



# Rhodes College

—1848—

STUDENT HANDBOOK

2023-2024

*Updated February 2024*

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## The Rhodes Vision

Rhodes College aspires to graduate students with a life-long passion for learning, a compassion for others, and the ability to translate academic study and personal concern into effective leadership and action in their communities and the world. We will achieve our aspiration through four strategic imperatives:

**Student Access** To attract and retain a talented, diverse student body and engage these students in a challenging, inclusive and culturally-broadening college experience.

**Student Learning** To ensure our faculty and staff have the talent, the time and the resources to inspire and involve our students in meaningful study, research and service.

**Student Engagement** To enhance student opportunities for learning in Memphis.

**Student Inspiration** To provide a residential place of learning that inspires integrity and high achievement through its beauty, its emphasis on values, its Presbyterian history, and its heritage as a leader in the liberal arts and sciences.

*Adopted by the Rhodes Board of Trustees January 17, 2003*

## College Commitment to Diversity

A diverse learning community is a necessary element of a liberal arts education, for self-understanding is dependent upon the understanding of others. We, the members of Rhodes College, are committed to fostering a community in which diversity is valued and welcomed. To that end, Rhodes College does not discriminate – and will not tolerate harassment – on the basis of race, gender, color, age, religion, disability, sexual orientation, gender identity or expression, genetic information, national or ethnic origin, military status or any other protected status.

We are committed to providing an open learning environment. Freedom of thought, a civil exchange of ideas, and an appreciation of diverse perspectives are fundamental characteristics of a community that is committed to critical inquiry. To promote such an academic and social

environment we expect integrity and honesty in our relationships with each other and openness to learning about and experiencing cultural diversity. We believe that these qualities are crucial to fostering social and intellectual maturity and personal growth.

Intellectual maturity also requires individual struggle with unfamiliar ideas. We recognize that our views and convictions will be challenged, and we expect this challenge to take place in a climate of open-mindedness and mutual respect.

## **Bias Education Response System (BERS)**

The Bias Education Response System (BERS) allows community members to report bias-related incidents and microaggressive behaviors. Doing so will allow our community to:

1. Engage community members in dialogue, build awareness of on-going biases among us in order to help foster a learning, working, and living community free from hate, discrimination, harassment, disrespect, and intolerance;
2. Receive information in a sensitive and timely way;
3. Assess the circumstances of any reported incidents as thoroughly and quickly as possible with the information available;
4. Make referrals to appropriate campus officials so that action can be taken; and
5. Assist in implementation of a coordinated and appropriate community response (engaging partners as needed) and/or communicating with the community in an appropriate and timely fashion as often as is necessary.

**Please note: This system is not designed to respond to emergency situations.** If your safety or that of those around you is at risk, please call Campus Safety 901-843-3880 from an on-campus phone, or 901-843-3880 from off-campus or from a cell phone. Any Rhodes student who requires urgent or emergency counseling services outside of regular office hours should contact the Student Counseling Center at 901-843-3128.

**Hate crimes:** This system is also not designed to receive reports of **hate crimes**. The underlying criminal offenses that are designated in hate crime laws include, but are not limited to, crimes against persons like harassment, terroristic threats, assault and crimes against property like criminal trespass, criminal mischief and arson. It may also include vandalism causing damage to a church, synagogue, cemetery, mortuary, memorial to the dead, school, educational facility, community center, municipal building, courthouse, juvenile detention center, grounds surrounding such places or personal property located within such places. According to Tennessee statute, the criminal act alone does not define a hate crime; rather the investigation of the crime must conclude that the offender was bias motivated. Six bias categories are used when reporting hate crimes:

Anti-Racial, Anti-Ethnicity/National Origin, Anti-Religious, Anti-Disability, Anti-Sexual, and Non-Specific.

If you believe you have witnessed a hate crime, please report it directly to Campus Safety at 901-843-3880 from an on-campus phone, or 901-843-3880 from an off-campus or from a cell phone. Again, hate crimes should not be reported to the Bias Education Response System. If your personal safety or that of anyone around you is in danger, please call either Campus Safety or 911.

### **Reporting a bias-related incident:**

In order to help community members decide whether and what kind of report to submit, definitions of the following terms are provided:

A **bias-related incident** is an act motivated by the offender's inclination, temperament, or prejudice against the actual – or perceived – age, ancestry, color, disability, gender, gender identity, national origin, race, religion, religious practices, or sexual orientation of the targeted person or group, but does not rise to the level of a criminal offense. Examples may include repeatedly telling harmful jokes based on religion, sexual orientation, etc.; posting on social media about someone based on one of the identities listed above; using offensive language that may pertain to identity; and taking down or tampering with bulletin boards or displays. A bias incident can occur whether the act is intentional or unintentional. Speech or expression that is consistent with the principles of academic freedom does not constitute a bias incident.

**Microaggressive behaviors** are insults, actions, or comments, usually unintentional, which contribute to an environment or experience that is not welcoming to a person or group based on their age, such things as ancestry, color, disability, gender, gender identity, national origin, race, religion, religious practices, or sexual orientation. Examples can include singling out a person related to their sexual, ethnic, religious, etc. identity in ways that make them feel uncomfortable, and usually occur more than once or after having been pointed out.

Bias-related harm versus the discomfort that can come with learning:

As members of a learning community, we must be able to see the difference between a bias-related incident and the kinds of thoughtful, probing conversations that educational institutions are designed to provoke. In such conversations, people will often find the ideas of others unwelcome, disagreeable, or even offensive. Topics are explored and discussed on college campuses that require us to think deeply and critically about our own assumptions. These conversations may cause discomfort, but do not themselves necessarily constitute a bias-related incident.

### **Points to consider when deciding whether to submit a bias incident report:**

When you participate in conversations in a residence hall, a student meeting, the Refectory, or a classroom, it may be helpful to keep the following considerations in mind:

- Speech that conveys reasoned opinion, principled conviction, political satire, or speculation is not harassment, even though it may challenge other people's perspectives or comfort.



- Speech and consideration of concepts that are pertinent to a class's subject but which some students may find offensive do not constitute bias-related behavior. (See the [College's statement on Academic Freedom](#).)
- However, when that speech unreasonably or substantially interferes with an individual's safety, security, or educational opportunities by creating an intimidating and/or hostile educational or working environment, it can cause bias-related harm.
- Interactions that allow for and encourage uncomfortable, yet productive discussion, create spaces for a variety of voices to participate equally in an environment of mutual respect. Discussions, however, in which individuals feel their voice will either not be heard or will be subject to silencing, suspicion, or ridicule based on their personal background or their (assumed) group identity can cause bias-related harm.

In summary, the purpose of this Bias Education Reporting System is to establish how Rhodes College defines bias incidents and how it can handle them more effectively. The reports will also serve an educational role in helping to cultivate community values of inclusion, civility, and mutual respect.

Reports about bias-related incidents will be forwarded, as appropriate, to the Office of Academic Affairs, Student Life, Human Resources, and/or Campus Safety. It can be very useful to report bias-related incidents in person or over the phone. If you wish to discuss a bias-related incident in person or by phone, you may contact the following offices:

Associate Dean of Academic Affairs (901-843-3009; Campus Address: 300 Southwestern Hall)

Dean of Students Office (901-843-3815; Campus Address: 4th floor of Burrow Hall)

Campus Safety (901-843-3880; Campus Address: Spann Place #5)

Human Resources (901-843-3750)

To report a bias-related incident electronically, please [click here](#).

Information reported in person, by email, phone, or on the electronic form will remain confidential to the extent allowed by law and College policies. This means that your name will not be shared with anyone without your permission. A confidential report will make it possible for the College to contact you and, when appropriate, initiate an investigation. If you think you need to make an anonymous report, you can anonymously write or call any of the above offices. However, anonymous reporting makes it virtually impossible for the institution to investigate and respond appropriately. Rhodes College really cares about the impact of bias-related incidents in our community and wants to gather a good understanding of any harms experienced. Anonymous reporting makes it very difficult to pursue a report appropriately. However, if you choose to report anonymously, the College will use your report to track trends over time.

### **Processing Reports**

Once an incident has been reported, the following process will take place:

- Evaluation by Vice President for Strategic Initiatives/ Chief Diversity, Equity & Inclusion Officer to determine which campus office should follow up. If it is not entirely clear which office of the College is responsible for investigating the incident reported, it will be reviewed by the Dean for Faculty Recruitment, Development, and Diversity, Dean of Equity and Engagement, the Title IX Coordinator, the Director of Community Standards, and the Director of Human Resources. In the event that a report would be submitted involving any one of these individuals, that person will not participate in the review.
- Once the appropriate office of the College has been determined, the review will begin with an interview with the reporting individual, when not anonymous.
- It may then involve conversations with the individual/s who were the subject/s of the report.
- The individual/s responsible for the investigation will determine the appropriate response, which could include no action at all, referrals to other campus offices or services, educational programming on an individual or group basis, and/or notifications of the incident to the community as appropriate.

Minimally, a report will be collated and made available to the Rhodes community on a dedicated website annually. Reports will include brief summaries of the incidents reported and will respect the confidentiality of the parties involved by excluding any information that would allow community members to identify any of the parties involved. The Vice President for Strategic Initiatives/ Chief Diversity, Equity & Inclusion Officer will use these reports to share information with the college community about trends that we need to address as a community. Additionally, the Faculty Professional Interest Committee will be asked to review the reports related to faculty to ensure that the system is yielding valuable information and that faculty professional interests have been preserved.

## **Title VI Policy**

In compliance with Title VI of the Civil Rights Act of 1964 (Title VI), Rhodes College does not permit discrimination based on race, color, or national origin in any program or activity receiving Federal financial assistance. Students who believe they have been discriminated against in violation of Title VI should contact the Vice President for Student Life. Student complaints related to sex- or gender-based discrimination or harassment, or sexual misconduct are governed by Title IX of the Civil Rights Act of 1964 and are processed accordingly by the Director of Institutional Equity & Title IX.

## **Title IX and Sexual Misconduct Policy**

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### Opening Statement and Purpose

Rhodes College is committed to ensuring a safe learning environment that supports the dignity of all members of the Rhodes community. Rhodes does not discriminate on the basis of sex in any of its education or employment programs and activities. Rhodes will not tolerate any form of sexual harassment, including sexual assault, dating violence, domestic violence, or stalking.

This Title IX Policy (the “Policy”) is intended to ensure that all members of the Rhodes community involved in a Title IX case receive appropriate support and fair treatment, and that allegations of sexual harassment are handled in a prompt, thorough and equitable manner.

All Rhodes’ students and employees are expected to comply with this policy. Rhodes strongly encourages students to report instances of sexual harassment immediately. Employees are required to report such instances, pursuant to Rhodes’ Employee Handbook and Rhodes’ Mandatory Reporter Policy.

Rhodes will review, evaluate, and make any revisions or amendments to this Policy on an ongoing and as-needed basis.

General inquiries about the application of this Policy should be directed to the College’s Title IX Coordinator:

Inez Warner, J.D.  
Title IX Coordinator  
Rhodes College  
Southwestern Hall, Ste. 303  
2000 North Parkway  
Memphis, TN 38112  
901-843-3354  
[warneri@rhodes.edu](mailto:warneri@rhodes.edu)

As used throughout this Policy, references to the “Title IX Coordinator” shall include any Deputy Title IX Coordinator and any other person expressly designated by the Title IX Coordinator to act on their behalf.

### I. Definitions

- *Advisor*: Refers to an individual of the party's choosing who may, but does not have to be, an attorney, and who can provide assistance to the Complainant or the Respondent during any stage of the processes covered by this Policy. Advisors may attend these processes. The College will provide a list of individuals who have received training to serve as advisors and ask questions of a party or witness during a complaint resolution hearing.
- *Appeals Board*: Refers to a group of trained College faculty and staff members that hears and decides appeals of findings and sanctions imposed by the decision-maker(s) for all Respondents except tenured faculty, whose appeal will be heard by the Rhodes Board of Trustees. The Appeals Board will consist of three members (one of whom will be designated as the board's chairperson), selected from a pool of trained faculty and staff who have no prior involvement in the case and are free of any conflict of interest. This three-member board is authorized to affirm, alter, or reverse the original findings and/or sanctions recommended by the decision-maker(s). Once issued, the Appeals Board's decision is final.
- *Complainant*: Refers to an individual who is alleged to be the victim of conduct that could constitute sexual harassment (defined below).
- *Complaint*: See Formal Complaint below.
- *Coercion*: Means the use of pressure to compel another individual to initiate or continue activity against their will, including psychological or emotional pressure, physical or emotional threats, intimidation, manipulation, or blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include but are not limited to threatening to "out" someone based on sexual orientation, gender identity, or gender expression; threatening to harm oneself if the other party does not engage in the sexual activity; and threatening to expose someone's prior sexual activity to another person and/or through digital media.
- *Consent*: Means an affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity. The presence or absence of consent is determined by evaluating all the relevant facts and circumstances. All five of the following elements are essential in order to have consent. If one or more of the following is absent, there is no consent.
- *Consists of Mutually Understandable Communication*: Communication regarding consent consists of mutually understandable words and/or actions that indicate an unambiguous willingness to engage in sexual activity. In the absence of clear communication or outward demonstration, there is no consent. Consent may not be inferred from silence, passivity, lack of resistance or lack of active response. An individual who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. Relying solely upon non-verbal communication can lead to an erroneous conclusion as to whether consent was sought or given. Verbal communication is the best way to ensure all individuals are willing and consenting to the sexual activity.
- *Informed and Reciprocal*: All parties must demonstrate a clear and mutual understanding of the nature and scope of the act to which they are consenting and a willingness to do the same thing, at the same time, in the same way.

- *Freely and Actively Given*: Consent cannot be obtained through the use of force, coercion (defined above), threats, intimidation or pressuring, or by taking advantage of the incapacitation (defined below) of another individual.
- *Not Unlimited*: Consent to one form of sexual contact does not constitute consent to all forms of sexual contact, nor does consent to sexual activity with one person constitute consent to activity with any other person. Each participant in a sexual encounter must consent to each form of sexual contact with each participant. Even in the context of a current or previous intimate relationship, each party must consent to each instance of sexual contact each time. The consent must be based on mutually understandable communication that clearly indicates a willingness to engage in sexual activity. The mere fact that there has been prior intimacy or sexual activity does not, by itself, imply consent to future acts.
- *Not Indefinite*: Consent may be withdrawn by any party at any time. Recognizing the dynamic nature of sexual activity, individuals choosing to engage in sexual activity must evaluate consent in an ongoing manner and communicate clearly throughout all stages of sexual activity. Withdrawal of consent can be an expressed “no” or can be based on an outward demonstration that conveys that an individual is hesitant, confused, uncertain or is no longer a mutual participant. Once consent is withdrawn, the sexual activity must cease immediately and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity.
- *Dating Violence*: A form of sexual harassment defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined based on a consideration of the following factors: (i) the length of the relationship, (ii) the type of relationship, and (iii) the frequency of interaction between the persons involved in the relationship.
- *Decision-maker(s)*: Refers to the individual or group of individuals who adjudicates complaints of sexual harassment and, if applicable, determines the appropriate sanction. Where a three-member hearing board is used, the board will be selected by the Title IX Coordinator from the available pool of faculty and staff who are trained to serve as hearing board members. One of the three board members will be designated as the chairperson. In all cases, a decision-maker will have no prior involvement in the case and be free of conflicts of interest or bias towards one party or the other.
- *Domestic Violence*: A form of sexual harassment defined as felony or misdemeanor crimes of violence (including threats or attempts) committed between:
  - Individuals who are current or former spouses or intimate partners;
  - Persons who share a child in common;
  - Persons who currently live together or have formerly lived together as spouses or intimate partners;
  - A person similarly situated to a spouse of the victim under the domestic or family violence laws of the school’s jurisdiction, or
  - Any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Tennessee.
- *Formal Complaint*: Means a document (hard copy or electronic) filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that the College investigate the allegation of sexual harassment. The

filing of a formal complaint triggers the College's complaint resolution process, described in Sections IX and X.

- *Incapable of Giving Consent (also known as "Incapacitation")*: Means the lack of the ability to make rational, reasonable judgments as a result of alcohol consumption, other drug use, sleep, the taking of any so-called "date-rape" drug, unconsciousness, or blackout. An individual unable to make informed judgments is physically helpless. An incapacitated person cannot make rational, reasonable decisions because that person lacks the ability to fully understand the who, what, where, or how of their sexual interaction. Incapacitation is a state beyond drunkenness or intoxication, in which alcohol, drugs, or other factors render one unable to make fully informed judgments or have an awareness of consequences. Evaluating incapacitation also requires an assessment of whether a Respondent knew or should have known of the other individual's incapacitated state. While incapacitation may be caused by drugs or alcohol, it also includes the state of being asleep, during which time a person is unable to provide affirmative consent.
- *Investigator*: Refers to an official(s) designated by the Title IX Coordinator to conduct an investigation of alleged sexual harassment, and who acts as a witness in the event of a complaint resolution hearing. The Investigator will be a trained individual who collects and examines the facts and circumstances of potential violations of this Policy and provides an investigative report to the Title IX Coordinator and the decision-maker(s). The Investigator will be neutral and free of any conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.
- *Mandatory Reporter*: Refers to an individual who is obligated to report any knowledge they may have of sexual harassment. Rhodes College defines all faculty and staff as mandatory reporters except certain "confidential resources" staff. See mandatory reporting policy at <https://sites.rhodes.edu/titlenine/reporting/mandatory-reporting>.
- *Medical records*: A party's records that are maintained by a physician, nurse, nurse practitioner, psychiatrist, psychologist, licensed clinical social worker, therapist or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party.
- *Preponderance of Evidence*: Refers to the standard by which it is determined at a hearing whether or not a violation of this Policy has occurred, and means that an act of sexual harassment is "more likely than not" to have occurred.
- *Report*: Refers to any communication to the Title IX Coordinator, the Provost or the Chief Human Resources Officer of an allegation that sexual harassment occurred or may have occurred. Rhodes will investigate all reports it receives of sexual harassment. After making a report, an individual may choose to end their involvement in the process or may choose to be involved or not be involved in the College's investigation and related proceedings. The College strongly encourages all individuals to report incidents of sexual harassment even if the individual does not intend to be further involved.
- *Reporter*: Refers to an individual who makes a report of conduct that could constitute sexual harassment. Reporters include persons who believe they have been the victim of sexual harassment or someone who has observed or has knowledge of conduct that may be sexual harassment.
- *Respondent*: Refers to an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

- *Sex Discrimination*: Refers to the unequal treatment of an individual based on their sex in any employment decision, education program or educational activity receiving federal financial assistance. Such programs or activities include, but are not limited to, admission, hiring and recruitment, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation, physical education, athletics, housing and employment. The prohibition on sex discrimination also covers unlawful discrimination based on gender identity, sexual orientation, marital or family status, pregnancy, termination of pregnancy, childbirth or related conditions.
- *Sexual Assault*: A form of sexual harassment defined as an act of sexually-motivated physical contact directed towards another person when the other person does not consent or is incapable of giving consent. The definition of sexual assault under Title IX includes the following:
  - *Rape*: The penetration, no matter how slight, of the vagina or anus with any body part or object or instrument, or oral penetration by a sex organ of another person, without the consent of the other person or where the other person is incapable of giving consent, including instances where the other person is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. Attempted rape is included. An object or instrument is anything used by the offender other than their genitalia.
  - *Fondling*: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of that person, including instances where the other person is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
  - *Incest*: Non-forcible sexual intercourse between persons who are related to each other within the degrees where marriage is prohibited by law.
  - *Statutory Rape*: Non-forcible sexual intercourse with a person who is under the statutory age of consent.
  - *Sexual Harassment*: Conduct on the basis of sex that satisfied one or more of the following:
    - A Rhodes employee's conditioning the provision of an aid, benefit or service on an individual's participation in unwelcome sexual conduct.
    - Unwelcome sexual conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Rhodes' education programs or activities.
    - Sexual Assault (defined above).
    - Dating Violence (defined above).
    - Domestic Violence (defined above).
    - Stalking (defined below).
    - *Stalking*: A form of sexual harassment defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to (1) fear for the person's safety or the safety of others; or (2) to suffer substantial emotional distress.
    - Types of stalking could include, but are not limited to:
      - Following the targeted person;
      - Approaching or confronting that person in a public place or on private property;

- Persistent and unwelcome attempts to contact the person by phone, electronic communication (including via the internet and cellphones), or regular mail, either anonymously or non-anonymously;
- Vandalizing the person's property or leaving unwanted items for the person;
- Persistently appearing at the person's classroom, residence, or workplace without that person's permission or other lawful purpose;
- Cyber-stalking, in which a person follows, observes, monitors, or surveils another person through the use of electronic media such as the Internet, digital media networks, blogs, cell phones, texts or other similar devices; and
- Using visual or audio recording devices or hidden or remote cameras used without the subject's consent.
- *Supporter*: An individual who provides emotional support to a party by accompanying them to any hearing, conference or related proceedings. Supporters may not actively participate during complaint resolution hearings and informal resolution conferences.
- *Supportive measures*: Individualized services reasonably available to a Complainant or Respondent that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment. See Section IX.A. of this Policy for examples of supportive measures.
- *Title IX Coordinator*: Refers to the Rhodes official who oversees the Title IX process at Rhodes, and includes the Deputy Title IX Coordinator(s).

## II. Scope of Policy

- **Affected Persons.** This Policy applies to all Rhodes students and employees, including faculty, administrators, regular staff employees, temporary employees, and seasonal employees.
- **Jurisdiction.** To be covered by this Policy, the conduct or alleged conduct must have occurred either on campus or in a Rhodes controlled program or activity, whether such program or activity is on-campus or off-campus, including remote learning platforms. This Policy also applies to conduct occurring in any building owned or controlled by Rhodes or by a student organization that is officially recognized by Rhodes.
- **Conduct and Persons Covered by this Policy.** This Policy is designed to address conduct that meets the definition of sexual harassment reported by (1) a person who is attempting to participate in a Rhodes education program or activity or (2) is currently participating in a Rhodes education program or activity.
- **Conduct and Persons Not Covered by this Policy.** The College encourages anyone who has witnessed or experienced an incident of sex discrimination, sexual harassment, or other sexual misconduct to report it regardless of where the incident occurred or who committed it. Even if a report concerns the actions of a person over whom Rhodes does not have jurisdiction, the College may take prompt action to provide for the safety and well-being of any affected person and the broader College community.
- **Complaints of sex discrimination other than sexual harassment may be made to the Title IX Coordinator, and will be addressed by the appropriate College official outside of this Policy.** The College is committed to addressing sexually-based misconduct regardless of whether it meets the definition of sexual harassment under Title IX or Title IX's jurisdictional requirements. Please see Appendix A for procedures to report sexually-based misconduct not covered by this Policy.

