumerated below, in which a parent or legal guardian will be notified of matters concerning a student. In such instances, we believe it is appropriate for the student to inform their parent or guardian directly, so whenever reasonable, we will allow time for students themselves to do so. However, in situations where prompt notification is prudent, a member of the Student Affairs Division staff will contact a parent or guardian as soon as possible.

### *1. Change of status imposed by the College*

A change in the status of a student at the College may be imposed as a result of disciplinary action or unsatisfactory academic progress. To the extent permitted by law, (including situations where the student is a dependent, where the student is under 21 years old and found to have violated a law, rule or policy governing the use or possession of alcohol or a controlled substance, or where the student is found in a disciplinary proceeding to have committed a crime of violence or non-forcible sex offence) if a student is placed on probation, suspended, required to withdraw, or expelled, parents are notified. It should be noted that less severe instances of disciplinary or academic action may result in warnings to the student, of which parents are normally not notified.

Additionally, parents may be notified when their student is facing the potential of a separation from the College (suspension, expulsion, and/or leave of absence).

### *2. Health and Safety Emergencies, Including Transports to a Hospital in Critical Situations and Unexplained Absences from Campus*

The College reserves the right to contact parents when it reasonably believes that the student is subject to a health or safety emergency. This includes, but is not limited to, situations in which a student needs to be transported to the hospital in a critical situation. It also includes situations in which it comes to the attention of College officials that a student is inexplicably absent from campus for a prolonged period. College officials may contact a parent or guardian in order to ascertain the whereabouts of the student. However, normally, College officials will first try to contact the student's confidential contact of record to locate the student. Students are responsible for identifying their confidential contact in their online record. The College is not responsible for a student's failure to be in touch with their parents.

### *3. Arrest*

Arrest information is public information and is not considered an educational record of a student. The parent or guardian of the student may be notified if the student is placed under arrest while on College property or during a College sanctioned event/activity and detained by law enforcement officials. Note that the College does not post bail for arrested students. If a student receives a citation for a summary offense for which they are not detained, e.g., underage drinking or disorderly conduct, the College normally will not notify the parent or guardian, however the police may notify parents if required by law.

### *4. Disclosures for Other Reasons in Exercise of College's Judgment*

The College reserves the right to notify a parent or guardian of a dependent student, or as otherwise permitted by law, for reasons other than those listed above, based on our judgment of what is in the best interests of the student and of the College. For example, individual deans may contact parents of dependent students when their student is failing to make satisfactory academic progress or parents of students when alcohol or other illegal substances are involved.