## III. Title IX and Sex Discrimination



Title IX of the Education Amendments Act of 1972 is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Title IX prohibits use of federal money to support sex discrimination in education programs and provides individuals with protection against such practices. Title IX applies, with a few specific exceptions, to all aspects of federally funded education programs and activities maintained by colleges and universities.

As required by Title IX, Rhodes prohibits all unlawful discrimination on the basis of sex, gender identity, or sexual orientation in any employment decision, admissions determination, education program, or educational activity.

Title IX defines sex discrimination to include sexual harassment, and this policy is designed specifically to comply with Title IX's mandate to maintain an educational and employment environment free of sexual harassment. As part of its commitment to maintaining a community free of discrimination, and in compliance with Title IX's mandate, Rhodes will address allegations of sexual harassment in a timely and effective way, provide resources as needed for affected persons and not tolerate retaliation against any person who reports sexual harassment in accordance with this Policy.

Rhodes has designed this Policy to comply with Title IX by providing for a consistent and transparent mechanism to investigate and, where required, adjudicate complaints of sexual harassment. At all stages of the formal complaint resolution process, Rhodes and its representatives will:

1. Require objective evaluation of all relevant evidence, whether inculpatory or exculpatory;
2. Avoid credibility determinations based on a person's status as a Complainant, Respondent, or witness;
3. Require Title IX personnel (including Title IX Coordinators, investigators, decision-maker(s), or any person designated to facilitate an informal resolution process) to be free from conflicts of interest or bias for or against complainants or respondents;
4. Train all Title IX personnel on the definition of sexual harassment, the scope of the school's education program and activities, how to conduct an investigation and the grievance process, how to serve impartially, on any technology used at a live hearing, and on issues of relevance, including how to apply the rape shield protections available only for complainants;
5. Not use, rely on, or seek disclosure of information protected under a legally recognized privilege, unless the person holding the privilege has waived the privilege;
6. Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence;
7. Ensure that the burden of proof and the burden of gathering evidence remains at all times with Rhodes;
8. Not access or use any party's medical records unless the College first obtains the party's voluntary, written consent to do so;
9. Not restrict the ability of the parties to discuss the allegations or gather evidence (e.g., no "gag orders"); and
10. Keep confidential the identity of complainants, respondents, and witnesses, except as may be permitted by FERPA, as required by law, or as necessary to carry out a Title IX proceeding.

#### IV. Retaliation

- No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, its regulations, or this Policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sexual harassment, but arise

out of the same facts or circumstances as a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this Policy, constitutes retaliation.

- Rhodes will keep confidential the identity of any individual who has made a report or complaint of sexual harassment; any complainant; any individual who has been reported to be the perpetrator of sexual harassment; any respondent; and any witness, except as may be permitted by Title IX, FERPA, or as otherwise required by law, or to carry out Rhodes' Title IX procedures.
- Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a Title IX proceeding does not constitute retaliation. A determination regarding responsibility alone, however, is not sufficient to conclude that any party made a materially false statement in bad faith.
- Complaints alleging retaliation may be filed with the Title IX Coordinator. In the event an individual alleges that the Title IX Coordinator retaliated against them, the individual may file a complaint with the Chief Human Resources Officer.
- Any individual found to have retaliated against another individual will be in violation of this Policy and will be subject to disciplinary action, up to and potentially including termination for employees and expulsion for students.

#### V. Time Considerations for Reporting

- Provided that the Complainant is participating in or attempting to participate in Rhodes' educational programs or activities at the time of the report, there is no time limit for reporting incidents of sexual harassment under this Policy. However, delay in reporting may limit or foreclose the ability of the College to investigate and/or take meaningful action. Reports made by a student who has graduated or otherwise no longer attends Rhodes or a former employee are not covered by this Policy but may be reported as sexual misconduct under Appendix A.

#### VI. Amnesty for Violations of the College's Alcohol and Illegal Drug Use Policies for Reporters

- The College recognizes that students involved (e.g. as witnesses, bystanders, third parties, or Complainants) who have violated the College's drug and alcohol policy may be hesitant to report out of fear of sanction. Therefore, in order to encourage reporting in all situations, anyone who reports sexual harassment may be granted amnesty for any violation of the College's drug and alcohol policy that occurred in connection with the reported incident. Rhodes intends to grant such amnesty for all but the most egregious violations of the College's drug and alcohol policy; however, individuals who are not sanctioned may be provided with resources on drug and alcohol counseling and/or education, as appropriate.
- Honor code violations and violations of codes or policies other than the drug and alcohol policy may still be referred to the appropriate College office(s).

#### VII. Anonymous and Confidential Reporting

- An individual can make an anonymous report of a violation of the College's Title IX Policy but if the anonymous reporter does not provide sufficient information for Rhodes to offer supportive measures or conduct an investigation, the College may request the reporter to provide more information. If the reporter declines to do so, and the Title IX Coordinator reasonably determines that Rhodes cannot, through the exercise of

reasonable diligence, take meaningful action in response to an anonymous report, the matter will be closed. The anonymous reporting form can be found on the College's website (<http://sites.Rhodes.edu/TitleNine>). The Title IX Coordinator will receive the anonymous report and will determine any appropriate steps, including individual or community remedies, as appropriate.

- Additionally, a person can make a report requesting confidentiality. In such instances, the Title IX Coordinator must weigh the request for confidentiality against the College's obligation to provide a safe, non-discriminatory environment for all students and employees, the effect of confidentiality on Rhodes' ability to provide supportive measures or properly investigate and resolve a report of sexual harassment, and the respective rights and obligations of the parties to a Title IX matter.
- In any instance where Rhodes determines it must deny or modify a request for confidentiality, the Title IX Coordinator will inform the requesting individual prior to making the disclosure to anyone beyond necessary College officials. Any such disclosure will be limited to individuals with a need to know the information. Consistent with FERPA's prohibition on re-disclosure of confidential information, any recipient is prohibited from using or disclosing other people's confidential information, learned as a result of participation in any investigation or proceeding under this Policy outside of such forums without express consent or for any improper purpose.

#### VIII. Reporting Sexual Harassment

- Anyone can report an incident of sexual harassment to Rhodes. A report can be made by any individual who is a victim of sexual harassment, who has observed sexual harassment, or who has knowledge of sexual harassment happening to or affecting someone else.
- Rhodes strongly encourages all individuals to report incidents of sexual harassment even if the individual does not intend to pursue a formal complaint. Even if Rhodes does not have jurisdiction over the incident, Rhodes may take prompt action to provide supportive measures for the safety and well-being of any affected person and the broader Rhodes community. No person should assume that an incident has already been reported by someone else or that Rhodes already knows about a particular situation.
- Making a report under this Policy does not affect a Complainant's ability to pursue a criminal action against the Respondent through the criminal justice system. A Complainant may choose to make a report under this Policy, pursue remedies through the criminal justice system, or both. To the extent allowed by law, Rhodes will cooperate with any ongoing criminal investigation of the incident.
- In order to make a report to Rhodes, a reporting individual may use any of the following:
  - Report the incident to the Title IX Coordinator via email to [TitleIX@rhodes.edu](mailto:TitleIX@rhodes.edu), or by calling 901-843-3354;
  - Report the incident by submitting an online Report form available at <http://sites.Rhodes.edu/TitleNine>; or
  - Report the incident to the Chief Human Resources Officer via email at [sharpiroc@rhodes.edu](mailto:sharpiroc@rhodes.edu) or by calling 901-843-3750.
  - A number of other individuals, including faculty, staff, resident assistants, and peer advocates, are considered mandatory reporters who must report all incidents of sexual harassment that they observe or know about to the Title IX Coordinator.

IX. What Happens When a Report is Made

A. Contact with the Complainant and Supportive Measures

- i. Upon receiving a report of sexual harassment, the Title IX Coordinator will promptly contact the Complainant confidentially to discuss the availability of supportive measures (as explained more fully below), consider the Complainant's wishes with respect to supportive measures, inform the Complainant that supportive measures are available with or without the filing of a formal complaint, and explain to the Complainant the process for filing a formal complaint. The Title IX Coordinator will also contact the Respondent and any other members of the Rhodes community who have been affected by the alleged conduct and offer reasonable supportive measures. Reasonable supportive measures are non-punitive, individualized services offered as appropriate, as reasonably available, and without fee or charge.
- ii. Supportive measures shall be balanced based on the facts collected, seriousness of the allegations, and the potential safety risks posed to the Rhodes community. Supportive measures are designed to restore or preserve equal access to Rhodes' education programs and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Rhodes' educational environment, or to deter sexual harassment. Rhodes will maintain as confidential any personal supportive measures provided to only the Complainant or only to the Respondent, to the extent that maintaining such confidentiality would not impair its ability to provide the supportive measures (for example, not applicable to mutual no contact orders).
  - Supportive measures, among other things, may include:
  - Extension of deadlines or other course-related adjustments;
  - Modification of work or class schedules;
  - Assistance in connecting to counseling services;
  - Assistance in connecting to medical services;
  - Providing an escort to and from classes;
  - Changes in work or housing locations;
  - Arranging a leave of absence;
  - Assistance with obtaining personal protective orders from a court;
  - Increased security and monitoring of certain areas of campus;
  - Mutual restrictions on communication or contact between the parties ("no contact orders"); or
  - A combination of any of these measures.

The Title IX Coordinator will coordinate the supportive measures.

Notwithstanding the above, Rhodes may: Remove a Respondent from an educational program or activity on an emergency basis after a safety and risk analysis determines that an immediate threat to the physical health or safety of a student or other individual justifies removal. In such a case, the Respondent will be provided with notice and an opportunity to promptly challenge the decision.

Place a non-student employee Respondent on administrative leave during the pendency of the complaint resolution process.

## B. Formal Complaint Process

A Complainant may, but is not required to, file a formal complaint. If the Complainant does not wish to file a formal complaint, and thus trigger an investigation and the complaint resolution process, the Complainant's wishes will generally be respected, except that the Title IX Coordinator may sign a formal complaint to initiate an investigation over the wishes of the Complainant if the Title IX Coordinator determines that a formal complaint is needed to guarantee equal access to educational opportunities for Rhodes students and/or employees and such determination is not clearly unreasonable in light of the known circumstances. If a formal complaint is filed, either by the Complainant or the Title IX Coordinator, Rhodes will begin the investigation and complaint resolution process set forth in Section X of this Title IX Policy. If a Complainant and the Title IX Coordinator decide not to file a formal complaint, Rhodes cannot conduct a Title IX investigation or use the complaint resolution process set forth in this Policy, and no disciplinary action may be taken against the Respondent.

## X. Investigation and Resolution Processes

### A. Preliminary Review

Rhodes will gather and review all reports of sexual harassment reported to the Title IX Coordinator, the Provost or the Chief Human Resources Officer. In this phase, the Title IX Coordinator will conduct a limited investigation to determine if the alleged conduct reported is covered by Rhodes' Title IX Policy. If the Title IX Coordinator determines that the alleged conduct is not covered by Rhodes' Title IX Policy, the Title IX Coordinator will close the matter under Title IX but may take other action pursuant to Appendix A.

If the Title IX Coordinator determines that the alleged conduct is covered by Rhodes' Title IX Policy, the Title IX Coordinator will consult with the Complainant to determine if the Complainant wishes to file a formal complaint and review other available resources and options, including requesting supportive measures, as discussed above. Even if the Complainant does not wish to file a formal complaint, the Title IX Coordinator may file a formal complaint if they determine that the reported conduct implicates Rhodes' Title IX obligations to maintain a safe and non-discriminatory campus environment. Regardless of whether a formal complaint is filed, the Title IX Coordinator will make supportive measures available to all parties.

### **B. Filing a Formal Complaint**

At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in an education program or activity of the College. A formal complaint filed by a Complainant must include the Complainant's physical or digital signature or otherwise indicate that the Complainant is the person filing the formal complaint. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a Complainant or a party during a complaint resolution process and must comply with requirements for Title IX personnel to be free from conflicts and bias. Upon receipt of a formal complaint, the Title IX Coordinator will promptly provide written notifications to all known parties. This notification will include the following information:

1. Notice of the allegations constituting potential sexual harassment, including all relevant details known at the time, with sufficient time to prepare a response before any initial investigative interview. These details will include, at a minimum, the identities of the parties involved in the incident(s), if known, the alleged conduct that could constitute sexual harassment, and the date and location of the alleged

incident(s), if known. If, in the course of an investigation, the College decides to investigate allegations that are not included in the original notice, the College will provide notice of the additional allegations to the parties whose identities are known;<sup>1</sup>

2. A statement that the Respondent is presumed not responsible for the alleged conduct unless a determination regarding responsibility is made at the conclusion of the complaint resolution process;
3. A description of Rhodes' complaint resolution process, including the rights and responsibilities of the parties during the investigation, hearing, and appeal process, and the availability of any informal resolution process (as set forth more fully in this Title IX Policy);
4. A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney; and
5. A statement that the parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint, including evidence that Rhodes does not intend to rely on in reaching a determination.

In the Title IX Coordinator's discretion, Rhodes may consolidate multiple formal complaints where the allegations arise out of the same facts or circumstances.

Unless the formal complaint resolution process results in a determination that a Respondent was responsible, Rhodes will not impose disciplinary actions or take any other actions under this Policy that are not supportive measures.

At the discretion of the Title IX Coordinator, a temporary delay or limited extension of deadlines in the formal complaint process may be granted for good cause. Good cause includes the absence of a party, advisor or witness; concurrent law enforcement activity; or the need for language assistance or the accommodation of disabilities.

### **C. Dismissal of a Formal Complaint**

If the allegations in a formal complaint are not within the scope of this Policy because they do not meet the Title IX definition of sexual harassment, or because the alleged activities did not occur in Rhodes' education program or against a person in the United States, then the Title IX Coordinator **shall** dismiss the formal complaint for purposes of Title IX.

At any time during the investigation or complaint resolution hearing, Rhodes **may** dismiss the formal complaint under the following circumstances:

1. A Complainant notifies the Title IX Coordinator in writing that they would like to withdraw the formal complaint in whole or in part. In such instance, the Title IX

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<sup>1</sup> If the Respondent is a tenured faculty member, in conjunction with the notice requirements listed here, the Provost will also follow the requirements for Preliminary Proceedings Concerning the Fitness of a Faculty Member required by Section X of the Faculty Handbook.

Coordinator may, in their discretion, sign the formal complaint to continue the process.

2. The Respondent is no longer enrolled in or employed by Rhodes.
3. Specific circumstances prevent Rhodes from gathering evidence sufficient to reach a determination as to the formal complaint, in whole or in part.

Upon dismissal, the Title IX Coordinator will promptly send written notice of the decision to dismiss the complaint and the reasons for such decision to both parties. Even if the formal complaint is dismissed, however, Rhodes still may address the allegations pursuant to Appendix A. When a formal complaint is dismissed, supportive measures may be continued.

#### **D. Investigation After a Formal Complaint is Filed**

##### **1. Appointment of Investigator**

Once a formal complaint is filed, the Title IX Coordinator will appoint an investigator (“Investigator”) to handle the investigation. This Investigator will be a different person than the Title IX Coordinator, and will be properly trained on Title IX and free of conflict of interest or bias towards either Complainant or Respondent. The Investigator will begin an investigation as soon as practicable and generally not later than ten (10) days after written notice of the formal complaint has been delivered to all parties.

##### **2. Use of Advisors and Supporters**

During the investigation process, each party will have the same opportunity to select an advisor of the party’s choice who may be, but need not be, an attorney. Rhodes will provide a pool of trained advisors from which the parties may choose.

The adviser may assist with all written submissions made by a Complainant or a Respondent, may assist with preparing questions or other information for the Complainant or the Respondent to use at the hearing, and may facilitate scheduling and other processes. During any pre-hearing meeting or proceeding, the adviser may be present to observe and provide support and counsel to the participant. The adviser may not, at this stage, present evidence on a party’s behalf, present argument, examine witnesses, testify, or disrupt or otherwise obstruct meetings or proceedings.

Should a matter proceed to a complaint resolution hearing, advisors for both the Complainant and the Respondent are permitted to ask questions of the Investigator, the Complainant, the Respondent and any witnesses.

If a party does not choose an advisor for the hearing, Rhodes will provide one without fee or charge to ask questions of witnesses on behalf of that party. The advisor may be, but is not required to be, an attorney. A party who has not chosen an advisor must notify the Title IX Coordinator in writing at the same time the party provides a list of expected attendees and witnesses.

Both Claimants and Respondents may also choose a designated Supporter. The role of the Supporter is primarily to provide emotional support during the process by accompanying the Claimant or Respondent to any hearing, conference or related proceeding. The Claimant and the Respondent may choose any person, regardless of their association with the College, to perform the role of Supporter and to support them through a portion of or the entire Title IX process. Neither

party is required to have and be accompanied by a Supporter; however, the College encourages the presence of a Supporter at all stages of the proceedings, including the reporting and investigation stages, in order to provide the Claimant and Respondent with emotional and personal support. The Supporter may be present during any stage of these processes but will not be allowed to make opening or closing statements, present evidence, make procedural objections, question witnesses, or otherwise actively participate during complaint resolution hearings and informal resolution conferences.

Rhodes may limit the quantity of people in attendance at hearings, conferences and related disciplinary proceedings but will not interfere with parties' choices of specific attendees. A fact witness can serve as an Advisor / Supporter and will not be prohibited from testifying as a witness, but they will be subject to the witness sequestration rule and subject to exclusion from most parts of the complaint resolution hearing. There is no restriction on former Advisors or Supporters testifying as fact witnesses.

### **3. Conduct of the Investigation**

The Investigator collects and examines the facts and circumstances of the alleged conduct and provides an investigative report to the Title IX Coordinator. Although the burden of investigation remains on the College, the Investigator will provide equal opportunity for the parties to present fact and expert witnesses and other inculpatory and exculpatory evidence.

The Investigator will send written notice of any investigative interviews or meetings involving the parties to the parties and their advisors, allowing each party adequate time to prepare in advance.

The Investigator will complete the investigation as quickly as possible, generally within sixty (60) days. The amount of time needed to complete an investigation will depend in part on the nature of the allegation(s) and the evidence to be investigated (e.g., the number and/or availability of witnesses involved), as well as the College's academic calendar.

The Complainant, Respondent, witnesses, and others sharing information with the Investigator are expected to provide all relevant and truthful information and to do so at their earliest opportunity to facilitate prompt resolution. Medical records will not be received by the Investigator without the written consent of the subject of the medical records. Rhodes' students and employees remain subject to the policies in the Student and Employee Handbooks during investigations and may be subject to discipline for failing to provide information, making false statements or knowingly submitting false information during the investigation.

Rhodes will keep the parties reasonably informed of the status of the investigation. If it is determined that more time is needed for the investigation, Rhodes will communicate the additional estimated amount of time needed to complete the investigation.

When the investigation is complete, the Investigator will provide the parties with a preliminary report, which will include, as applicable, the Complainant's statement, the Respondent's statement, each witness statement, and either a copy or written summary of any other evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint. The preliminary report will be provided in an electronic format that restricts the parties from downloading or copying the evidence. Each party will have ten (10) days to review the



preliminary report and to provide written feedback. Each party's written feedback, if any, will be attached to the final investigative report.

After consideration of the parties' final responses to the preliminary report, or after ten (10) days have elapsed without comment, the Investigator will prepare and send to the parties and to their advisors a final investigative report that includes the parties' written feedback, if any. The report will be in electronic format or hard copy. The parties will have at least ten (10) days after receipt of the final investigative report to prepare for any scheduled hearing.

The parties may also provide a written response to the final investigation report to the Title IX Coordinator within five (5) days of receipt of the final investigative report so that the party's response will be available to both parties and the decision-maker(s) prior to the hearing. If warranted, the Investigator may choose to update the final investigative report to take a party's response into account, in which case the hearing date may be postponed.

#### **4. Coordination with Law Enforcement**

If Rhodes is made aware that there is a concurrent criminal investigation, the Investigator will inform any law enforcement agency that is conducting its own investigation that a Rhodes investigation is also in progress. The Investigator will ascertain the status of the criminal investigation and determine the extent to which any evidence collected by law enforcement may be available to the College in its investigation. At the request of law enforcement, Rhodes may agree to temporarily defer part or all of its own investigation (or subsequent hearing) until after the initial evidence-gathering phase of the law enforcement investigation is complete. The Investigator will communicate with the parties, consistent with the law enforcement request and the College's obligations, regarding procedural options, anticipated timing, and the implementation of any necessary interim measures.

#### **E. Informal Resolution**

At the discretion of the Title IX Coordinator and after the filing of a formal complaint, the Complainant and Respondent may mutually agree to forego an investigation and complaint resolution hearing and pursue an informal resolution of the complaint. Waiver of the right to an investigation and adjudication of formal complaints will never be required as a condition of enrollment or continuing enrollment, employment or continuing employment, or enjoyment of any other right.

An informal resolution is a voluntary, non-adversarial, remedies-based, non-judicial process designed to eliminate or address potential sexual harassment. This process, which is similar to mediation, aims to assure fairness, to facilitate communication, and to maintain an equitable balance of power between the parties. Rhodes will not offer or facilitate an informal resolution to resolve allegations that an employee sexually harassed a student.

The Title IX Coordinator will make an initial decision about whether a formal complaint qualifies for an informal resolution, and if both parties then agree in writing to pursue that path, Rhodes will halt any investigation or scheduled complaint resolution hearing so that the parties can schedule an informal resolution process led by a facilitator who is free of bias and conflicts of interest. The facilitator is not an advocate for either party but rather assists the parties in reaching a resolution upon which they can both agree.

Informal resolution is available at any time prior to a determination regarding responsibility.

For cases selected to be resolved through informal resolution:

1. The parties will receive simultaneous written notice of the allegations, the name and contact information for the facilitator, the requirements of the informal resolution process, the fact that a party may withdraw from the informal resolution process and proceed with the investigation and determination of the formal complaint at any time prior to reaching an informal resolution, and any consequences resulting from participating in the informal resolution process, including any records of the process that will be maintained or shared.
2. The facilitator will set up an informal resolution conference at a time agreeable to both parties but within a reasonable amount of time after the decision to participate in the process is made.
3. Advisors and/or Supporters may be present at each party's option, but may not actively participate during the conference.
4. The College will not compel face-to-face confrontation between the parties or participation in any particular form of informal resolution.
5. The informal resolution conference ends when a resolution has been reached or when the facilitator determines that further proceedings will not allow the parties to reach an agreement. Agreements reached in an informal resolution conference will be reduced to writing and signed by both parties. Such agreements are final and not subject to appeal.

## **F. Complaint Resolution Hearing**

A complaint resolution hearing is Rhodes' disciplinary proceeding through which one or more decision-maker(s), through a live hearing, evaluates evidence related to a complaint to determine whether a Respondent is responsible or not responsible for a violation of this Policy, based on the criteria of "a preponderance of evidence." Under this standard, the burden of proof is met and a Respondent may be found responsible for a Policy violation if the decision-maker(s) determines that it is more likely than not that the Respondent committed the violation. If the Respondent is found in violation of the Policy, the Respondent may be subjected to disciplinary action.

### **1. Decision-maker(s)**

The decision-maker(s) will be selected by the Title IX Coordinator and may vary based on the enrollment or employment status of the Respondent:

1. Student and staff respondent cases will typically be heard by a hearing board consisting of three faculty and/or staff members. A chair will be chosen to confer with the Title IX Coordinator concerning procedures and evidence related to the hearing.

2. Non-tenured faculty respondent cases will typically be heard by the Faculty Governance Committee.
3. Tenured faculty respondent cases will typically be heard by the Faculty Governance Committee or the Faculty Committee on Appeals consistent with Section X of the Faculty Handbook, as modified for Title IX compliance.

Decision-makers must have had no prior involvement in the case and be free of conflicts of interest and bias for or against either the Complainant or Respondent. Decision-makers will receive regular training on how to conduct a fair and impartial hearing. Neither the Title IX Coordinator nor the Investigator can be a decision-maker.

The Title IX Coordinator will identify the decision-maker(s) at least five (5) days prior to the hearing date. Either party may challenge the selection on the grounds of conflict of interest or bias by submitting their objection in writing to the Title IX coordinator no less than two (2) days prior to the hearing date stating the basis for their objection. The Title IX Coordinator has sole discretion to keep or replace a decision-maker, and may postpone the hearing to allow for a replacement decision-maker, if necessary.

## **2. Pre-Hearing Procedures**

The parties will be provided notice of the date, time and location of the hearing. At least ten (10) days prior to a hearing, both parties and the decision-maker(s) will be provided access to a hearing packet containing the investigation report, supporting evidence, and other information about the hearing. The packet may not be copied and must be returned at the end of the hearing because it will typically contain other parties' confidential and FERPA-protected information. Receipt of the hearing package will be conditioned upon each recipient's agreement not to re-disclose or use outside of the hearing other people's confidential information learned as a result of the investigation or hearing.

At least five (5) days' prior to the hearing, the parties must give the Title IX Coordinator and the other party a list of expected attendees (including any advisor) and their expected witnesses (including themselves), in order of appearance. Witnesses expected to testify only to the good character of a party will not be permitted. The parties will not be strictly bound to their lists, but they should be made in good faith.

Typically, the parties will be responsible for choosing and supplying their own witnesses to the hearing. When necessary for the pursuit of truth and to gather evidence sufficient to reach a determination, the decision-maker(s) may request the Title IX Coordinator to arrange for the availability of other witnesses after the witness lists have been submitted; recognizing, however, that Rhodes cannot compel any witness to attend. Such additional witnesses will be disclosed to the parties in advance of the hearing.

The Title IX Coordinator, in consultation with the decision-maker, shall have discretion to exclude witnesses based on investigation results that show their expected testimony is not relevant to the facts at issue in the hearing. The parties may object to such a determination, but the Title IX Coordinator shall have ultimate discretion on this issue.

## **3. Conduct of Hearing**

At the live hearing, the decision-maker(s) will permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross-examination must be conducted directly, orally, and in real time by the party's advisor, never by the party personally. At the request of either party, the hearing will be conducted with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions. Live hearings may be conducted with all parties physically present in the same geographic location or, at Rhodes' discretion, any or all parties, witnesses, and other participants may appear virtually, with technology enabling participants to simultaneously see and hear each other.

At the start of the hearing, each party will have the option to provide an opening statement, summarizing their position. The Investigator will then present the investigation report and be available for questioning by the decision-maker(s) and the parties' advisors.

Each party will then be permitted to call their own witnesses, including themselves. Witnesses will be asked to affirm adherence to the Honor Code, if applicable. Prospective witnesses, other than the Complainant and the Respondent, may be sequestered, i.e., excluded from the hearing during the statements of the Investigator and other witnesses, at the request of any party.

The decision-maker(s) and the parties, acting through their advisors, will have an opportunity to question witnesses who appear at the hearing. Any person who offers testimony at the hearing must remain available to answer questions from the decision-maker(s) and both parties' advisors. Typically, the decision-maker(s) will ask questions first, then permit the questions of the advisor of the party whose witness it is, then the questions of the advisor of the other party.

All hearings will be recorded and closed to the public. Attendance at the hearing by those other than the parties, their witnesses, their supporters and their advisors, will be at the discretion of the decision-maker(s). Any person who engages in disruptive behavior may be removed at the discretion of the decision-maker(s). The recording of the hearing and/or a transcript will be made available to the parties upon request.

#### **4. Rules Governing Proof**

At the hearing, all relevant evidence will be objectively evaluated. Relevant evidence is any evidence that tends to make the allegations at issue more or less likely to be true. Credibility determinations will not be made on the basis of a person's status as a complainant, respondent, or witness.

The decision-maker(s) will be responsible for ensuring in advance that each question asked by one party's advisor to the other party is fair and relevant. Questions that seek to elicit solely character evidence or have the effect of impermissibly badgering or harassing the witness will not be permitted. If a question is not permitted, the decision-maker(s) will provide the parties with the basis for that decision.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless the questions and evidence are offered to prove that someone other than the Respondent committed the conduct alleged, or are concerning specific incidents with the Respondent that are offered to prove consent. If the Respondent is found in violation of the Policy,

any previous discipline for sexual misconduct received by Respondent may be subject to inquiry by the decision-maker(s) only in connection with determining potential sanctions.

The standard of evidence to determine responsibility in hearings under this Policy is the preponderance of the evidence standard, which means that, based on the evidence presented, it is more likely than not that the Respondent is responsible for a violation of Title IX. The Respondent is presumed not responsible and can be found responsible only if the evidence preponderates in favor of a finding of responsibility.

Legal rules of evidence or criminal or civil procedure are not binding on the decision-maker(s) at complaint resolution hearings, but may inform the decision to include or exclude or give proper weight to evidence in order to insure the fundamental fairness of the process.

Introduction of the medical records of any person will not be permitted unless the person whose records are sought to be introduced voluntarily agrees in writing that they may be introduced. No medical records may be introduced at the hearing, regardless of consent, unless they are (1) complete; (2) introduced and explained by a health care professional with knowledge of the underlying facts; (3) previously provided to the Investigator prior to the completion of the final investigation report.

The decision-maker(s) may, in their discretion, exclude or grant lesser weight to last-minute information or evidence introduced at the hearing that was not previously presented for investigation by the Investigator or not provided to the other party in sufficient time for that party to adequately address that information at the hearing.

The decision-maker(s) may rely, if relevant, on a statement of a party or a witness even if that party or witness is not present for the hearing or does not submit to questioning. The decision-maker(s) may not draw an inference for or against a party or witness solely based on their absence from the hearing or refusal to answer questions.

At the conclusion of the hearing, the Investigator may give a closing statement and each party will have an opportunity to provide a closing statement at their discretion.

## **5. Deliberations and Written Decision**

All parties, the witnesses and the public will be excluded during the decision-maker(s) deliberations, which will not be recorded or transcribed. The Title IX Coordinator and the Investigator will not participate in the deliberations of the decision-maker(s) in determining responsibility.

In all cases, the decision-maker(s) must consider evidence presented by the Complainant, the Respondent, the Investigator and/or others and determine by a preponderance of the evidence whether a violation of the Policy occurred and impose sanctions, if any.

The decision-maker(s) will issue a written determination regarding responsibility to the parties simultaneously. The written determination will include:

1. Identification of the allegations potentially constituting sexual harassment;

2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the Title IX Policy to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
  - a. A determination regarding responsibility;
  - b. Any disciplinary sanctions to be imposed; and
  - c. Whether remedies designed to restore or preserve equal access to Rhodes' education program or activity will be provided by Rhodes to the Complainant (but not the details of such measures unless necessary to carry them out).
6. The College's procedures and permissible bases for the Complainant and Respondent to appeal.

The decision-maker(s) will use best efforts to issue the written determination regarding responsibility within fourteen (14) days after the hearing. The determination will be issued simultaneously to the parties. Either party may appeal the determination by filing a written appeal, as described below, within ten (10) days after receipt of the determination regarding responsibility. If no appeal is filed, the determination regarding responsibility becomes final ten (10) days from the date of delivery to the parties.

The Title IX Coordinator will be authorized to stay sanctions pending appeal and/or make further accommodations, including supportive measures, that are consistent with the determination.

## **7. Sanctions**

When determining sanctions for a Respondent found in violation of the Policy, the following criteria may be considered, among other factors:

1. The nature, circumstances, and severity of the violation(s);
2. The College's responsibility to ensure the effectiveness of behavioral standards for the Rhodes community;
3. The impact of the violation(s) on the Complainant and the community, protection of the College community and the risk that a Respondent may create a hostile and intimidating environment;
4. The requests of the Complainant;

5. The level of cooperation and/or honesty of the Respondent, or lack thereof, during the disciplinary processes;
6. Any official college report including, but not limited to, prior disciplinary records, criminal records if known, or other official information, the relevance of which will be determined by the decision-maker(s);
7. Whether other judicial measures have been taken to protect the Complainant or discipline the Respondent (e.g., civil protection orders); and
8. The housing and course enrollment pattern of the Complainant, giving due regard to the principle that a student found responsible for sexual harassment under the Policy should bear the burden of accommodating the Complainant and not the reverse.

After taking into account the above considerations, the decision-maker(s) will determine the sanctions for a Respondent found in violation of the Title IX Policy. One or more of the following sanctions may be imposed upon any student found in violation of the Policy:

1. Warning: A formal letter to be placed in a student's record warning the student that any further violations of the Title IX Policy or other violation of institutional policies will lead to more severe consequences, including suspension or expulsion;
2. Loss of Privileges: Denial of specified privileges for a designated period of time;
3. Required training or education: Attending or participating in a required number, determined by the decision-maker(s), of educational and/or awareness programs relating to the Policy violation, and providing evidence of engaging in the programs;
4. Fines: Previously established and published fines may be imposed;
5. Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement;
6. Discretionary Sanctions: Work assignments, service to the College or community, education, referral to counseling, required behavioral assessment, or other related discretionary assignments;
7. Residence Hall Suspension: Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified;
8. Residence Hall Expulsion: Permanent separation of the student from the residence halls;
9. Disciplinary Probation: A period of time in which the student is placed on notice that any further violation of institutional regulations will likely lead to more severe

disciplinary sanctions, including suspension or expulsion, if the student is found to violate any institutional regulations during the probationary period. Students can be placed on disciplinary or housing probation. A student on disciplinary probation is considered to be not in good social standing with the College;

10. College Suspension: Separation of the student from Rhodes College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified; or
11. College Expulsion: Permanent separation of the student from Rhodes College. Pursuant to Rhodes' academic criteria, expulsion may occur at any time before a diploma is awarded.

The following sanctions may be imposed upon any employee found in violation of the Policy:

1. Warning: A formal letter to be placed in an employee's personnel file warning the employee that any further violations of the Title IX Policy or other violation of institutional policies will lead to more severe consequences, including suspension or termination of employment;
2. Required training or education: Attending or participating in a required number, determined by the decision-maker(s), of educational and/or awareness programs relating to the Policy violation, and providing evidence of engaging in the programs;
3. Loss of pay increase: The employee would be ineligible for an annual merit or cost-of-living increase for the year in which the violation occurred;
4. Suspension of employment with or without pay; or
5. Termination of employment.

## **G. Appeals**

Either Complainant or Respondent may appeal any dismissal of a formal complaint or determination of responsibility within ten (10) days of delivery of written notification of the dismissal or a determination. Such appeal must be in writing and can only be raised on one or more of the following grounds:

1. A procedural irregularity that could have affected the outcome of the matter;
2. New evidence that (i) was not reasonably available to the appealing party at the time of the dismissal or determination, and (ii) could have affected the outcome of the matter; or
3. The Title IX Coordinator, Investigator, or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.



The notice of appeal must specifically describe the facts or evidence upon which the appeal is based and how it allegedly affected the outcome. The notice of appeal will be provided promptly to the other party, who may, within ten (10) days of receipt of the notice of appeal, file a written response. The appeal will be reviewed and determined by an Appeals Board,<sup>2</sup> members of which shall not be the Title IX Coordinator, the Investigator or the decision-maker(s) who reached the determination of responsibility or decision for dismissal, and shall be free of bias or conflict of interest. The Appeals Board's decision will be based on a preponderance of the evidence. The Appeals Board will issue a written decision describing the result of the appeal and the rationale for the result. Appeals Board decisions are final and not subject to further review.

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<sup>2</sup> For cases involving tenured faculty, any appeal will be to the Rhodes College Board of Trustees consistent with Section X of the Faculty Handbook, as modified to comply with Title IX.

## APPENDIX A

### Supplemental Sexual Misconduct Policy

The Supplemental Sexual Misconduct Policy covers the following circumstances:

1. Where there has been a report of sexual harassment involving a Rhodes student occurring off campus.
2. Where a former student or employee reports sexual harassment or sexual misconduct occurring while the former student or employee attended or worked at Rhodes;
3. Where there has been a report of sexual harassment involving a Rhodes student in a study abroad program outside the United States.
4. Where the reported conduct does not satisfy the definition of sexual harassment under Title IX but could satisfy the definition of sexual misconduct.

Reports of conduct covered by this Supplemental Policy may be made in the same manner outlined in Section XIII of the Title IX Policy, and are subject to Sections IV, V, VI and VII of the Title IX Policy. Supportive measures will be offered in the same manner as described in Section IX.A. of the Title IX policy.

Reports of conduct covered by this Supplemental Policy will be investigated by Rhodes or by an outside investigator retained by Rhodes. All investigations will be prompt, thorough and confidential to the extent practicable. After an investigation is completed, the Title IX Coordinator may address the report by one of the following methods, depending on the facts and circumstances of each case:

1. Administrative resolution by the Title IX Coordinator or other appropriate Rhodes official;
2. Informal resolution if agreed to in writing by both parties (not available when the respondent is an employee); or
3. A hearing conducted by one of the decision-maker(s) described in Section X.F.1. of the Title IX Policy using modified hearing procedures.

Sanctions for a person found responsible for conduct covered by this Supplemental Policy are the same as those outlined in Section X.F.6. of the Title IX Policy. Appeal rights are the same as those outlined in Section X.G. of the Title IX policy.

### Definitions

*Sexual misconduct*: conduct involving a Rhodes student that is sexually-based but does not meet the definition of sexual harassment under Title IX. Examples include sexual exploitation (defined below) and other verbal or physical conduct of a sexual nature that is unwelcome and has the effect of unreasonably interfering with the ability of the person to whom the conduct is directed to enjoy

the benefits of attending Rhodes. Conduct that may meet the definition of sexual harassment but occurs outside of Rhodes' Title IX jurisdiction (such as off campus or in a study abroad program) will also be treated as sexual misconduct.

*Sexual exploitation*: occurs when a person takes non-consensual sexual advantage of another for their own advantage or benefit, or the benefit of anyone other than the one being exploited. Examples of sexual exploitation include, but are not limited to:

- a. Non-consensual video or audio recording of sexual activity or other private activity, even if that activity occurs in a public or semi-public place;
- b. Non-consensual dissemination of video, photographs, or audio of sexual activity or other private activity, including dissemination by a third party or a person not involved in the original conduct;
- c. Exceeding the boundaries of consent (such as permitting others to hide in a closet and observe consensual sexual activity, falsely representing that a condom is being used, videotaping of a person using a bathroom or engaging in other private activities);
- d. Engaging in voyeurism, exposing one's breasts, buttocks, or genitals in a non-consensual circumstance or inducing another to expose their breasts, buttocks, or genitals without affirmative consent;
- e. Prostituting another person;
- f. Engaging in consensual sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease or infection (STD or STI) and without informing the other person of such disease or infection; and
- g. Sexually-based bullying.

## **Academics at Rhodes**

### **Academic Policies**

#### **Class Attendance Policy**

Class attendance is a student's responsibility. Rhodes, as a residential college of the liberal arts and sciences, considers interactive engagement with other students and the professor in a structured setting to be one of the essential and central components of the academic program. Students enrolled at the institution commit to fully participate in their education, including attending class.

Monday-Wednesday-Friday (MWF) classes meet a total of 42 times in a semester; and Tuesday-Thursday (TR) classes meet a total of 28 times in a semester.

Missing three (3) MWF classes, or two (2) TR classes, is equivalent to one week's work out of the fourteen (14) weeks of the semester; this is a significant amount of time. Absenteeism is not to be taken lightly.

Specific attendance policies are set by individual instructors, who state them in the course syllabus and during the first class session. Faculty should be mindful in setting attendance policies that college-sanctioned activities may require participating students to be off campus and consequently miss class. Additionally, some religious observances may cause participating students to miss class. Faculty are discouraged from penalizing students solely for such absence and should normally, at their discretion, accommodate such a student in, e.g., an alternate date for a test. However, it is the student's responsibility in undertaking college-sanctioned activities (e.g., varsity athletics, internships, and off-campus competitions connected with courses) to understand that their participation may come at the cost of absences from other courses or even forfeiting credit on specific assignments when making them up is not feasible.

When health and personal matters interfere with a student's ability to attend class, students should review and follow each instructor's syllabus guidelines on missed class time and assignments. If the instructor's policy requires student notification, then the student should communicate with their faculty as soon as they can do so. The individual professor decides what constitutes an excused absence from their course. Students are responsible for learning and understanding the attendance policy in each course, obtaining and mastering material covered during an absence, and consulting with the instructor to learn whether and under what conditions make-up work will be permitted.

In emergencies where the student cannot communicate or develop a plan, the Care Manager or Dean of Student Success may notify the faculty using discreet language (see below Emergency Notifications to Faculty). Please note that leniency with attendance and options for making up work remains at each professor's discretion and based on their specific course requirements and syllabus guidelines.

Note: If a student is struggling with a chronic, ongoing medical issue that rises to the level of disability, they should contact Student Accessibility Services to explore possible accommodations. The student must address the issues related to missing a class, whatever the reason for the absence. If, by the course policies, the instructor determines that excessive absences are jeopardizing a student's ability to obtain a passing grade in the course, the instructor may make written request to the Office of Academic Affairs that the student be removed from the course with a grade of F. If a student is removed from two or more courses in the same semester for this reason, the student may be asked to withdraw from the College.

### **Emergency Notification to Faculty**

If a student cannot communicate with faculty due to an emergency, a student can request an emergency notification be sent to the faculty. Examples of circumstances in which an emergency notification can be requested include:

- Hospitalization
- Experiencing an assault or other crime
- Death or serious illness in the immediate family
- Legal or military obligations

Please note, these services are to assist students with unforeseen situations that are immediate in nature. The following are not appropriate reasons to request an emergency notification:

- Short term sicknesses (i.e. flu, migraines, colds)
- Doctor or other appointments
- Pre-planned events (weddings, vacations, trips)

To submit a request, please email [care@rhodes.edu](mailto:care@rhodes.edu). In some circumstances, a student may be unable to initially communicate with the Care Manager about an emergency. If the office is made aware of an emergency where a student cannot communicate with the College, the Care Manager may inform the faculty of potential absence using discreet language. If a student experiences the death of a parent or legal guardian, certain offices will be notified, including the President's Office, Development, the Chaplain, Academic Affairs representative, Financial Aid, and the student's faculty.

Processing time is 1-2 business days, and requests are only processed during regular business hours. After sending out an emergency notification, the office will contact the student involved to ensure that support is offered once the student resumes academic obligations.

- Emergency notifications are a supportive measure when a student cannot fully communicate with instructors. If a student contacts a professor directly about resolving an absence due to an emergency, it is optional to involve the Care Manager if not needed by the student. Instructors are always welcome to submit a Share a Concern report if they are concerned about a student's well-being.
- Emergency notifications are not verification that the emergency occurred. The Care Manager does not require documentation to send out an emergency notification. However, the Care Manager asks for enough detail to assess the situation to assist students in managing their academics. The Care Manager also helps students think through their needs and abilities during their challenges. Individual feedback from faculty allows the Care Manager to do this effectively. The Honor Code is expected to be upheld. If a student is found misusing the emergency notification, they are subject to an honor code violation.
- An emergency notification does not require an instructor to excuse an absence. The decision to excuse an absence lies solely with the course instructor. The syllabus guidelines and essential course elements determine an instructor's ability to allow academic flexibility. Instructors are encouraged to understand that students using the emergency notification process are typically recovering from a crisis and would benefit from some academic flexibility when feasible.

The College understands that grief, health challenges, and other personal challenges impact every student differently. Given their academic responsibilities and goals, students are encouraged to use their judgment about the time they need and can afford to take. Similarly, students should use their discretion taking more extended time through individual course withdrawals, conditional grades, a mid-semester withdrawal from all courses, or a leave of absence. The Care Manager or Dean of Student Success can meet individually with students to discuss these additional options when needed.

## Grade Queries

There is no more fundamental relationship in an academic program than that of the instructor and student. The Faculty and its academic officers work to support and to sustain a meaningful and productive instructor-student relationship to secure the educational aims of the College and of the members of its Faculty. Clearly the relationship is not one between equals, and this is most clearly evident when the instructor must assign a grade for the work required of, or expected of, a student.

**General Provisions:** On occasion a student may believe that a grade assigned is incorrect. Indeed it is possible that a mistake can be made in reporting a grade. The student has the right to initiate a discussion with the instructor to determine that the grade given is in fact correct. If a mistake has been made, the instructor changes the grade and, if it is necessary, requests the Office of Academic Affairs, to change a grade that has been officially entered on a student's final grade report. In the event that, after consulting with the instructor, the student is not satisfied that a grade has been assigned fairly, the student may write an explanation of why he or she believes the grade assigned is not justified. The student gives this statement to the instructor who may decide that the explanation warrants a reconsideration of the grade assigned. If the instructor decides not to change the assigned grade and discussion with the student does not result in the student's agreement with this decision, the instructor will ask the department chair to review the procedures for determining grades in the course, the student's request, and the instructor's response to it. The faculty member provides a written statement to the department chair about why the original grade is valid.

Should the chair of the department determine that no lapse in procedure has occurred and that full attention has been given to the explanation by the instructor, the matter is closed. The chair of the department communicates this to the student and the instructor.

Should the chair of the department determine that the procedure was not properly followed or that additional attention to the explanation is warranted, the chair discusses the situation with the instructor. The chair may also obtain additional evaluations of the student's work that promises a constructive response to instructor and the student. These evaluations will be requested from colleagues within the Faculty whose knowledge and expertise are appropriate to a review of the student's work. Having completed this additional evaluation, the chair's determination about the grade closes the matter. The chair of the department communicates this to the student and the instructor.

## Special Provisions:

- **Time-limits:** If the grade on a particular piece of work during a semester is questioned, the appeal for reconsideration must be made within four weeks of the receipt of the grade. The period of time during which appeals of final grades can be made expires at the end of the fourth week of the semester following the posting of the grade.
- **Substitutes for the department chair:** In the event that appeals for reconsideration of grades involves grades assigned by a chair of a department, then the procedure

outlined here will be conducted by the senior member of the department, or the next senior member of the department in the event that the chair is the senior member.

- Claims of discrimination: The provisions outlined above are meant to apply to situations in which appeals for reconsideration of grades are made by students. There can be circumstances in which a student's complaint involves a belief that he or she has been discriminated against because of the practices in managing a course. The Vice President for Academic Affairs is the administrative officer to receive any such complaint. It may be that the Vice President for Academic Affairs will ask that the general provisions above be followed in an investigation of possible discrimination.

## **Examinations**

The Honor Code represents what the students, the faculty, and the administration believe to be the best environment for the pursuit of the College's educational aims. All tests and examinations are conducted in accordance with the provisions of the Honor Code, and students are asked to indicate on their tests and final examinations that they have abided by the principles contained in the Honor Code. Students "pledge" that they have completed academic work in accordance with these principles, and faculty are expected to ask for this pledge before accepting academic work from students.

Normally every course for which credit is given has a final examination as a component. Final examinations are intended to assess students' mastery of the subject matter of the course and are normally comprehensive in scope. The Foundations Curriculum Committee expects, in reviewing course proposals prior to approval, that the provisions of the final assessment of student performance are made explicit.

Final examinations are given during the examination week according to the published schedule. A professor may offer optional examination times for an entire class within the examination period, except for a Reading Day. Each member of the class must choose one of the optional times at least one week before the first day of examinations. The feasibility of implementing this option is left to the professor's discretion.

No examination, including examinations at optional times, may be scheduled on a Reading Day. A student with three examinations in a row (not to include reading days) may petition the Office of Academic Affairs to reschedule no more than two examinations later in the examination period. Other changes because of extenuating circumstances (e.g., illness, religious observance) also must be approved by the professor and the Office of Academic Affairs.

In some courses the purposes of a final examination are best served by special testing, for example take-home examinations, departmentally administered oral examinations, or special projects and assignments. Whatever the testing method, the important factor is that students are asked to synthesize major concepts, approaches, and facts for the course, and to demonstrate that they can do this on their own. If a professor wishes to give an in-class final examination outside the dates and times of the published examination schedule then this request, along with the approval of the chair of the department, must be made in writing to the Office of Academic Affairs.

A student who has a failing average on course work should be counseled before the final examination about the status of his or her work and about the role the final examination will play

in determining the final grade, but the student may not be excluded from taking the final examination. A student who has a passing average on course work and who fails the final examination and as a result has a failing average for the course, may at the discretion of the professor be given an E grade and be permitted to take a reexamination. The highest grade in the course that can be given upon reexamination is D+.

A student who has a passing average on course work and who fails the final examination, but who earns a passing final grade, may be given the appropriate letter grade for the course. Unexcused absence from a final examination automatically results in failure in the course. A student who is prevented by illness or other reason from taking the final examination at the scheduled time must present a written excuse or doctor's certificate and will be given a grade of X. In some courses, due to the lesser weight given to the final examination in determining the final grade for the course, a professor may not wish to give the grade of F for an unexcused absence or the grade of X in the event of an excused absence. The professor's policy on this matter should be made clear at the beginning of the course so that there is no misunderstanding and so that it is clear that this situation is an exception to the general College policy.

Final examinations should be available for review by students and may be returned to students at the discretion of the professor. Professors should maintain copies of final examination questions for a period of one year, and if a professor keeps copies of the actual examinations they should be maintained for at least one academic year after the administration of the examination.

### **Classroom Conduct**

Students are expected to conduct themselves as responsible learners. Classroom behavior should not detract from the learning environment. Each faculty member has the right to determine appropriate behavior for the classroom. Expectations might address behavior such as use of electronic devices, late arrivals or early departures, eating or sleeping.

In the classroom, disruptive behavior is behavior that hampers the ability of faculty to teach and students to learn. This can include, but is not limited to, interference with course instruction to the detriment of other students, disruption that attempts to stifle academic freedom of speech, failure to comply with the instructions or directives of the course instructor, or making falsified threats in an attempt to interfere with course instruction or other academic activities.

A student violating a professor's classroom policy or individual instructions regarding classroom disruptions might be dismissed from the class for the day on which the disruption occurs, subject to a reduction of participation grade, and/or referred to the respective Department Chair.

### **Academic Advising**

The mission of academic advising at Rhodes is to promote student learning. Each entering student is assigned a liberal arts academic advisor, who will function in that capacity until the student formally declares a major. This must be done prior to the registration period of the spring semester of the sophomore year. At that point, a faculty advisor from the major department is assigned to or selected by the student. Assisted by the academic advisor, the student learns:



- To understand the nature of a liberal arts education
- To assess their strengths and weaknesses
- To formulate educational and career goals
- To plan a course of action to achieve those goals

### **Guidelines for the Student Advisee**

1. Realize that final responsibility for meeting Degree or Foundation Requirements rests with the student.
2. Prepare adequately for each advising session.
3. Make preliminary course selections prior to registration advising appointments.
4. With the assistance of the advisor and Career Services, clarify personal values, abilities, interests, and goals.
5. Become knowledgeable about and observe institutional policies, procedures, and requirements. This requires a careful reading of the College Catalogue.
6. Contact and make an appointment with the advisor when in need of assistance or when required. If the student finds it impossible to keep the appointment, notify the advisor before the scheduled appointment.
7. Maintain a personal advising folder and take it to every advising appointment. Documents placed in this folder might include grade reports, declaration of major forms, course plan, and other documents related to the student's academic record.
8. Follow through on actions identified during each advising session.
9. Keep the advisor informed about academic achievements, difficulties, and other factors that could influence the student's academic career.
10. Declare a major no later than the spring semester of the sophomore year and choose a new advisor if necessary.
11. Evaluate the advising system, when requested, in order to strengthen the advising process.
12. Accept final responsibility for all decisions.

### **Student Travel Policy**

Rhodes strongly encourages its students, faculty and staff who are contemplating travel abroad for educational or other purposes to plan well in advance and to take precautions to ensure a safe trip. All travelers should familiarize themselves with political, health, crime, and other safety-related conditions prevailing in any country and specific locations within the country(ies) to be visited. A review of these conditions should be performed by viewing web-based information provided by

the U.S. Department of State as well as information provided by various other cognizant agencies and governments.

Additionally, the College recommends that its students and their parents consult the insurance websites managed by Relation and Chubb, the insurance and travel emergency assistance providers engaged by Rhodes to support students who are traveling internationally. This site (<https://4studenthealth.relationinsurance.com/plan/study-abroad-plan-2022-2023-11044/>) provides up-to-date plan and claim information for Rhodes students, and this site (<https://travelassistance.chubb.com/>) provides access to emergency support and the Travel Intelligence Portal, a site providing real-time information about travel risks of many kinds.

The Rhodes College Travel Policy determines which countries and regions Rhodes College students may travel to for study, work or professional development as representatives of the College. All international student travel requires approval by the Buckman Center and Department Chairs in order for academic credit or financial support to be awarded. Failure to comply with all Rhodes College Travel Policies will result in the withholding of academic credit and/or financial support or reimbursement. *Resources:* [US Dept. of State Travel Advisory Page](#) and [International SOS Travel Risk Interactive Map](#)

### **Restricted Destinations Policy**

Rhodes College will not support, finance or award credit for any travel to countries designated by the U.S. State Department as a Level 4 country. Level 3 countries are presumed to be off limits, but permission may be given under certain conditions, see below. Travel to Level 2 destinations will generally be approved by the Buckman Center after the proposing student or faculty member indicates they have reviewed the details of the travel warning and are willing to accept the risk (see below).

### **Approval**

It is expected that approval will be granted for many proposals for travel, even to selected restricted destinations. The Buckman Center will review applications based on an assessment of the components of the proposal, i.e., the diligence of the proposal (level of strategic planning, level of vetting of vendors/partners/providers), the relevance of the purpose of the trip to the mission of the College, the experience and the perceived competence level of the applicants, and upon a more in-depth review of the particular destination and itinerary within the restricted country.

### **US State Department Advisory Levels and Approval Considerations**

**Level 4.** No approval for travel to these destinations will be given.

**Level 3.** Approval may be given for proposals for travel to Level 3 destinations if:

1. No approval will be granted for student led group or individual students on independent study or internships.

2. No other of the following international travel advisories (Australia, Canada, Great Britain and New Zealand), advise against travel to the destination.
3. International SOS risk rating <https://www.travelriskmap.com/#/planner/locations> is no higher than medium.
4. The itinerary must be limited to regions within the destination country for which the US State Department has indicated that the risk is lower than that for the overall risk of the country and International SOS has indicated that the risk is no greater than medium.
5. The itinerary has been reviewed and approved by our Risk analysis consultants, Lodestone International.
6. The application demonstrates competence and due diligence including an understanding of the hazards and the implementation of risk mitigation strategies as demonstrated by a signed waiver.
7. The applicants agree to any additional requirements, e.g., Buckman Center requested changes in itinerary, the carrying of satellite communication devices, an agreement that no itinerary changes will be made once the program begins without permission and any additional vetting or addition of personnel deemed necessary.
8. Approval may be made for students studying abroad with a well known internationally based third party provider who is willing to indemnify Rhodes College if all points 1 – 3 are true.

**Level 2.** Approval may be given for proposals for travel to Level 2 destinations if:

1. Approval may be granted for student led groups or individual students on independent study or internships if the International SOS risk rating is Low or Insignificant.
2. International SOS risk rating is no higher than medium.
3. The itinerary must be limited to regions within the destination country for which the US State Department has indicated that the risk is no greater than that for the overall risk of the country and International SOS has indicated that the risk is no greater than medium.
4. The application demonstrates competence and due diligence including an understanding of the hazards and the implementation of risk mitigation strategies.
5. The applicants agree to any additional requirements, e.g., requested changes in itinerary, the carrying of satellite communication devices, an agreement that no itinerary changes will be made once the program begins without Buckman Center permission and any additional vetting or addition of personnel deemed necessary.

6. Approval may be given for students studying abroad with a well known internationally based third party provider if the itinerary does not venture into any area for which the International SOS risk rating is higher than Medium.

**Level 1.** No additional considerations. Rhodes College reserves the right to withhold or give approval and support if the US State Department Advisory designation is significantly inconsistent with International SOS' risk rating.

### **Student Rights under the Family Education Rights and Privacy Act (FERPA)**

The Family Education 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 attends a postsecondary institution regardless of age.) Students who have questions or concerns about FERPA should contact the Office of the Registrar. FERPA rights include:

1. The right to inspect and review the student's education records within 45 days after the day Rhodes College ("School") receives a request for access.

A student should submit to the registrar a written request that identifies the record(s) the student wishes to inspect. The registrar will make arrangements for access and notify the student of the time and place where the records may be inspected.

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

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

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

Circumstances in which the College may disclose education records without a student's prior written consent include:

- To Rhodes College officials, including teachers and persons in an administrative, supervisory, academic, research or support staff positions (including Campus Safety and the Counseling Center), whom the College has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, students, attorneys, auditors, collection agents, or other parties to whom the school has outsourced institutional services

or functions and who work under the control of the College with regard to personally identifiable information from education records protected by FERPA. A College official has a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibilities for Rhodes College.

- 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.
- 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 university's State-supported education programs. Disclosures under this provision may be made 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.
- 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. 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.
- To accrediting organizations to carry out their accrediting functions.
- To comply with a judicial order or lawfully issued subpoena.
- To appropriate officials in connection with a health or safety emergency.
- Information the school has designated as "directory information." Rhodes College has designated the following items to be directory information: student's name, parents' names, campus and home addresses and telephone numbers, cellular phone numbers, dates of attendance, photograph, year of graduation, degrees and honors awarded or expected, academic major, email address, and faculty advisor.
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding.
- To the general public, the final results of a disciplinary proceeding, 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.
- 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.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by Rhodes College to comply with the requirements of FERPA.

If a student wishes to file a complaint alleging a violation of FERPA by Rhodes College, they should contact the following agency:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202  
<https://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>  
1-800-USA-LEARN

For further information concerning a student's federal privacy rights, the federal regulations implementing FERPA can be found at 34 CFR Part 99.

## **Student Accessibility Services**

The Office of Student Accessibility Services (SAS) provides assistance to students with disabilities in the form of accommodations, advising, and referral services so they may have equal access to the academic and non-academic programs at Rhodes and participate fully in all aspects of student life. For more information refer to the [Student Accessibility Services](#) webpage by clicking [here](#).

## **Campus Policies**

### **Bryan Campus Life Center (BCLC) and Alburty Pool**

#### **Authorized Users**

1. Students, faculty, and staff may use the BCLC upon presentation of a valid Lynx Card or BCLC I.D. card.
2. Faculty and staff may obtain a BCLC I.D. card for their spouses and dependent children by contacting the Facility Coordinator. Children age 14 and younger must be accompanied by a parent or legal guardian at all times, and thus will not be issued ID cards. Children 14 and younger are not permitted in the Fitness Room at any time.

The Alburty Swimming Pool is to be used only during posted hours of operation when pool staff is present. Unauthorized use will minimally result in a \$100 per person fine, and is a punishable trespassing offense. Violators may be prosecuted.

### **Animals on Campus Policy**

This Animals on Campus Policy applies to all animals on campus, including pets, emotional support animals, and service animals, and pertains to students, faculty, staff, and visitors of Rhodes College.

Rhodes College is committed to compliance with state and federal laws regarding individuals with disabilities. Rhodes recognizes the importance of service and emotional support animals to

students with disabilities and has established policies and guidelines regarding service and emotional support animals that are described in more detail below. Rhodes reserves the right to amend this policy as circumstances require.

## Definitions

1. **Pet.** A pet is an animal kept for ordinary use and companionship. A pet is not considered a service animal or emotional support animal.
2. **Service Animal.** A service animal is defined as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a documented disability. Service animals are working animals, not pets. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for purposes of this policy. The work or task a service animal has been trained to provide must be directly related to the person's disability. Reasonable modifications may be allowed for a person with a disability to use a miniature horse if the animal has been trained to do work or perform tasks for the individual.
  - Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, alerting individuals to the presence of allergens, retrieving items such as medicine or a telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by assisting with seizures or preventing or obstructing impulsive or destructive behaviors.
3. **Emotional Support Animal.** An emotional support animal is an animal that provides comfort to a person with a disability upon the recommendation of a healthcare or mental health professional. The comfort of an emotional support animal serves to alleviate one or more identified symptoms or effects of a person's documented disability. Unlike a service animal, emotional support animals do not have to be trained to perform any particular task, do not assist a person with activities of daily living and do not accompany the person at all times.
4. **Approved Animal.** An approved animal is a service or emotional support animal that has been granted access to campus as a reasonable accommodation under this policy.
5. **Owner.** The owner is the student or other covered person who has requested the accommodation and has received approval to bring the approved animal on campus.

## Pet Policy

Students: Fish (in tanks with maximum capacity of ten gallons) are the only pets allowed in campus housing with roommates' permission. Violators of these policies regarding pets are fined a minimum of \$100.00 for each infraction. Exceptions will not be made for any temporary keeping of pets or stray animals.

Commuter students must keep pets on leashes while on campus and are responsible for cleaning up after the pet. Pets are not allowed inside residence halls, campus buildings, or structures or into any areas that serve food and/or beverages.

Faculty and Staff: Pets are prohibited in all residence halls, campus buildings, structures, or into any areas serving food and/or beverages. The only exceptions are for live-on staff.

Guests/Visitors: Pets are prohibited inside residence halls, campus buildings, structures, or any areas serving food and/or beverages.

## **Service Animal Policy**

A student requesting to bring a service animal on campus or keep a service animal in campus housing must formally request the Office of Student Accessibility Services (901-843-3815). Requests for service animals in housing do not require documentation of a disability. Requests must be made in a timely manner. Incoming students requesting to have a service animal in campus housing should submit their request and supporting documentation to Student Accessibility Services by June 1 for review and determination before the beginning of fall semester. Returning students should submit paperwork by March 1. While applications after these dates will be accepted and considered, Rhodes cannot guarantee that it will be able to meet late applicants' accommodation needs.

Student Accessibility Services reviews each request on a case-by-case basis. Students requesting that a service animal be housed in campus housing will meet with Student Accessibility Services to carefully review this policy and to sign a release form giving permission for the Office of Residence Life, Campus Safety, and Physical Plant to be informed of the animal's location. If the student is dissatisfied with the determination of their accommodation request and/or has new information or concerns, they will have the opportunity to request reconsideration. Any denial of an accommodation request may be appealed to the Vice President for Student Life, as outlined in the Student Accessibility Services Procedures.

Rhodes allows service animals to accompany visitors with disabilities in all areas where members of the public are allowed to go. Service animals for students, faculty and staff are allowed in any area unless the presence of the service animal poses a direct threat to the health or safety of others on campus, or the service animal's presence would require a fundamental alteration in the facility's practices, policies, or procedures.

If the owner represents that the animal is a service animal, he or she does not have to provide documentation or other proof that the animal has been certified or licensed as a service animal; conversely, providing such a certificate or placing a vest on an animal that says "Service Animal," without more, will not qualify an animal as a service animal. Rhodes may ask the owner: (1) if the animal is required because of a disability and (2) what work or task the animal has been trained to perform, unless it is readily apparent that the animal is trained to do work or perform tasks for an individual with a disability (e.g., the dog is observed guiding an individual who is blind). Failure to provide satisfactory answers to these questions may result in restrictions on where the animal can go.



A service animal is required to be under the control of its owner at all times, and shall have a harness, leash, or other tether, unless the owner/handler is unable to use such device because of a disability, or the use of such device would interfere with the service animal's safe, effective performance of work, in which case the service animal must still otherwise be under the owner/handler's control (e.g. voice control, signals, or other effective means).

### **Emotional Support Animal Policy**

A student requesting to bring an emotional support animal on campus or keep an emotional support animal in campus housing must formally request the Office of Student Accessibility Services (901-843-3815) and submit an Emotional Support Animal Verification Form.

For approval, there must be a link between the animal and a documented disability. Emotional distress resulting from giving up an animal because of a "no pets" policy does not qualify a person for accommodation under federal law.

Requests must be made in a timely manner. Incoming students requesting to have an emotional support animal in campus housing should submit their request and supporting documentation to Student Accessibility Services by June 1 for review and determination before the beginning of the fall semester. Returning students should submit paperwork by March 1. While applications after these dates will be accepted and considered, Rhodes cannot guarantee that it will be able to meet late applicants' accommodation needs.

Student Accessibility Services reviews each request on a case-by-case basis. While animals other than dogs or cats will be considered, Rhodes is not obligated to permit an animal that is dangerous, disruptive, or requires special environmental conditions to be brought onto campus as an emotional support animal. Students requesting that an emotional support animal be housed in campus housing will meet with Student Accessibility Services to carefully review this policy and to sign a release form giving permission for Residence Life, Campus Safety, and Physical Plant to be informed of the animal's location. If the student is dissatisfied with the determination of their accommodation request and/or has new information or concerns, the student will have the opportunity to request reconsideration. Any denial of an accommodation request may be appealed to the Vice President of Student Life, as outlined in the Student Accessibility Services Procedures.

An emotional support animal is required to be always under the control of the owner, and shall have a harness, leash, or other tether or a pet carrier. Emotional support animals may not be transported on campus in purses, tote bags, briefcases, or backpacks.

Emotional support animals are not allowed into campus buildings or structures (other than the residence hall in which its owner resides) or into any areas that serve food and/or beverages.

### **Owner Responsibilities**

1. The owner is responsible for assuring that the approved animal does not cause difficulties for individuals in the Rhodes community or unduly interfere with the routine activities of the Rhodes community.

2. The owner is financially responsible for the actions of the approved animal, including bodily injury or property damage caused by the animal. The owner's responsibility covers but is not limited to, furniture replacement, carpet, window, wall covering, and the like. The owner is expected to cover these costs during repair and/or move-out.
3. The owner is responsible for any expenses incurred for cleaning above and beyond a standard cleaning or for repairs to College premises that are assessed after the student and animal vacate the residence. The College shall have the right to bill the student account of the owner for unmet obligations.
4. The owner must notify Student Accessibility Services and Residence Life in writing if the approved animal is no longer needed as an approved animal or is no longer in residence. To replace an approved animal, the owner must file a new request.
5. Care, feeding, watering, and supervision of the approved animal are the owner's responsibility.
6. The owner is responsible for purchasing and using a Twin XL waterproof mattress cover for each mattress in their assigned room. The owner should contact Student Accessibility Services or Residence Life for assistance.
7. The owner is responsible for ensuring the cleanup of the animal's waste and, when appropriate, must toilet the animal in areas designated by the College consistent with the reasonable capacity of the owner. Indoor animal waste, such as cat litter, must be placed in a sturdy plastic bag and securely tied up before being disposed of in outside trash dumpsters. Litter boxes should be placed on mats so that waste is not tracked onto carpeted surfaces.
8. In cases of emergency, the College and emergency services personnel will focus on human life and will not return to buildings solely to rescue animals.
9. The owner's residence may be inspected for fleas, ticks, or other pests as needed. Residence Life will schedule the inspection. If fleas, ticks, or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a College approved pest control service. The owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls.
10. All roommates or suitemates of the owner must sign an agreement allowing the approved animal to reside with them. If one or more roommates or suitemates do not approve, the owner and animal or the non-approving roommates or suitemates may be moved to a different location as determined by the Office of Residence Life.
11. Service animals may travel freely with their owner throughout campus housing and other areas of the College.

12. Emotional support animals must be contained within the privately assigned residential area (room, suite, apartment) **ALWAYS**, except when transported outside the private residential area in an animal carrier or controlled by leash or harness. **When outside the residence, the owner of an emotional support animal shall carry proof that the animal is an approved animal.**
13. Vaccination/Age: In accordance with local ordinances and regulations, the approved animal must be fully immunized against diseases common to that type of animal. For example, dogs must have current vaccination against rabies and wear a rabies vaccination tag. Animals not living in cages must be at least one year old.
14. Health: Animals to be housed in campus housing must have an annual clean bill of health from a licensed veterinarian. Documentation can be a vaccination certificate for the animal or a veterinarian's statement regarding the animal's health. The College has authority to direct that the animal receives veterinary attention.
15. Licensing: Local licensing law must be followed. The College reserves the right to request documentation showing that the animal has been licensed.
16. Bathing an approved animal in any College residence sink, shower or tub is prohibited.
17. Approved animals may not be left overnight in campus housing to be cared for by another student. Arrangements must be made to house the animal in a kennel or other approved care facility or taken with the owner.
18. Office of Residence Life can relocate owner and approved animal as necessary according to the housing contract.
19. Failure to comply with the responsibilities and guidelines outlined in this policy may result in immediate removal of the animal from the College and the owner may be subject to the College's judicial process.

### **Service Animals in Training**

All provisions of this policy related to service animals are applicable to service animals in training. Rhodes allows service animals in training on campus, provided that the animal is led or accompanied by a trainer, is wearing a harness, and held on a leash by the trainer. Additionally, the trainer shall first present for inspection credentials for training service animals issued by an accredited school. Service animals in training are not allowed in student housing and may not be the subject of a request for reasonable accommodation.

### **Service and Emotional Support Animal Exceptions**

Rhodes may deny approval of a service animal or emotional support animal as a reasonable accommodation and/or remove a service animal or emotional support animal from campus, including campus housing if, based upon an individualized assessment:

1. The animal in question poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation,
2. The owner substantially fails to comply with this policy, or
3. The animal in question would cause or has caused physical injury or substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation.

Examples of situations in which an animal may not be approved or may be removed from campus include, but are not limited to, the following:

1. The animal is not under the control of the handler, and such individual does not take effective action to control the animal within a reasonable period of time under the circumstances.
2. The owner has repeatedly failed or refused to comply with directives to control the animal, clean up after the animal, or remove the animal from places or situations, or has committed other serious violations of this policy.
3. The animal is not housebroken. For purposes of this policy, “housebroken” means that the animal is trained to relieve its waste in an outdoor area or, if the animal cannot be taken outdoors through reasonable efforts by its handler, then in some designated indoor area that does not pose a sanitation risk to any persons on Rhodes premises.
4. The animal otherwise poses a risk to the health or safety of people or other service or emotional support animals. In determining whether an animal poses a risk to the health or safety of people or other service or emotional support animals, Rhodes will make an individualized assessment based on objective indications to ascertain the severity of the risk. Such indications include but are not limited to:
  - External signs of aggression, such as growling, biting, or snapping, baring its teeth, or lunging; or
  - External signs of parasites on the animal (e.g., fleas, ticks), or other external signs of disease or bad health (e.g., diarrhea or vomiting).

An animal removal determination is made by Student Accessibility Services in consultation with the Office of Residence Life, the student resident, and other parties as appropriate. If the owner fails to comply with the specified removal deadline, then the Office of Residence Life reserves the right to call Animal Control and report the student to Community Standards. Any removal of an approved animal may be appealed to the Vice President of Student Life, as outlined in the Student Accessibility Services Procedures. If an approved animal is removed from campus for any reason, the owner is expected to fulfill their housing obligations for the remainder of the housing contract.

## Questions

All student questions regarding service and emotional support animals on campus should be directed to Student Accessibility Services at 901-843-3815 or [accessibilityservices@rhodes.edu](mailto:accessibilityservices@rhodes.edu).

All faculty, staff, or visitor questions regarding service and emotional support animals on campus should be directed to Human Resources at 901-843-3750 or [hr@rhodes.edu](mailto:hr@rhodes.edu).

## Building Access Control

Students may need access to certain academic and administrative areas in pursuit of their studies or work-study duties outside normal working hours or when those in control of the area are not present. If time authorization limits are not indicated on the access request, it will be assumed that access is limited to that building's regular business hours. Otherwise, if time limits are not indicated, access after regular business hours will not be granted.

At the same time, the College has the duty and responsibility to ensure that those utilizing its facilities work and study in a safe, secure environment, and that their property and that of the College is safeguarded.

In an effort to both increase security and decrease access time, selected locations have been designated to be equipped with combination type locking devices. This will allow the competent authority of that area to issue access authority independently of Campus Safety by releasing combination code to those authorized to have access. Those locations include:

- Clough Hall rooms 111, 312, 319, and 206;
- Hassell Hall (Music Library);
- King Hall (Phon-A-Thon Room);
- Ohlendorf Hall room 421 (SUN Lab);
- McCoy Theatre (Costume Room);
- The Payton Nalle Rhodes, Tower, room 326 (Lab); and
- BCLC locker rooms and other locations.

All of the buildings above have one or more fob doors for 24-hour access to exterior doors.

Accordingly, the following procedure is prescribed for access to campus buildings:

### Access List

When students need to get into an academic or administrative building under the conditions described above, they must request authorization from the appropriate departmental representative (i.e., the faculty or staff member who is responsible for the area). The departmental representative must forward written authorization to the Campus Safety Office, where it will be kept on file. Authorizations may also be transmitted via computer e-mail, but telephoned or verbal authorizations cannot be accepted. The access authorization should include the student's name, the area to which access is to be granted, day and time restrictions (if any), and the duration of the

authorization. Access authorizations will be assumed to be for the current academic term unless stated otherwise.

Keys to academic and administrative areas will not be issued to students.

### **Access Procedure**

Persons who have been placed on the access list may personally appear at the Campus Safety Office to register and be admitted to the areas for which access is authorized. Alternatively, they may telephone Campus Safety and be met at the area/building by a representative of Campus Safety, if someone is available.

Persons granted access should notify Campus Safety when their business is completed, so that a record of occupancy may be maintained in the event of an emergency, and so that the area may be secured when it has been vacated.

Students working in an area when it is being secured at the end of the day must meet the requirements of the access control system in order to remain in the area. Persons who have gained access properly are not authorized to grant access to others. Any student not on the approved Access List will be required to leave the area.

### **Restricted Access**

Certain areas such as the Writing Center, the Computer Labs, and the Language Center are restricted and not subject to access authorizations except by certain individuals responsible for their operation.

### **On-Campus Solicitation**

College policy regarding on-campus solicitation prohibits door-to-door sales, sales meetings with groups, and, with very few exceptions, all of which must be approved by the Dean of Students, “setting up shop” on campus.

Salespeople may not meet with individual students on campus unless they have prearranged appointments. Because of past unpleasant experiences, members of the College community are advised to be wary of the following situations:

- Anyone who asks for money in exchange for a product or service which they claim is endorsed by or connected with Rhodes. (Excluded are tuition, room, board, books, and fundraising-related services which obviously are College sponsored.)
- Salespeople (particularly the very persistent ones) wanting names of students or permission to see students.

## Critical Safety Communications

When a crime or other incident occurs that poses a threat to the campus community, Rhodes issues three types of Critical Communications:

- a. **Emergency Notifications**
- b. **Timely Warnings**
- c. **Campus Safety Alerts**

**Emergency Notification** – A notification required by the Clery Act that is issued immediately upon confirmation of a significant and immediate emergency or dangerous situation occurring on or near campus that poses an immediate threat to the health or safety of members of the campus community. Examples include a natural disaster like a tornado, a chemical spill or other environmental disaster, or the presence of an active shooter on campus.

Most commonly, the College will use RhodesAlert, a mass notification system capable of delivering urgent message to multiple recipients, depending upon the situation and information available. (Example: Tornado warning for Rhodes College - go to the lowest interior area of the building. Avoid windows and doors). In addition to RhodesAlert, the College also uses an addressable outdoor warning system (siren/public address) for communicating during critical incidents.

**Timely Warnings** – an advisory required by the Clery Act that is issued about a Clery Act crime occurring within a Clery reportable location and representing a serious or continuing threat to members of the campus community. Generally, Rhodes distributes this information by email.

**Campus Safety Alerts** – a discretionary alert issued about an incident that does not meet the criteria of a Clery Act crime occurring in a Clery reportable location but that may constitute a threat to members of the Rhodes community.

The College may issue a Campus Safety Alert to advise the campus community about critical incidents or situations that may or may not be crime-related. Campus Safety Alerts provide information enabling individuals to make informed decisions about their health or personal safety. The Clery Act does not require Campus Safety Alerts as defined in this policy.

The College follows national best practices by communicating incidents of which it is aware that occur within a reasonable distance from the campus. Rhodes will deliver this information either by email, RhodesAlert, or a combination of both.

## Campus Appearance

Major changes or additions made in the appearance of the campus should be made only with the approval of the Vice President for Finance and Business Affairs and the President.

"Campus Art." Rhodes promotes the arts and artistic expression. The Clough-Hanson Gallery exhibits student work periodically. "Campus Art" is defined as works of art requested to be displayed outdoors on the campus. Campus art reflects not only the expression of the artist, but can be perceived as reflecting the views or values of the College. Therefore, the principles listed

under Campus Regulations should be carefully considered. Works of art that qualify for outdoor display on the Rhodes campus shall be works of art intended as ends in themselves, such as those found in galleries or sculpture gardens. Works that qualify for outdoor display on the campus shall not include items of advocacy or protest or items of information such as posters. (See policy on posting.)

## Campus Resources

Area	Office/Department	Phone Number
Student Success Concerns	Student Life	901-843-3815
Academic Affairs	Academic Affairs	901-843-3795
Accessibility Services	Student Life	901-843-3815
Art Gallery	Clough-Hanson Gallery	901-843-3442
Athletics	Bryan Campus Life Center	901-843-3940
Books and Supplies	Bookstore	901-843-3535
Bursar	Rhodes Express	901-843-3278
Campus Dining	Catherine Burrow Refectory	901-843-3541
Campus Safety	Campus Safety	901-843-3880
Career Counseling	Career Services	901-843-3800
Community Engagement	Bonner Center for Community Engagement	901-843-3849
Computer Labs	Barret Library	901-843-3890
Counseling	Student Counseling Center	901-843-3128
Dean of Students	Student Life	901-843-3815
Equity and Engagement	Student Life	901-843-3815
Family Weekend	College Events	901-843-3815
Financial Aid	Rhodes Express	901-843-3278
First Year Experience and Transitions	Student Life	901-843-3815
General Inquiries	Rhodes Express	901-843-3278
Fraternity and Sorority Life	Student Life	901-843-3815
Health Services	Student Health Center	901-843-3895
Housing	Residence Life	901-843-3241
IT Help Desk	Barret Library	901-843-3890
Language Lab	Language Lab	901-843-3973
Learning Strategies	Student Life	901-843-3815
Leave of Absence	Student Life	901-843-3815
Library - Information	Barret Library	901-843-3900
Mailing Services	Mailroom	901-843-3239
Maintenance	Physical Plant	901-843-3870
Meal Plans	Catherine Burrow Refectory	901-843-3640
On Campus Computer Repair	Computer Depot	901-843-3923
Parking	Campus Safety	901-843-3880
Registrar	Rhodes Express	901-843-3885
Religious/Spiritual Support	Chaplain's Office	901-843-3822
Scholarships	Rhodes Express	901-843-3278



Stress Management	Student Counseling Center	901-843-3128
Student Conduct	Student Life	901-843-3815
Student Employment	Rhodes Express	901-843-3278
Study Abroad	International Programs	901-843-3403
Title IX Coordinator	Inez Warner	901-843-3354
Transcript Request	Rhodes Express	901-843-3278
Tuition Inquires	Rhodes Express	901-843-3278
Writing Center	Barret Library	901-843-3890

## Drug Policy

Rhodes is an institution committed to practicing conscientious respect, Rhodes College will not condone the use of illegal substances and the misuse of over the counter (OTC) or prescription medication. Individuals who use or misuse these substances run the risk of damaging their bodies or their minds.

Students are expected to comply with federal and state law as it concerns controlled substances. This means that the consumption, sale, manufacture, possession, distribution (including gifts), and/or illegal use of controlled substances is prohibited. Controlled substances include, but are not limited to:

- Cannabis
- Cocaine/cocaine derivatives
- Heroin
- Amphetamines
- Barbiturates
- LSD
- PCP
- Substances known as “designer drugs” such as ecstasy or eve

Students who share, gift, sell, or distribute their prescription medication to others are violating College policy and the law, and such actions are prohibited. Students who are prescribed medication are expected to keep that medication in a safe place and to only use it as their physician or healthcare provider has prescribed. Possession of a Medical Marijuana prescription/card does not exempt a student from this policy.

Even though a substance is not intended to be inhaled or consumed, the College recognizes that there are some substances that can be abused in this way. Students who utilize other mind-altering substances including, but not limited to, aerosols, amyl nitrate, ephedrine, glue, nitrous oxide, paint, volatile solvents, any cannabis-related Delta 8, Delta 9, and Delta 10 substances and other similar substances are also in violation of this policy.

## Drug Paraphernalia

The possession or use of drug paraphernalia is often an indication that an individual is in possession of or is using controlled substances. Drug paraphernalia is defined as any equipment that is used

to produce, conceal, and/or consume controlled substances, such as, but not limited to, bongos, grinders or pipes. Possession of drug paraphernalia is prohibited by the College.

### **Shared Responsibility Statement – Drugs**

Students who are found to be present in an environment where illegal drug use or drug paraphernalia is present will be held responsible for a “Shared Responsibility Drug” violation. This violation will result in a warning and drug education.

### **Summary of State Law Concerning Drugs**

Students may also face legal consequences for their actions involving substance use. Those consequences may involve criminal prosecution, imprisonment, fines, and loss of their financial aid.

The following summary of the Tennessee Code Annotated is provided to promote increased awareness of the Tennessee laws concerning controlled substances. This summary is not intended to be a restatement of the law nor a summary of all of the laws relating to controlled substances. All members of the Rhodes community are responsible for compliance with laws concerning controlled substances.

It is a criminal offense to knowingly manufacture, deliver, sell, or possess with the intent to manufacture, deliver, or sell controlled substances. The State of Tennessee defines seven categories of controlled substances. Depending upon the type and quantity of substance, felony penalties include fines ranging from \$3,000 to \$50,000 and imprisonment for not less than one year to not more than 60 years.

For misdemeanor possession of a controlled substance, the penalty is imprisonment of not more than 11 months and 29 days and a \$2,500 fine.

The term “drug paraphernalia” means any equipment, products, and materials of any kind which are primarily used, intended for use, or designed for use by the person in possession of them, in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body, a controlled substance. (T.C.A. 39-17-425).

The maximum penalty for unlicensed possession of drug paraphernalia is a Class A misdemeanor with imprisonment up to 11 months and 29 days in jail and a \$2,500 fine.

The maximum penalty for the unlicensed possession of drug paraphernalia with intent to sell, deliver, or manufacture a controlled substance is a Class E felony with imprisonment for not less than one year nor more than six years, or a fine of not more than \$3,000, or both.

## **Denial of Federal Aid (20 USC 1091)**

Under the Higher Education Act of 1998, students convicted under federal or state law for the sale or possession of drugs will have their federal financial aid eligibility suspended. This includes all federal grants, loans, federal work study programs, and more. Students convicted of drug possession will be ineligible for one year from the date of the conviction of the first offense, two years for the second offense, and indefinitely for the third offense. Students convicted of selling drugs will be ineligible for two years from the date of the first conviction, and indefinitely for the second offense. Those who lose eligibility can regain eligibility by successfully completing an approved drug rehabilitation program.

## **Health Risks**

People who abuse drugs risk damage to both their mental and physical health. More information about the health risks associated with the use of illegal substances or the misuse of medication can be found within the Surgeon General's Report on Alcohol, Drugs, and Health <https://addiction.surgeongeneral.gov/>.

## **Confidential Counseling Resources**

Rhodes is committed to student health and safety first and foremost. If a student is engaged in the use of substances or the misuse of OTC/prescription medication and wishes to seek help, there are several resources on and off campus that are able to support. Students can visit Student Health Services to speak with a nurse practitioner or they can make an appointment with someone in the Counseling Center. More information about substance abuse support can also be found on the Substance Abuse and Mental Health Services administration's website <https://www.samhsa.gov/>.

The following local resources are available to Rhodes students:

Student Counseling Center  
Moore Moore  
901-843-3128

Student Health Center

Moore Moore  
901-843-3895

Lakeside Behavioral Health System  
2911 Brunswick Rd, Memphis, TN 38133  
901-377-4733

Memphis Alcohol and Drug Council/NCA, Inc.  
1430 Poplar Ave., Memphis, TN 38104  
901-274-0056

Memphis Area Intergroup Association (Alcoholics Anonymous)  
3540 Summer Avenue, Suite 104, Memphis, TN 38122  
8 901-454-1414 (24 Hour Helpline)

Methodist Health Care/Lamar Campus/Addictions Services  
Methodist Central  
1265 Union Ave., Suite 105 Sherard, Memphis, TN 38104  
901-726-2996

Mid-Town Mental Health Center  
427 Dr. ML King Jr Ave, Memphis, TN 38126  
901-577-0200, ext. 370

Charter Parkwood Hospital  
8135 Goodman Rd., Olive Branch, MS 38654  
662-895-4900

Southeast Mental Health Winchester Center (Alliance Healthcare Services)  
3810 Winchester, Memphis, TN 38118  
901-369-1400

Veterans Administration Medical Center – Alcohol and Drug Unit  
(for veterans and families only)  
1030 Jefferson Ave., Memphis, TN 38104  
901-532-8990, ext. 5706

Rhodes College is committed to the health and safety of its students. The College hosts numerous educational programs and shares information widely about the dangers of substance use and the implications it can have on student’s lives. For more information about such programs, visit the [Student Health Center | Rhodes Sites](https://www.rhodes.edu/student-life/services-support/student-health-services) <https://www.rhodes.edu/student-life/services-support/student-health-services>.

## **Expressive Speech and Demonstration Policy**

Rhodes College is committed to fostering a vibrant intellectual environment that encourages open dialogue, robust debate, and the free exchange of ideas among its students, faculty, staff, and invited speakers. This policy outlines the guidelines and procedures for expressive speech activities on campus, including designated demonstration spaces to protect the right to express and learn.

### Expressive Speech

1. Freedom of Expression: Rhodes College upholds the principles of free expression as essential to pursuing knowledge, discovering truth, and developing critical thinking skills. All members of the Rhodes community are entitled to express their viewpoints, opinions, and ideas without fear of censorship, restraint, or discrimination.

2. Time, Place, and Manner Restrictions: While Rhodes seeks to promote open discourse, it also recognizes the need to balance expressive activities with maintaining campus safety and preserving the educational environment. Reasonable time, place, and manner restrictions may be imposed to ensure that expressive activities do not disrupt the educational process, impede campus operations, or infringe on the rights of others.
3. Reservation and Notification Process: To ensure the orderly use of designated demonstration spaces and prevent scheduling conflicts, students or student organizations planning to hold demonstrations or similar activities must notify the Dean of Belonging, Dean of Students, or designee at least 48 hours in advance. While notification is recommended, spontaneous demonstrations are also permitted in designated spaces.
4. Non-Discrimination and Respect for Others: Expressive speech activities must adhere to Rhodes' non-discrimination policy and respect for others. Speech that incites violence, harasses individuals, or creates a hostile environment is not protected under this policy. Disagreements and debates should be conducted civilly and respectfully.
5. Guest Speakers and Invitations: Rhodes encourages inviting diverse guest speakers and viewpoints to enhance the intellectual diversity on campus. Divisions, departments, offices, and recognized student organizations may invite speakers of their choice, subject to established campus procedures for event planning and safety.

### Organizers

A currently enrolled student at the college or recognized student organization must be the designated organizer for any expressive activity. Any off-campus person or entity not affiliated with the College wishing to hold such activity on campus must be sponsored by a recognized student organization. Organizers and associated participants speak only for themselves in public events and actions.

The organizer must ensure the event complies with existing College policies and procedures and applicable state and federal laws and regulations. Organizers intending to use city sidewalks and streets adjacent to the College should make appropriate arrangements with the city of Memphis.

The organizer of any event held on campus will be responsible for ensuring its smooth and orderly execution and any potential liability. The student organizer(s) must also coordinate security, cleanup, and parking arrangements with the Division of Student Life and Campus Safety.

Campus Safety will review the information the organizer(s) provide and make security and staffing determinations. Recommendations may include but are not limited to additional security staffing, barricades, traffic control, parking control, or venue security. Organizers must cover the costs of any other protection needed for the expressive event.

Requests for promotional support from the Office of Communication must be made promptly, usually at least three weeks before the event. It should be noted that the College reserves the right to promote or not promote an event based on available resources or the nature of the event.

### Length of Demonstration Event

The length of any given event may vary. However, campus events will occur within 24 hours; no overnight or multiple-day events are allowed. Events occurring inside spaces must comply with building schedules for opening and closing times, as determined during the space reservation process before the event. Within the above-stated timing parameters, expressive activities will be permitted to continue until and unless the College officials determine that there has been a violation of College policy, interruption of its operations, or the rights of others have been compromised.

### Designated Spaces

Rhodes sets specific campus areas as demonstration spaces for students to engage in peaceful and organized protests. These spaces are accessible and conducive to expressing viewpoints while minimizing disruption to academic and administrative activities.

Expressive speech and activities are conducted in designated spaces approved for reservation by individuals, departments, and recognized organizations. The Division of Student Life, Office of College Events, or Campus Safety can provide interested parties with a list of the available spaces upon request. Expressive activities are not allowed in specific locations such as classrooms, offices, the library, residence hall rooms, and lecture halls to ensure that normal college activities can continue without interruptions. The organizers ensure that corridors, stairways, and doorway entrances remain clear and provide unimpeded passage.

### Space Reservation

Faculty and staff organizers of expressive activity events that require a College space are expected to reserve the room on the Events Management online portal. Students planning an event should consult with the Offices of Student Engagement and College Events to make space reservations. These spaces need to be reserved at least two weeks in advance. If an event cannot be planned, the Organizer/Liaison must contact the Dean of Students or Dean of Belonging to determine the space availability and provide contact information before the event begins. Once an event is scheduled, the Office of College Events and the appropriate administrative office (\ Dean of Belonging or Dean of Students) will assist with planning the event details as needed and helpful.

### Permissible forms Demonstrations & Protests

Engaging in activities in periods or physical spaces that are external to the event and do not disrupt the event, such as organizing a counter-event (e.g., teach-in) in a different room, holding a rally in an external space, passing resolutions, issuing pre-post event statements, carry signs, distributing flyers and using social media to expressive counterinterviews.

Engaging in activities at the event that do not disrupt the event, such as distributing flyers before and after the event, participating in the interactive components of the events in ways that are consistent with the event format (e.g., engagement during the question-and-answer periods), and holding signs that do not block audience members' views of the event.

## Signage

Temporary placards, banners, chalking, and signs used for expressing oneself must comply with the policy outlined in the College Handbook. These items must not harm others or obstruct their participation in the college's activities. If any items fail to meet these expectations, they will be removed.

## Campus Disruption

A member of the student body (1) must not prevent or disrupt the effective carrying out of a College function or approved activity, such as lectures, meetings, interviews, ceremonies, conducting college business in an office, and public events, or (2) obstruct the legitimate movement of any person about the campus or in any campus building or facility.

Members of the student body must leave a campus building or facility when asked to do so in the furtherance of the above regulations by a member of the College community acting in an official role and identifying themselves as such; members of the student body also must identify themselves when requested to do so by such a member of the College community who has reasonable grounds to believe that the person(s) has violated section (1) or (2) of this policy and who has so informed the person(s).

The policy applies to the following actions: refusal to leave a building that has been declared closed; obstructing the passage into or out of buildings by sitting in front of doorways; preventing college employees from entering and exiting their workplace; preventing members of a class from hearing a lecture or taking an examination, or preventing the instructor/speaker from giving a talk, employing shouts, interruptions, or chants; refusing to leave a closed meeting when unauthorized to attend; and intruding upon or refusing to leave a private interview.

While the above are examples of extraordinarily disruptive behavior, applying the policy also considers situational factors. Thus, for example, appropriate conduct at a political rally might violate the Policy on Campus Disruptions if it occurs within a classroom.

No "ordinary" penalty attaches to violations of this policy. Infractions may lead to penalties up to suspension or expulsion. The gravity of the offense and the student's prior conduct are considered; however, the more serious the offense, the less it matters that a student has otherwise not done wrong.

**Enforcement and Consequences:** Violations of this policy are addressed through established Standards of Conduct processes. Consequences for violating the policy may range from warnings to more severe outcomes, depending on the severity and frequency of the violation.

Rhodes College recognizes the importance of this policy in upholding its commitment to intellectual freedom, open discourse, and the pursuit of knowledge. By providing designated protest spaces and fostering an environment where diverse viewpoints can be expressed and debated, Rhodes seeks to prepare students for engaged and informed citizenship in a democratic society.

## Campus Posting Policy

Students who wish to advertise their events or post informational material on campus are subject to the following guidelines:

- All posted information must include the name of the sponsoring organization, department, office, or responsible party, as well as the title, date, time, and location of the program.
- All posters, chalking, flyers, advertisements, displays, and signage must be posted in such a manner that they may be easily removed and will not damage or deface the surface to which they are attached. Individuals and organizations should use painter's tape or masking tap when posting on campus.
- Individuals or organizations who post materials are responsible for removing these materials no later than 48 hours after the event has taken place.
- No individual or organization with posters or chalking for display may cover or remove any other approved materials that have not gone beyond their assigned posting dates.
- All posters, chalking, flyers, advertisements, displays, and signage are subject to College policy and must not be "socially offensive". Content must abide by the College's Commitment to Diversity and should not be harassing, discriminatory, or bullying in any way.
- No posters, chalking, flyers, advertisements, displays, or signage may be attached to the fence surrounding campus, to a window of a door, or to sculptures or statues.
- No postings may be placed in elevators, on fire escapes, mirrors, fences, lampposts, or trees. Postings on doors and windows cannot obstruct the view of someone using such door/window.
- Posters are not permitted to be posted on entrances to the Refectory, Burrow Hall, Briggs Hall, BCLC, Robertson Hall, or Barret Library.
- Postings, flyers, advertisements, and other notices are not permitted to be slipped under or placed on residence hall room doors without approval of the Dean of Equity and Engagement/Director of Residence Life.
- Due to the College's non-profit status, political campaign signs are not permitted in public spaces on campus.
- Chalking is limited to sidewalks only.
- Alcohol must not be mentioned in any materials.
- Items may not be dangerous or physically impede the participation of others in the life of the College.
- Items may not damage or deface the door, wall or other surface on which they are affixed.
- Items that do not comply with these rules will be removed.

Neither on-campus nor off-campus organizations may post or chalk without prior approval from the Dean of Belonging/Director Residence Life.



**Please note: Failure to abide by these policies may lead to loss of posting privileges, College recognition, and/or disciplinary action from the College. Violations of the posting policy may referred to the Office of Community Standards.**

## **Violations**

The College has an obligation to develop policies and procedures that safeguard the freedom of expression while maintaining an atmosphere conducive to the overall functioning of the College and the commitment to academic freedom. Each member of the community is expected to be respectful of the corollary right of other community members to perform their duties and participate in the life of the College free from disruption, interference, or harassment. Violations of this policy can result in the immediate cancelation of an event, payment of expenses incurred to remove or repair damage from non-conforming signs, and/or all relevant disciplinary actions that fall under the appropriate section(s) of the College Handbook. In order to avoid any misunderstanding of what are peaceful, permitted, and safe expressive activities, the following non-exhaustive list of prohibited behaviors and characteristics is provided as examples.

### **Violations of this policy include activities that**

- Violate any Rhodes policy, including those in the Student Handbook
- Physically or otherwise impede the daily business of the College;
- Employ or threaten to use force or violence against another person or property;
- Place the health or safety of others at risk;
- Create a volume of noise that prevents community members from carrying on normal activities;
- Intimidate others, and/or deny or unreasonably interfere with the rights of others;
- Violate any obligation, policy or requirement of Rhodes College concerning privacy or confidentiality in any manner or form;
- Violate any other federal or state laws or ethical standards.

## **Questions or Appeals**

Any questions or appeals of decisions regarding such events should be directed to the Office of Academic Affairs or Division of Student Life. They will consult with others on campus as needed to finalize a response to the appeal.

It should be noted that when the physical safety of the Rhodes community is threatened, the college reserves the right to cancel an event.

## **Extreme Weather**

Rhodes' extreme weather policy provides for making a decision to close or to delay opening the College when weather conditions warrant. There are two specific provisions for communicating that decision to all students, faculty and staff. These procedures will be used only if Rhodes closes or if its schedule is altered. If the College is closed or opening is delayed, all Physical Plant and Campus Safety personnel should contact their supervisors for information about their schedules.

1. An email and text message will be sent to your cell phone and email address.
2. Closing or altered schedule information will be posted to the Rhodes College webpage.

## **Good Neighbor Policy**

Rhodes College values all community members, including those outside our gates. The College strives to build positive, respectful, and civil relationships with our community neighbors to ensure positive, open streams of dialogue.

Rhodes students, whether living on or off campus, should be respectful of the people who live in the neighborhoods surrounding Rhodes. We are committed to reducing quality of life concerns such as loud noise, abusive behaviors (i.e., fighting, bullying, etc.), harassment, underage drinking, and drug abuse, which may negatively impact life on and off campus.

Quality of life concerns included but are not limited to:

- High-risk behavior and large parties where alcohol is provided to guests
- Vandalism and theft of property;
- Excessive noise in the community that exceeds city ordinances;
- Driving while impaired or taking other risks while behind the wheel;
- Fighting and harassing behaviors;
- Failing to dispose of trash.

If a student is living in an off-campus residence with one or more other students or non-students and the residence is found by the College to be violation of the Good Neighbor Policy or other policies and regulations or to be adversely affecting the College's relationship with the neighboring community, all Rhodes College students who are residents may be subject to corrective action through the College's Community Standards process, even if the conduct of an individual resident cannot be specifically identified.

## **Good Neighbor Guidelines**

Any Rhodes College student residing off campus is encouraged to engage with their fellow community members/neighbors:

1. Introduce yourself: Get to know your neighbors. Introduce yourself to them when you first move in or early in the semester and exchange contact information.
2. Respect your neighbors' lifestyle: Depending on your neighborhood, there may be other students, working adults, or families with young children living near you. Be aware and respectful of your neighbors' daily schedule and remember that they may have to work, get up early the next morning, or have young children at home.
3. Keep the noise down: Abide by the City of Memphis [noise ordinances](#) and avoid creating loud noises that may disturb your neighbors.
4. Keep your yard/residence neat and picked-up: Practice proper yard maintenance and ensure you pick up any litter from your yard or the area around your residence.

5. Park your car(s) in appropriate spaces: Learn the acceptable and legal places for parking at your house or apartment. In particular, it is a violation of a Metro Nashville ordinance to block a sidewalk or driveway with a parked vehicle.
6. Be responsible when hosting gatherings: Let your neighbors know in advance if you are planning a social gathering at your house. Keep the number of guests at a manageable level, determine a time for the gathering to end, and have plenty of trashcans available so guests can discard their litter as they leave. Remember that all tenants of the house or apartment are responsible for behavior that occurs on the premises.
7. Communicate: Invite your neighbors to contact you if there are any problems at your house and discuss concerns with your neighbors as soon as they arise.
8. Be familiar with state and local laws and Rhodes College policies regarding behavior, alcohol, and drugs.

## Identification Cards

All students and employees are required to have a Lynx Card I.D. Members of the Rhodes community may be asked by Campus Safety Officers to identify themselves with their Lynx Cards. Lynx Cards are also required by the Barret Library to check-out books and for the mailroom in order to pick up mail and packages. They are also used to access meal plans in the Refectory and for admission to various College events.

Lynx Cards are made for first-year students at the beginning of each school year. New and replacement cards are produced at Rhodes Express. Lost cards can be replaced for a \$10.00 fee.

The Lynx Card can also be used to make purchases in the Lynx Lair and the Rhodes Bookstore. Funds can be deposited into the Lynx\$ account through the Rhodes website at [https://www.rhodes.edu/student-life/services-support/rhodes-express/payment-services#Lynx\\$](https://www.rhodes.edu/student-life/services-support/rhodes-express/payment-services#Lynx$). Purchases made in the Lynx Lair or Bookstore are deducted from the Lynx\$ account and the new balance is displayed to the cardholder at the point of sale. Further information regarding the use of Lynx\$ is available at Rhodes Express.

## Student Immunization Policy

This policy applies to all the students enrolled in undergraduate and graduate programs at Rhodes College.

The Tennessee Department of Health has immunization requirements for those who attend college. All students should review the information at the [Tennessee Department of Health, College Immunizations](#).

Rhodes College developed the following pre-entrance immunization requirements based on recommendations of the American College Health Association, the Advisory Committee on Immunization Practices of the Center for Disease Control, and the Tennessee Department of Health.

Required Vaccinations for All Students Before Starting Classes Rhodes College requires that every student (undergraduate and graduate) who attends classes on campus or has an on-campus component to their program must show proof of receiving the following vaccinations before coming onto campus.

Required to submit records for the following vaccinations:

- Measles, Mumps, Rubella (2 doses of each, usually given together as MMR).
- Varicella (2 doses or credible history of disease)
- Hepatitis B (HBV) – only health science students are expected to have patient contact (before contact begins).
- Meningococcal - At a minimum of 1 dose given at 16 years of age, under 22, and living in on-campus housing
- TD/Tdap booster in the past ten (10) years.
- Completed TB Screen (a TB skin or equivalent test, chest x-ray, or proof of BCG vaccine).

*A positive serology (year of test documented) is acceptable as an alternative to immunization for measles, mumps, rubella, hepatitis B, or varicella. For varicella, documentation of provider-diagnosed varicella or provider-verified credible history of disease given by a parent or guardian is also acceptable. By documenting a history of disease, the provider is asserting they are convinced that the student has had chickenpox.*

Recommended vaccinations:

- COVID-19 Booster doses are recommended by CDC.
- Hepatitis B vaccine: 3 doses
- Hepatitis A vaccine: 2 doses
- Varicella vaccine: 2 doses (if no history of chickenpox)
- Human Papillomavirus (HPV) vaccine: 2 doses
- Annual influenza (flu) vaccine

### **Process for Submitting Immunization Records**

Before moving on campus and or before the first day of classes, first-year undergraduate and graduate students must upload an Immunization Record completed and signed by a healthcare provider to the student's Mediat patient portal or fax it to the Student Health Center (SHC). The annual deadline is on or around July 15 and is communicated on the SHC website, Mediat, and through communications to incoming first-year students. Medical and Religious Exemption forms are on the SHC website, in the student's Mediat account, or can be requested by emailing [health@rhodes.edu](mailto:health@rhodes.edu). Students requesting a medical or religious exemption should upload a completed exemption form and supporting documentation to their Mediat account. Exemptions must be approved before moving on to campus and before the first day of classes.

Students requesting a medical or religious exemption should upload a completed exemption form and supporting documentation to their Mediat account.

Exemptions must be approved before moving on to campus and before the first day of classes.

## Information Services

Information Services is located in Barret Library. Technology resources include cloud file storage, network printing, e-mail, computer labs, classroom AV, and internet access throughout campus. This policy addresses the responsible use of information and technology resources at Rhodes.

Students are given network user accounts after enrolling. These accounts are for use in work related to the user's role at Rhodes. Through a network user account, students have secure access to e-mail, cloud file storage, and printing. Students are responsible for all usage in their network user account.

**Definitions.** The following definitions apply to the policies and guidelines for appropriate usage of technology at Rhodes College.

- “Rhodes computers” refers to computing equipment purchased with institutional funds as well as to computing equipment purchased with personal funds but authorized for and placed on a mediate or immediate location on the Rhodes network.
- “Authorized computers” refers to Rhodes computers that have been inspected by Rhodes Information Services division personnel and certified for connection to the Rhodes network in its configuration. Subsequent hardware, software, or operating system configurations of the same machine may require reauthorization. Authorized computers must conform to the standards as defined below. Requests for exceptions to the standard must be made to the appropriate dean or vice president before a machine maybe purchased or submitted for authorization for a network connection.
- “Appropriate dean or vice president” refers to one’s corresponding representative at the level of dean or vice president. For example, students are to contact the Dean of Students, faculty the Dean of the Faculty, and staff their divisional head.
- “Information Services” refers to the array of services provided by the division of Information Services and includes equipment procurement, equipment support, user support, and system and account administration.
- “Authorized users” (hereafter also “users” unless specified as “unauthorized users”) refers to individuals who may exercise the privilege to use Rhodes computers or Rhodes information services. Use of the Rhodes computers is limited to those persons identified under the following item, User Privileges, and is subject to the following standards of use.

**User Privileges.** Any Rhodes faculty, staff, or student, full-time or part-time, may use the Rhodes computers for any academic purpose. No employee or student may use Rhodes computers for commercial ventures. No employee or student may use Rhodes computers on behalf of external organizations or persons unless such use is directly related to Rhodes courses or to faculty research and professional development and is approved by the appropriate dean or vice president.

## User Responsibilities

**Cooperative Use.** Collegiality demands the practice of cooperative computing. In addition to following the intent of other policy statements on student conduct and employee conduct, it entails:

- Regular deletion of unneeded files from one's accounts on shared computing resources.
- Refraining from overuse of connect time, and network services such as information storage space, printing facilities, processing capacity and bandwidth.
- Refraining from use of sounds and visuals, which might be disruptive or offensive to others.
- Refraining from use of any computing resource in an irresponsible manner.
- Refraining from unauthorized use of departmental or individual computing resources.

**Violations.** Violation of any portion of the Computer Usage Policies will result in suspension of one's privileges for use of Rhodes computers and information technology services until the appropriate dean or vice president approves reauthorization of access to equipment and services, in addition to any other penalty that maybe imposed under other College rules. Users must not conceal or help to conceal or "cover up" violations by any party. Users are expected to report any evidence of actual or suspected violation of these policies to the Chief Information Officer.

Rhodes College is authorized to investigate alleged or apparent violations of college policy or applicable law using whatever means appropriate. Rhodes reserves the right to monitor use of Rhodes computers and to access, inspect and/or download any and all information stored on Rhodes' computers in the course of such investigation. Information Services is authorized by the college to investigate policy violations and apply reduction or elimination of access privileges while the matter is under review and/or as a penalty for violations. These sanctions may apply to computing accounts, networks, college-administered computing rooms, and other services or facilities. A college user respondent of a violation will be notified of the charge and will have an opportunity to respond to the appropriate College authority before a final determination of any penalty.

**Unauthorized Access.** Users must not access or attempt to access data or services on a college system they are not authorized to access. Users must not defeat or attempt to defeat any college system's security, for example, by 'cracking' or guessing user identifications or passwords. Additionally, users must not permit or assist any unauthorized person to access college systems. Unauthorized use includes giving a valid username and password to any unauthorized individual, business, or agency outside of the Rhodes community. Unauthorized use also includes giving an authorized user access to a service or equipment for which the user is not authorized by giving a valid username and password. Users are responsible for the security of their college system accounts and passwords. Accounts and passwords are not to be shared. Users are presumed to be responsible for any activity carried out under their college system accounts. Users must not conceal their identity when using college systems, except when anonymous access is explicitly provided. Users must not masquerade as or impersonate others.

**Unauthorized Services.** Users must not run unauthorized servers, including but not limited to DNS, DHCP, email, file sharing, print, video or audio streaming, web, peer-to-peer, or other application services. Such services disrupt and in some cases disable central services. Authorization to run a service may be obtained upon approval from the Chief Information Officer.

**Denial or Disruption of Service.** Users must not deny or disrupt or attempt to deny or disrupt service to other users by means of excessive consumption of resources, distribution of computer "worms" or viruses, excessive computing load or deliberately causing the failure of any system resource, including email, bandwidth, or web services. Knowing or reckless distribution of unwanted mail or other

messages is prohibited. Uses of computer resources that may cause excessive network traffic are prohibited. Equipment causing service disruptions will be removed from the network immediately, the user notified of the removal, and then arrangements made for repairing the equipment to avoid further disruption upon reconnection to the network.

**Data Networks.** Users publish information in electronic forms on Rhodes equipment and/or over Rhodes's networks. Rhodes has no intention or opportunity to screen such private material and thus cannot assure its accuracy or assume any responsibility for this material. Users must observe all applicable policies and laws when using such networks. Users must not download or post material that is illegal, such as child pornography, or proprietary, such as copyrighted music, software, video, text or other intellectual property. Discovery of such material will result in its immediate removal and possible disciplinary action.

**Modification of Data or Equipment.** Without specific authorization, users of college systems must not cause, permit, or attempt any destruction or modification of data or computing or communications equipment, including but not limited to alteration of data, reconfiguration of control switches or parameters, or changes in firmware. Users must not make or attempt to make any deliberate, unauthorized changes to data on a college system. Users must not intercept or attempt to intercept data communications not intended for that user's access, for example, by 'promiscuous' bus monitoring, network "sniffing," port scanning, wiretapping, or using an unprotected system that has been logged on. Without specific authorization by the Chief Information Officer, users must not remove any College-owned or -administered equipment or documents from a college system. This rule protects data, computing and communications equipment owned by Rhodes College, or any other person or entity authorized as part of the Rhodes computing community.

**Network Services.** The use of the network is a privilege, which may temporarily be revoked at any time for abusive conduct. Such conduct includes but is not limited to the placing of unlawful information on a system, the use of objectionable language, running unauthorized servers, unaddressed virus or malware infections, and any other type of use that would cause congestion or security risk of the network or otherwise interfere with the work of others. It is a violation of College policy to assume the identity of others in e-mail and other network communication.

**Misuse of Computer Resources.** The College assumes that individuals will treat all of the facilities with respect and consideration for other users. Computers are available on a first come, first served basis. If a problem is discovered with Rhodes College computer equipment, it should be reported immediately to the Information Desk. Students are expected to abide by the rules of usage as posted in the labs.

**Residence Hall Network.** All residence halls have WiFi service available throughout the building. Students are not to tamper with wireless access points. Damage to access points will result in fines being charged to students and/or to all of the students on the entire floor. To minimize interference, students should not use wireless printers in their dorm rooms. Printers should have the wireless feature turned off and a wired connection to their computer (e.g. via USB) used instead.

**IDs and Passwords.** We want to protect the privacy and security of your personal information and resource access at Rhodes. It is a violation to post a public image of your Rhodes ID card or share your network password with anyone. If you believe that your password has been compromised,

please contact [help@rhodes.edu](mailto:help@rhodes.edu) to have your password reset. We also require that all students, faculty, and staff use multi-factor authentication to validate password submission, providing a second layer of protection to your account credentials.

**Misuse of Internet Resources.** In keeping with Rhodes' tradition of student self-governance, students are expected to use the network in ways consistent with codes of conduct established in the Honor Code and the Standards of the Rhodes Community.

**Help Desk.** The Help Desk is the central place from which technical problems are solved. The technician who receives your call will attempt to resolve the issue over the phone. If, however, the technician is unable to solve the problem in a few minutes, then they will assign your call to a staff member who will respond in a timely manner depending on the priority of the request. Call 901-843-3890 or email [help@rhodes.edu](mailto:help@rhodes.edu).

**The Computer Depot.** The Computer Depot is a student run service that provides free computer support for students on campus. These services include virus removal, wireless troubleshooting, hardware and software troubleshooting, and data restore and backup. The Computer Depot is located on the main floor of the Barret Library in the Information Commons (Barret 124).

**Printers.** Print release stations (aka "PrintHubs") are located throughout Barret Library and many other buildings on campus. Students are allocated \$100.00 credit of free printing on August 1. Printing is charged at a rate of \$.10 per page for black and white and \$.25 per page for color.

## Mail Services

The Rhodes College Mail Center is located on the lower floor of Burrow Hall and operating hours are 8:00 a.m. to 5:00 p.m. Monday – Friday.

The Mail Center is operated by Ricoh, USA and the staff coordinates and manages all mail services for the entire college - faculty, staff, student organizations, and students, including commuter students.

The Mail Center accepts deliveries from the USPS, Federal Express, UPS, DHL, and Amazon. Other large or shipments via truck requiring a loading dock should be coordinated with and delivered to Physical Plant.

### Commercial Window Services

Students, faculty, and staff may purchase stamps, postage, and other shipping services (UPS, Express Mail, Federal Express, etc.) using cash or credit card during retail business hours 8:00 a.m. to 5:00 p.m. – Monday through Friday.

Departmental services including stamps, shipping services, and metered mail must accompany a [Mail Services Request Form](#) to ensure proper billing to a Rhodes departmental account number.

### Student Mailboxes

Students are assigned mailbox numbers, which they will keep for the duration of their time enrolled in the college. Students will receive an email notification when mail or a package is checked into



the Ricoh TRAC system. Students will also receive up to three email reminders for items not yet picked up; reminders are sent every three days.

To access mail and packages, students scan their Rhodes ID at the kiosk located in the Mail Center lobby to alert Mail Center staff to retrieve their items. A Rhodes ID (or other form of photo identification) and signature are required to check items out of the Center.

**It is important that the student's complete name and mailbox number is included in the recipient address and should be in the following format:**

**JOHN DOE  
Rhodes College  
2000 North Parkway, Box 1255  
Memphis, TN 38112**

If students are away from campus for an extended period and wish to have their mail and packages forwarded to their home or other address, they must advise the Mail Services staff of such in writing or via email. The postage costs for forwarding mail will be assessed to the student's billing account by the Bursar.

Upon matriculation, students are encouraged to submit change of address or mail forwarding orders with the U.S. Postal Service to avoid delays and additional postage costs.

### **Intra-campus Mail**

To facilitate college business and campus-wide communication, an intra-campus/non-stamped mail service is provided for faculty, staff and students.

- The correct name and department of the individual addressee must be clearly written on the outside of the mailing piece.
- When sending information to students please clearly write the name and box number on the outside of the mailing piece.
- Student box numbers, faculty, and staff departments can be found in the [Rhodes Directory](#).
- Confidentiality is the responsibility of the sender, and all mail should be placed in sealed envelopes or stapled.
- Mailing pieces must measure at least 3" x 5".
- Multiple communications numbering 30 or more will be distributed by the sender, anytime between 8:30 a.m. and 4:00 p.m. Monday - Friday.
- The Mail Center has two drop boxes located next to the Commercial Window that will be used for collecting the Outgoing Mail-Postage Affixed, Faculty/Staff Mail, and Student Mail.
- Those organizations or departments that regularly mail multiple communications through intra-campus mail are asked to schedule the distribution of their newsletter or communication pieces with Mail Services.

Note: No money should be placed in the Intra-campus Mail System at any time.

### **Bulk Mail**

To qualify for bulk rates, there must be 200 or more pieces of non-foreign mail, all weighing the same amount. The return address of the College must appear on the front of the mail piece. Each department/mailer is responsible for scheduling bulk mailings with the Marketing and Communications office by filling out a Communications request.

### **Metered-Bulk Mail**

Sealing and metering is a function of Mail Services. The present equipment seals letter-size mail only. Departments are responsible for inserting contents into envelopes. Do not overstuff letter size envelopes. Envelopes containing sheets of paper stapled together must have the paper inserted so that the staple is located in either the upper left or lower left side of the envelope to prevent damage to the campus meter.

If mail requires sealing; be sure not to overlap envelopes. Leave flaps down on all letter mail requiring sealing. Mail already sealed by a department, but requiring metering, must be separated from mail that requires sealing and metering to prevent envelopes from being torn while being processed through the meterhead in the sealing mode.

### **Permit (non-metered) Mail**

All permit mail requires advance planning and coordination with Mail Services. This will assure that money is deposited with the USPS and that proper preparation is achieved.

### **Postal Regulations and General Information**

Questions concerning postal regulations, design of mailing pieces, or mail preparation should be directed to the Mail Center Manager at 901-843-3239.

### **Noise**

Students are expected to be respectful of their neighbors and of their greater community by always keeping noise at a reasonable level. This pertains to music, conversation, television, and all other sounds.

1. Live or amplified music on the Rhodes campus must cease by 10:00 p.m. or upon complaint on Sunday through Thursday nights, and by 1:00 a.m. on weekends (Friday and Saturday nights).
2. Quiet Hours begin in all Residence Halls at 10:00 p.m. Sunday-Thursday. On Friday and Saturday evenings quiet hours begin at 1:00 a.m.
3. All music or other sound, from whatever source, at any fraternity or sorority lodge, residence hall room, social room, or any other location on the Rhodes campus must be kept at a reasonable level at all times. The location of the event, the day of the week, and the time of day will be taken into consideration in determining what constitutes a "reasonable" sound level. Any sound that is easily audible outside the immediate area of its source must conform to the standards set forth in the preceding paragraph, particularly with respect to the stated days and times.

4. Both registered or informal events must comply with the policy; it is the collective responsibility of those participating in such events to ensure compliance.
5. Any College official has the authority to require compliance and report violations of this policy.
6. Failure to reduce noise upon reasonable request, whether by a college official or another member of the Rhodes community, is a violation of this policy.

## **Outside Cooking Grills**

There are a number of outside cooking grills available for student use in common areas. The use of grills is prohibited within 50 feet of any residence building.

## **Parking and Vehicle Use on Campus**

### **Parking and Registration of Vehicles**

The Occupational Safety and Health Act (OSHA), Memphis Fire Protection Laws and insurance regulations as well as general safety precautions make parking and traffic control on campus a necessity. Written regulations and appropriate signage are established to facilitate traffic flow, control parking and protect fire lanes and unloading areas as designated. In consultation with the Rhodes Student Government, the Social Regulations Council, the Traffic Appeals Committee and various other representatives of the Rhodes community, regulations and procedures have been developed for using a motor vehicle on campus. If you have any questions, please contact the Campus Safety office at 901-843-3880.

All members of the Rhodes community who park on campus are required to register their vehicles, motorcycles and bicycles with the Campus Safety Department and display a current registration decal, if they plan on either driving or parking on campus property. If a member of the Rhodes community drives a vehicle or motorcycle on campus, it must be registered with either a permanent or temporary registration decal. (Exceptions only by the direction of the Campus Safety Director or designee)

All students will go online and complete the Request for Parking Permit form found after going to Campus Safety, then Parking on the left side of the web page. This is to be completed for cars, motorcycles and bicycles.

Students who intend to use a vehicle on campus have to have a decal displayed. After having registered online, students will be notified via email to pick up the decals at Rhodes Express in Burrow.

Students who will not be using a vehicle on campus and/or plan to park off campus should also complete the appropriate portion of the same form and return it to the Campus Safety Office.

Faculty and Staff should register their vehicles online. Persons choosing not to register their vehicles for campus parking must still abide by all "off campus" parking regulations as listed below.

### **Registration Decals**

Decals are colored to indicate registration information and specified parking areas. They must be properly affixed to the lower left, inside driver's side front windshield.

### **Handicap Parking (to include temporary handicap)**

Vehicles parked in handicap spaces must display proper handicap placard or license information. The Memphis Police Department and Campus Safety can also cite violations with fines of \$50 to \$100.

If a "temporary" need to park in a handicap space arises for students, a petition must be made to the Director of Student Accessibility Services.

### **Vehicle Use on Campus**

#### **Entering Campus**

When a Campus Safety officer is on duty at any entrance onto the campus, drivers without decals must stop before entering.

#### **Moving Vehicle Regulations**

The maximum posted speed limit is 15 mph. Vehicle operators must have their vehicles under control at all times and further give the appearance that control is being maintained. Speeding or the appearance of speeding or the appearance of lack of control may constitute reckless driving. It is also a standard of all traffic law to practice courtesy and good judgment at all times when behind the wheel.

Driving under the influence of drugs/alcohol on campus is strictly prohibited.

Driving is permitted only on designated, surfaced drives. No vehicles are allowed on grass, lawns or fields without special permission.

"Disregarding Stop Sign Violations" will also be cited as a moving violation.

#### **No Parking Areas**

Off ramps, such as those behind Clough Hall and Rhodes Physics Tower provide access to buildings for firefighting equipment and must remain open. Additionally, off ramps provide routes of egress to open areas from many of the campus buildings in case of fire and must be kept free of

parked vehicles. If a space is not laned or marked as a parking space, it is considered a violation to park in the space and will be cited as such.

Fire lanes are currently designated as follows:

The lane north/south between Clough Hall and the Physics Tower and Voorhies, Townsend, Williford and Robinson Halls.

The lane north/south between Kennedy Hall and Halliburton Tower and the Robb/White/Ellett Halls, the Refectory, and the Health Center and the Bryan Campus Life Center known as Thomas Lane.

From the "Y" at sorority row east to the Charles Place Gate.

East Village Lane between North Parkway and Bailey Lane.

Gates and barriers at most of these locations are accessible with Fire Department and Campus Safety key devices only. Persons who park in these areas are not only in violation of Rhodes parking regulations, but of the City of Memphis Ordinances as well. Violators' vehicles could be towed by the City of Memphis in addition to a citation from the Memphis Police Department. Campus Safety may also cite violators' vehicles.

### **Illegal Parking**

All legal parking areas within the college complex are clearly indicated both on site and in publications. Parking in areas other than those properly lined as parking spaces is a violation and will be cited. Parking along curbs, unless clearly marked as a parking space or unless otherwise authorized is strictly prohibited.

Visitor parking is considered "reserved" 24 hours per day, seven days a week. Areas designated as visitor parking are strictly reserved for visitors to the campus only. Unauthorized parking will be cited and vehicle may be towed.

### **Off Campus Parking**

While parking on campus is recommended, those who choose to park on streets near Rhodes should be aware of restrictions imposed by both the City of Memphis and also those regulations held by Rhodes College. All persons are expected to comply with the below "off campus" parking regulations.

City of Memphis parking restrictions are so marked.

Rhodes College restricts parking in the following areas where no Rhodes community members are allowed to park: 1) North side of Snowden west of University; 2) South side of Snowden, west of the alley behind Stewart Hall, 3) North side of Tutwiler, west of the entrance to Spann/Stewart Parking lot, 4) South side of Tutwiler, 5) the entire perimeter of Evergreen Church to include the

north curb along Tutwiler and the east curb along University St. These restrictions apply to all members of the Rhodes community.

These restrictions are lawfully supported under an agreement heretofore made with the Vollintine-Evergreen Community Association and Rhodes under the direction of the Shelby County Land Use Board.

### **Temporary Parking Locations**

Temporary parking for loading and unloading have been designated and so marked. These areas are for the specific use of loading and unloading and authorized for fifteen (15) minute periods only and further for loading and unloading only. Use of these areas for any other reason is strictly prohibited.

### **Obstructing Traffic Charges**

If a vehicle is parked in such a way whereby two vehicles cannot pass abreast of each other safely because of the parked vehicle, it will be cited for obstructing traffic.

### **Use of Emergency Flashers**

Use of emergency flashers DOES NOT justify parking in violation of regulations and IS NOT an appropriate cause for appeal. Use of flashers does not legitimize a violation of parking regulations. Time elapsed is not an element of a violation. Violating a parking regulation "for only two minutes to run inside" is not a defense for the violation.

### **Penalties**

Fines assessed for traffic and parking violations are indicated on the citation. Payment of the fine is required within ten (10) days of the date of issue unless appealed.

### **Appeal of Citations**

If students believe they have received a citation in error, they may ask for an appeal of the charges through the Traffic Appeals Board. This board is made up of representatives from the faculty, staff and student populations and is also very involved in the development of all traffic and parking control regulations.

To file an appeal, the student or employee must do so within (10) calendar days of the offense. Otherwise the right to appeal is forfeited.

Appeals should be filed on-line via Express Rhodes from <http://express.rhodes.edu/documents-forms/miscellaneous/parking-citation-appeal>.

All of the pertinent details such as the citation number, time and date issued, location, name and R number of the citation recipient must be included.

Appeals are heard several times each semester and outcomes are emailed. All appeals will be heard before the end of the academic year and all will be notified of the outcome.

## **Accidents**

Please remember that accidents do happen. Should you bump another vehicle or become involved in an accident on campus, call Campus Safety immediately. Hit and run offenses are taken very seriously and can result in serious consequences.

## **Visitors/Guests and Parking**

Visitors are always welcome at Rhodes and visitor parking is available on campus. All visitor (non-decaled vehicles) must stop and their vehicle information/name/destination registered at the entry gate.

If you have a bus drop-off, special parking needs, or questions about where to park, please call Campus Safety at 901-843-3880.

## **Deliveries and Transportation**

Deliveries such as flowers, gifts, and mail should be directed to the Mail Center Monday- Friday 8 a.m. – 4 p.m. After hours and weekend mail, flowers, and gifts will be accepted at the Campus Safety Office at #5 Spann. All deliveries will be taken to the Mail Center first thing Monday morning.

When having food delivered, be prepared to meet the driver at the main gate, Bailey Gate.

For cabs, Uber, Lyft, and other transportation, go to Bailey Gate, and meet them in the cut out across from West Village. These services will not be allowed unlimited access to campus.

## **Restroom Access**

Rhodes community members have the right to use restrooms that correspond with their sex, gender identity, and/or gender expression without being questioned by others about their restroom choices. All community members are entitled to determine which restroom options are the most appropriate and safest options for them at any time. Any community member who has a need or desire for increased privacy, regardless of reason, shall have access to a single-stall, all-gender/gender inclusive restroom.

## **Social Media**

### **Social Media Policy**

As social media has evolved over the years, we have seen both the positive and negative impact such platforms can have. Rhodes College believes that social media can be a tool to promote ideas, build community, share information, and facilitate learning. Rhodes is committed to providing an atmosphere in which students are free to express themselves creatively and stay connected using

social networking platforms. However, we know from experience that social media, when used without care, can also have an impact in ways that are contrary to our values and diminish us individually and as a community. Improper use of social media can also pose risk to the College's confidential and proprietary information, reputation, and brand, as well as jeopardize the College's compliance with applicable laws and regulations.

"Social media" as referenced in this policy refers to any website, platform or application that allows users to create and share content or participate in digital social networking. Social media platforms develop and change at a rapid pace, and the policy may be revised from time to time as new platforms are developed and new concerns are identified. The lack of explicit reference to a specific site does not limit the extent of the application of this policy.

### **Official Use**

Rhodes students seeking to represent Rhodes via social media outlets, for example by running the social media account of a Rhodes student organization, must do the following:

1. Observe all obligations, policies and requirements of Rhodes College concerning privacy and confidentiality.
2. Conduct themselves at all times in a respectful, professional manner as representatives of the College, and accordingly, adhere to all College standards of conduct and policies contained in the Rhodes College Student Handbook.
3. Identify themselves as a student at Rhodes.
4. Refrain from using language that is harassing, discriminatory, obscene, abusive, or threatening.
5. Respect the intellectual property rights of others.
6. Rhodes reserves the right to ask students to take down social media postings that violate the Standards of Conduct or any other Rhodes policy and the failure to do so promptly may result in disciplinary action or withdrawal of recognition for a student organization.

### **Personal Use**

Students may not use their personal social media accounts to speak on behalf of or as a representative of the Rhodes community. Students should not use the official Rhodes logo on a personal social media account.

Rhodes College urges students to be mindful of how their online activity can be detrimental or harmful to others, and to remember that what you post on your personal social media accounts may easily be become public and shared with others. Personal social media accounts should never be used in a way that violates any Rhodes College policy or the student handbook. Students must also comply with all laws, license agreements, and contracts governing network, software, and misconduct in order to protect others' rights and safety. Rhodes will hold students accountable for social media activity that violates the Rhodes Standards of Conduct. Rhodes reserves the right to



ask students to take down social media postings that violate the Standards of Conduct or any other Rhodes policy and the failure to do so promptly may result in disciplinary action.

## **Smoking Policy**

Rhodes College is not a smoke-free campus, but students and visitors are expected to abide by the policies as to where smoking may take place.

All interior spaces of all buildings, and all exterior spaces within 50 feet of all buildings are designated as non-smoking areas. This includes all residence hall spaces, and students are not permitted to smoke inside their student rooms, communal spaces, or hallways.

Rhodes College strives to create an environment that is as free of pollutants or other substances as possible. Members of the campus community who choose to smoke must do so in exterior locations at least 50 feet away from all buildings. Smoking devices that are prohibited include, but are not limited to, cigarettes, cigars, pipes, electronic cigarettes (“e-cigarettes/e-cigs” or “Juuls”), and personal vaporizers. A violation of the Smoking policy is also a violation of the Fire Safety policy.

## **Social and Alcohol Policy**

Alcohol and its effect on the college experience is a common topic of discussion and debate. The Rhodes College philosophy is that there is a time and a place for alcohol consumption consistent with certain college activities and times. No matter the circumstance, an individual’s behavior when consuming alcohol should always demonstrate respect for people and property.

When an individual chooses to drink alcohol, they are assuming some level of risk – risk to their health and safety, and, if they are under the legal drinking age, the risk that they will be held accountable either by the College and/or by law enforcement. Students can lessen their risk by practicing reasonable and safe consumption of alcohol. Alcohol should be consumed in moderation and not toward a goal of intoxication.

Drinking alcohol to the point of intoxication is not a community value and violates this policy. Rhodes defines alcohol intoxication as a condition of having physical or mental control so diminished by the effects of alcohol that the individual: (1) is a danger to themselves; (2) presents a danger to other people or property; or (3) unreasonably annoys people in the vicinity. Regardless of a student’s age, intoxication is not tolerated.

Rhodes College follows federal and state law as it pertains to alcohol:

- Individuals under 21 may not possess and/or consume alcohol.
- Individuals may not sell, give, or serve alcoholic beverages or permit alcohol to be served to persons under 21. By law, the sale of alcoholic beverages includes any situation in which there is a charge for entertainment or service and alcohol is freely available.
- Individuals may not drive or operate a vehicle on or off campus while under the influence of alcohol.

- As a private institution, Rhodes College has standards and expectations on campus that go above and beyond the law:
- Individuals, regardless of whether they are of legal drinking age, are not permitted to possess or consume alcohol in residence halls that are designated for first-year students.
- Individuals may not possess open containers of alcohol, including secondary containers (i.e., cups, tumblers, water bottles, etc.) on College property, such as in academic buildings, the library, parking lots, outdoor quads and spaces, athletic fields, roadways, and administrative buildings.
- Individuals may not possess open containers of alcohol, including secondary containers (i.e., cups, tumblers, water bottles, etc.) in public areas, such as on a street, sidewalk, or in a park.

There are some campus events where alcohol is served in a controlled and monitored setting. At these approved events, carrying alcohol from one on-campus venue to another is strictly prohibited unless carried in a cup. No bottles, cans, kegs, or other containers are permitted to be carried from one on-campus venue to another.

Because the College is committed to promoting the reasonable and safe consumption of alcohol, paraphernalia that facilitates high-risk or binge drinking is prohibited. This includes, but is not limited to, beer bonging or funnels, kegs, and other common containers and mass sources.

Drinking games are another contributor to the rapid consumption of alcohol and are also prohibited.

In situations in which an alcohol policy violation occurs in a group setting, the determination of each individual's responsibility for the violation will be determined on a case-by-case basis, including, but not limited to, the following factors:

- The location and quantity of alcohol,
- The student's ability to exercise control over the situation, or
- Whether or not students in the incident take responsibility for the procurement or consumption of the alcohol.

Shared Responsibility Statement: Students who are found to be present in an environment where illegal alcohol consumption is present will be held responsible for a "Shared Responsibility Drug" violation. This violation will result in a warning and alcohol education.

### **Hosting Events and Parties**

All events planned and hosted by Rhodes College departments and organizations must use the Events Management System to:

- Reserve the location (indoor, outdoor, and off-campus) 14 days before the event start date. If coordination with other departments listed below, arrangements are needed at least seven days in advance.
- Arrange catering through Bon Appetit and request any of the following: set-up from the Physical Plant (chairs, tables, stage, etc.), AV equipment from the Barret Media Center,

Campus Safety if cash is collected or security is needed, and publicity through Communications.

- In planning events where alcohol is anticipated, the host will work with the VP for Finance and Business Affairs (faculty and staff) and Campus Safety to plan logistics and procedures related to compliance with the law, organizational rules and by-laws, and the well-being of guests.
  - .
  - Requests for exceptions to these procedures should be made to the Director of Student Engagement and the Dean of Equity and Engagement for student groups
- Advertising for events must follow the Posting Signs Policy in the Student Handbook.
- Clean-up of events on campus must be completed by 8 a.m. the following morning unless an earlier time is requested in advance.

### **Regulatory and Contractual Compliance**

- Bon Appetit is Rhodes College's approved contract vendor for food and beverages. To consume alcohol in the Lair and/or Lair Patio, it must be purchased through Bon Appetit.
- In compliance with the National Collegiate Athletic Association, possession and consumption of alcohol is prohibited at National Collegiate Athletic Association athletic events.
- In planning of events where alcohol is anticipated, the host will work with the VP for Finance and Business Affairs (faculty and staff) and Campus Safety to plan logistics and procedures related to compliance with the law, organizational rules and by-laws, and the well-being of guests. No organization shall furnish alcoholic beverages to students on campus or at any College function.
- Requests for exceptions to these procedures should be made to the Dean of Students for student groups or the VP for Finance and Business Affairs for other groups.

### **Alcohol Shipments and Delivery**

It is prohibited for any student, regardless of age, to have alcohol shipped to the mailroom at Rhodes College. The mailroom will inform the Office of Community Standards if/when shipments of alcohol are received. This is a violation of the Social and Alcohol Policy.

### **Tennessee Law on Alcohol**

The following summary is provided to promote increased awareness of the Tennessee laws concerning alcoholic beverages. This summary is not intended to be a restatement of the law nor a summary of all of the laws relating to alcoholic beverages. All members of the Rhodes community are responsible for compliance with the state laws governing the use of alcohol.

Regarding alcohol consumption, according to Tennessee law, it is illegal:

- For any person or group of legal drinking age to sell, furnish, or provide alcoholic beverages to any person under twenty-one years of age;

- For any person under the age of twenty-one to purchase, receive, or possess alcoholic beverages;
- For any person to make a false statement to the effect that the individual is twenty-one years of age or older for the purpose of obtaining alcoholic beverages;
- For any person or group to sell alcoholic beverages without a license;
- For any person or group of legal drinking age to sell or furnish any alcoholic beverages to any person who is known to be visibly intoxicated, or to any person who appears to habitually drink alcoholic beverages to excess, or to any person who appears to be a habitual user of narcotics or other habit-forming drugs.

Regarding alcohol and driving a motor vehicle, according to Tennessee law, it is illegal:

- To drive or be in physical control of a motor vehicle if a person is under twenty-one years of age and registers .02 or more blood-alcohol content (BAC); for individuals who are twenty-one or over, the blood-alcohol test level is set at .08.
- To consume any alcoholic beverage or possess an open container of alcoholic beverage while operating a motor vehicle.

Partial summary of punishments for offenses related to alcohol and motor vehicles:

- The offense of driving while impaired (.02 or greater BAC) for a person under age twenty-one (21) is a Class A misdemeanor punishable by a driver's license suspension of one (1) year and by a fine of two-hundred fifty dollars (\$250). As additional punishment, the court may impose public service work.
- The offense of driving while the driver is in possession of an open container of alcohol, or of a beverage containing any amount of alcohol, is a Class C misdemeanor punishable by a fine to be established by the court.
- The first DUI offense (.08 or higher BAC) is punishable by 48 hours up to 11 months and 29 days jail time, one (1) year suspension of license, \$350 - \$1,500 fine, and participation in an alcohol treatment program.
- The second DUI offense (.08 or higher BAC) is punishable by 45 up to 11 months and 29 days jail time, two (2) year suspension of license, \$600 - \$3,500 fine, and alcohol and drug treatment program may be required.
- The third DUI offense (.08 or higher BAC) is punishable by 120 up to 11 months and 20 day jail time, three (3) to ten (10) year suspension of license, \$1,100 - \$10,000 fine, 11 months and 29 days probation, and alcohol and drug treatment program may be required.
- The fourth DUI offense (.08 or higher BAC) is a Class E Felony punishable by 150 straight days minimum jail time, five (5) year suspension of license, \$3,000 - \$15,000 fine, and 1 to 6 years' probation or parole, and alcohol and drug treatment program may be required.

## **Violations**

Student violations of this policy include, but are not limited to, the possession or consumption of alcohol if under the age of 21, providing alcohol to underage students, or alcohol intoxication or substance induced behavior that places a student or others at risk in terms of health and safety issues. Students in violation will:

1. Dispose of all alcoholic beverages in their possession or the alcoholic beverages will be confiscated and disposed of by a College staff member;

**Special Note:** Any violation that includes drinking and driving on campus will likely result in a suspension of parking and driving privileges for the rest of the student's college career at Rhodes in addition to other applicable sanctions.

For more information regarding alcohol consumption for individuals needing medical assistance, see the [Amnesty Policy](#) in the Community Standards section of the Student Handbook.

### **Alcohol Awareness**

Rhodes is committed to providing students with information about alcohol and confidential referrals for professional assistance if needed. An awareness of the negative effects of alcohol consumption may assist you in your efforts to make safe and responsible choices about alcohol. Educational programs will be organized and conducted annually to promote continued awareness and encourage an attitude of genuine concern and care for others. Information concerning responsible use, effective party planning, indications of abuse or addiction, and resources for assistance are available for you or someone you care about in the Student Counseling Center.

### **Solicitation on Campus**

Solicitation involves the sale of products, collection of monies, or promotion done with the intent to obtain something in return. Students should be aware that solicitation in any form is prohibited on campus without prior approval. This includes, but is not limited to, handing out fliers, giving free samples, vending, or recruiting.

Registered Student Organizations (RSOs) must submit requests for solicitation on campus to the Office of Student Engagement via [Presence](#). The Office of Student Engagement will assist student groups in finding a location for any approved solicitation activity.

Student groups who are not RSOs, must submit requests for solicitation on campus to their respective sponsoring College official or department. The [College Events Office](#) will assist student groups in finding a location for any approved solicitation activity.

All salespersons and solicitors, including canvassers, distributors, external partners, companies, or organizations wishing to solicit on campus must be invited by or receive prior approval by a sponsoring College official, department, or Registered Student Organization and their advisor.

Any request for solicitation on campus should include the following information:

- A location for the solicitation
- A defined time (start and end time)
- Sponsoring College official, department, or RSO and their advisor
- Name and phone number for day of escorting (must be a College representative)
- The nature of the solicitation

## Student Concerns

Nature of Concern	Address concern to	If Appealed - Address to
Grade concerns	Issuing Instructor	Department Chair
Financial Aid concerns	Financial Aid Office	Director of Financial Aid
Academic Standards	Standards & Standing Committee	Provost
Academic Discrimination	Associate Provost	Provost
Educational Records	Registrar	Standards & Standing Committee
Housing	Housing Appeals Committee	Dean of Students via Director of Residence Life
Honor Code	Honor Council via Director of Community Standards	Faculty Appeals Committee via Director of Community Standards
Information Technology	help@rhodes.edu	Chief Information Officer
Standards of Conduct	Community Standards Council via Director of Community Standards	CSC Appeals Committee via Director of Community Standards
Bias Incidents	Bias Incident Reporting System (BERS)	See Standard of Conduct Policy
Parking	Director of Campus Safety	Traffic Appeals Committee
Sexual Misconduct/Title IX	See Title IX and Sexual Misconduct Policy	See Title IX and Sexual Misconduct Policy
All other violations of college policy	Director of Community Standards	Dean of Students
Student Organizations	IFC for fraternity/sorority; Office of Student Engagement for other student organizations	Vice President of Student Life

- If the concern is not specifically identified above, contact the Office of the Vice President of Student Life.
- If a concern is not satisfactorily addressed through the offices and agents above, it is possible to file a formal written complaint. [That process is described here.](#)
- If the resolution of the complaint is unsatisfactory and meets the requirements for an appeal as indicated in the college catalogue or student handbook, the issue should be brought forward to the committee or individual as listed above.
- Should the institution not be able to resolve the student complaint, the student has the right to contact the federal government or the State of Tennessee and their respective agencies to determine the course of action. Complaints can be filed with the following agencies:
  - Complaints related to the application of state laws or rules related to approval to operate or licensure of a particular professional program within a postsecondary institution shall be referred to the appropriate State Board (i.e., State Board of Health, State Board of Education, and so on.) within the Tennessee State

- Government and shall be reviewed and handled by that licensing board (<http://www.tn.gov>), and then search for the appropriate division)
- Complaints related to state consumer protection laws (e.g., laws related to fraud or false advertising) shall be referred to the Tennessee Division of Consumer Affairs and shall be reviewed and handled by their Unit (<http://www.tn.gov/consumer/>).
  - Allegations regarding noncompliance with accreditation standards, policies, and procedures may be made to the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC), 1866 Southern Lane, Decatur, GA 30033-4097. (The Commission's complaint policy, procedure and the Complaint form may be found on their website: <https://sacscoc.org/app/uploads/2020/01/ComplaintPolicy-1.pdf>.)
  - Title IX (Department of Education Office of Civil Rights). Individuals who wish to file a complaint with the U.S. Department of Education's Office of Civil Rights must do so within 180 days of the incident based on the time limits for adjudication set by that agency. The complaint policy, procedure and complaint form may be found at <https://www2.ed.gov/about/offices/list/ocr/index.html>.

## Registered Student Organizations

Authority, Responsibility, and Accountability for registered student organizations are delegated along the following line:

- Officer(s) of Student Organization (President, Chair, etc.)
- The Office of Student Engagement has the shared authority, responsibility, and oversight for registered student organizations.

### 1. What constitutes a registered student organization at Rhodes College?

A registered student organization is defined as a group of college students who unite to promote or celebrate a common interest. While student organizations of the College may include faculty, staff, or community members, the majority of the organization must be Rhodes College students. Additionally, only students are permitted to serve as officers of registered student organizations. A registered organization has completed all necessary paperwork and submitted it to Office of Student Engagement and the Allocations and Student Organization Commission. Groups that are existing organizations must re-register every year and must electronically submit an updated profile, membership roster and constitution and by-laws on Presence.

### 2. Benefits of being a Registered Student Organization

All organizations must maintain an active, up to date profile with the Office of Student Engagement on Presence. Failure to register annually will result in denial of privileges or deactivation of organization. Registration as a student organization is a privilege and is not intended to restrict the free association of students in non-registered organizations. Upon registering, student organizations gain several privileges, including the ability to:



- Reserve space on campus for meetings and approved activities.
- Conduct approved fundraising projects on campus.
- Coordinate activities with other student organizations offices and/or departments.
- Have college mail collected by a student organization leader and the use of a mailing address at Rhodes College.
- Apply for funding through the Allocations and Student Organizations Commission for all campus projects and programs.
- Be considered for Campus Life and College awards.
- Have an Organizational Site on Presence.
- Have the ability to advertise via flyers and other mechanisms on campus.
- Participate in the Student Involvement Fair
- Use of the Rhodes name and trademark.

### Registered Student Organization Recognition

#### Process of Starting a Student Organization

Enrolled students of Rhodes College may petition the Allocations and Student Organizations Commission (ASOC) in order to create a new, recognized and active student organization. Below is the process for any student seeking to start a new organization:

- Submit interest form, including a roster of at least 5 students who intend to join the club, to the Vice Commissioner via Presence
- Write a constitution to be reviewed for approval by Student Engagement staff and the Vice Commissioner. Constitutions must contain acknowledgement of the college's policies and non discrimination clauses.
- Present final proposal and constitution to the ASOC to be approved by a two-thirds vote of ASOC.
- If approved, all documentation will be sent to the Director of Student Engagement for final approval
- Once complete, all new officers will be required to complete training

#### Requirements of a Student Organization

In order for a student organization to remain active and eligible for funding, it must maintain the following requirements on its student organization's Presence page:

- An active roster of enrolled students
- An Allocations-approved constitution and bylaws



- A current advisor agreement signed by a full-time faculty or staff member
- Have an updated contact list of the organization's executive members, including a President and a Treasurer

With the exception of nationally-affiliated honor societies, fraternities and sororities, and religious groups that have received official approval from the Dean of Equity and Engagement or designee, official recognition by the College will be granted to organizations who meet with the following requirements: (1) the organization's purpose is not in conflict with the mission of the College, (2) the membership of the organization is available to all Rhodes students who are interested in membership, and (3) the organization must be distinct and unique from all other existing organizations on campus.

The Allocations and Student Organizations Commission (ASOC) Vice Commissioner or Office of Student Engagement will notify the organization in writing of the decision. If denied, a written explanation of the denial along with the procedure for appeal must be included.

The decision of ASOC may be appealed in writing to the Office of Student Engagement, and then the Dean of Equity and Engagement if necessary.

The officers of recognized student organizations are responsible for the actions of their respective organizations. Neither the Office of Student Engagement nor the Allocations and Student Organizations Commission controls or is responsible for actions taken by student organizations.

### Student Organization Event Guidelines

The following guidelines have been set forth by the Office of Student Engagement to oversee all events, practices, meetings, and activities for registered Student Organizations at Rhodes College. For the purposes of this document all three will be referred to as events.

#### I. General Expectations

- A. Student Organizations must request the use of campus space through Presence at least 3 weeks in advance. Late submissions may be accepted but to guarantee the ability to accommodate your event, advance notice is required. Please allow 3-5 business days to process your request.
- B. Any groups that use space on campus are responsible for leaving all rooms in the condition in which you found them, which includes removing or properly disposing of all items that you bring into the room. Clean-up of events on campus must be completed by 8:00 a.m. the following morning unless an earlier time is requested in advance. Failure to follow this directive may result in charges being placed on the student group.
- C. Attendance tracking is required for all student organization events on or off campus. Attendee information should be collected upon entry. It is highly encouraged for student organizations to use Presence to track Rhodes student attendance at events.

Guests invited from outside the Rhodes community must be submitted 24 hours in advance of the event to Campus Safety to ensure their ability to enter campus.

- D. External vendors and special guest speakers are allowed to be contracted or invited for student organization events, but names must be submitted to Campus Safety 24 hours in advance. Note: Any contracts that are being paid for with funds from Allocations must be signed by a designated college official.
- E. Student organizations may not schedule activities or study breaks during finals period, including reading days. Events taking place on the last day of class in the spring semester will be approved on a case-by case basis.
- F. The College will always require adherence to local health department and CDC guidelines for meetings and events unless an exception has been made by Rhodes administration. Attendees are required to abide by the masking and distancing policies in place at the time of the event.

## II. On-Campus Space Constraints & Expectations

- A. Event attendance must remain within the published capacities for the event space as reported in EMS. This number could change for various reasons. If a space capacity does change, you will be notified in advance of the event and able to alter arrangements.
- B. Rhodes College Physical Plant maintains a supply of tables and chairs that student groups may request for use at events on campus. Groups can request these resources through their initial request in Presence and a member of the Student Engagement office will reach out if the College does not have the resources for the event. Final event setups must be submitted at least 3 days prior to the event. (Note: Physical Plant is not present on the weekends or after 3:00 p.m. to change setup).
- C. Audio/Visual needs must be included in the event submission on Presence so the groups can be guaranteed a space with the appropriate set-up. Some events may be required to have a technician to operate the requested needs; these come at an additional cost to the organization. Staff in the Office of Student Engagement can offer consultation about what is most appropriate for your event.
- D. To reduce damage to campus buildings, groups are only allowed to affix things to the walls, doors, windows, blinds, or railings in any of the rooms or hallways using approved materials. Free standing decorations are permitted. Requests for exceptions must be submitted and approved by the Office of College Events. Student groups can be charged for room or space damages if necessary.

## III. Funding

- A. Registered Student Organizations that wish to obtain funding for an event on or off campus must have their event submitted in Presence at least 4 weeks in advance to be eligible for funding. Budgets must be submitted by the Sunday prior to 3 weeks in advance of the event.

- B. The Allocations and Student Organization Commission (ASOC) process for funding student events can be found [here](#).

#### IV. [Advertising](#)

- A. Events must be submitted through Presence are eligible to be placed in the “Rhodes This Week” twice weekly emails.
- B. Advertising for events must follow the “Campus Posting Policy” outlined here.
- C. Any advertisement that does not contain the name of a sponsoring organization, has been placed in a prohibited area, or is for an event that has not been registered or notified, is eligible to be removed at any time. Violations of this policy may result in consequences for the organization.

#### V. [Alcohol](#)

- A. Student Organizations are permitted to host events with alcohol on or off campus.
- B. Any event with alcohol may be subject to increased scrutiny and restrictions to ensure state and college policies are being followed.
- C. A meeting with the Office of Student Engagement is required for any student event or organization that is planning to serve alcohol.
- D. The Campus Alcohol Policy states that these events must be either BYOB (Bring Your Own Beverage) or run through a Third-Party Vendor.

#### VI. [Off-Campus Events](#)

- A. All Student Organizations must notify the Office of Student Engagement of events the organization is holding off campus.
- B. Notification is required at least 1 week in advance through Presence if the group is not utilizing any campus resources. Otherwise 4 weeks is requested.
- C. Off Campus Student Organization events are any events not held on college owned property, this does include the IFC & Panhellenic Lodges as off campus entities.
- D. Additionally, an event is considered off campus if students must travel to the event within the city of Memphis or the surrounding Metropolitan area.

#### VII. [Travel](#)

- A. Student organizations planning to travel must notify the Office of Student Engagement at least 3 weeks in advance through Presence.
- B. Student Organization travel is any time the group is traveling outside the greater Memphis area for Student Organization business, competitions or events.

- C. Additional meetings may be required to ensure that the group understands College expectations while traveling.

### VIII. Events with Minors

- A. Student groups may host events with minors on campus if the parents or guardians are present for the duration of the event.
- B. If the minors are under the supervision of students, each student who will be responsible for a minor will be required to pass a background check under state law. Please allow up to 4 weeks for background checks to be processed.

### Student Organization Funding

Once the College recognizes a student group, the organization may apply to receive financial support from the Allocations and Student Organizations Commission. All submissions must adhere to a strict set of funding guidelines set by the commission and the college. Recognized status does not guarantee funding by the College. Funding requests must be submitted at least 3 weeks prior to an event for their request to be considered.

If funding is granted, the student organization may only use the awarded funds on the approved items. Last minute changes to the use of the approved funds or amount must be authorized by the commissioner and/or the Office of Student Engagement prior to purchase. Failure to follow these guidelines may result in disciplinary action for the organization or individuals involved.

For more information about Student Organizational Funding please email [engagement@rhodes.edu](mailto:engagement@rhodes.edu).

### Organization Equipment & Supplies

All equipment purchased by any Student Organization or Club Sport with College funds is the property of Rhodes College. Equipment must be returned at the conclusion of the season (for club sports) or academic year. Appropriate storage, administration and maintenance of equipment are the responsibility of the respective student organization. Items purchased or used for events must be returned at the conclusion of the event. Storage and maintenance of these items will be at the discretion of the Office of Student Engagement. Organizations and individuals may be held accountable for any items damaged or lost while in the possession of the group.

The Office of Student Engagement maintains an inventory of items that are both reusable and non-reusable available for use by Registered Student organizations. That inventory can be found here: <https://rhodescollege.myturn.com>.

### Accountability

- I. Student organizations with (inter)national affiliations

All student organizations are to follow their (inter)national organization guidelines and procedures both on and off campus as well as any college policies or guidelines. Failure to do so may result in disciplinary action by the college and/or the (inter)national organization.

## II. Accountability for Violations of the Rhodes College Standards of Conduct

A student organization's violation of college regulations or failure to adhere to expected standards of conduct will be adjudicated by the appropriate administrator, as determined after initial review by the Director of Community Standards in consultation with the Director of Student Engagement, or their designees. Persistent or extreme violations at the student organization level may result in withdrawal of recognition by the College.

A student organization may appeal the findings of violation of regulations or standards of conduct in writing to the Vice President for Student Life, unless otherwise directed in the outcome letter. Appeals must be based on the same grounds listed under the Rhodes College policies of Student Conduct in the Student Handbook. In the event that an incident is adjudicated by a hearing board, that body's appeal guidelines govern the appeal for that finding.

For more information about due process and rights for registered student organizations, see the [Organizational Conduct](#) section of the Student Handbook.

## Weapons

Rhodes College prohibits possession of weapons of any type by students, staff, faculty, and visitors on all College property, including and not limited to firearms of any type, B-B guns, pellet guns, paintball guns, stun guns, slingshots, bows and arrows, martial arts weapons, knives, chemical weapons, explosives or any other object or substance that could be used as a deadly weapon. Toy and water/squirt guns are not permitted on campus because they tend to look realistic and may be perceived by others to be a weapon.

Violators (including those individuals with valid Tennessee gun carry permits) are subject to suspension, expulsion, termination, or any combination of appropriate sanctions for violation of this policy.

The sole exception to this policy is that Rhodes College complies with Tennessee Code Annotated § 39-17-1313.

In accordance with TCA § 39-17-1313, a person who has a valid enhanced handgun carry permit or concealed handgun carry permit or who lawfully carries a handgun pursuant to § 39-17-1307(g) may, unless expressly prohibited by federal law, transport and store a firearm or firearm ammunition in the person's motor vehicle if:

1. The person's vehicle is parked and located where it is permitted to be; AND
2. The firearm or ammunition being transported or stored in the vehicle:
  - o Is kept from ordinary observation if the person is in the vehicle;

- Is kept from ordinary observation and locked within the trunk, glove box, or interior of the person's motor vehicle or a container securely affixed to the vehicle if the person is not in the vehicle.

Any violation of this policy must be reported immediately to Campus Safety at 901-843-3880. Prohibition of such weapons extends to the property and/or vehicles controlled by an individual while on College property if that individual is not in compliance with TCA § 39-17-1313. Questions regarding this policy should be directed to the Director of Campus Safety.

The College recognizes the desire for students to protect themselves when appropriate and necessary. Personal defense spray is permitted.

## **Campus Safety Policies**

### **The Role of Campus Safety**

The Campus Safety Office is structured within Rhodes' Division of Student Life, putting Campus Safety in close contact with all aspects of student life.

The primary mission of the Campus Safety Department is to preserve the safety and security of the campus community to enable the mission of the College to go forward. This mission includes comprehensive efforts aimed at protecting our community from threats to both person and property. Although the Campus Safety staff is considered a private security and safety force, they are responsible for enforcement of all state and local laws, College policies and procedures, security, safety, and emergency responses. As a "first responder", Campus Safety stands ready and well-trained to provide support services to meet the many and varied needs of the Rhodes Community.

Due to the importance of Campus Safety, students are advised that it is a specific offense of the student code of conduct to fail to comply with the directions of a College official including those with Campus Safety or to fail to identify oneself to a College official including those officers in Campus Safety.

## **Alternative Modes of Transportation**

**Hover boards.** Hover boards, including self-balancing scooters (Bird, Lyme, etc.), battery operated scooters, and hands-free Segways, are prohibited on campus.

**Scooters.** No electric scooters are allowed on campus inside the gates, unless approved as an accommodation for a disabled student. For safety purposes, there is a designated parking area for electric scooters outside the gates along the curb of University Street located just south of the Tutwiler crosswalk and near the Bellingrath pedestrian gate. This is the only approved parking location for electric scooters.

## Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (usually called “the Clery Act”) requires colleges and universities that participate in federal financial aid programs, such as Rhodes College, to keep and disclose information about fires and crime on their campuses and other areas within their control. Requirements include maintaining a crime log of certain crimes identified by the Clery Act and publishing an Annual Security Report by October 1 of each year. You can view the Rhodes College Security Report at <https://www.rhodes.edu/student-life/services-and-support/safety-campus/annual-security-fire-safety-report-clery-report>. You can also review the daily crime log at <https://www.rhodes.edu/student-life/services-support/campus-safety/crime-and-fire-report>. If you would like a printout of the daily crime log, you can request it in person at the Campus Safety Office, #5 Spann on the corner of University and Tutwiler, or email the Director of Campus Safety at [sloasi@rhodes.edu](mailto:sloasi@rhodes.edu).

The Clery Act also requires Rhodes to issue timely warnings if it receives information about a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus. For more information, see the policy on Emergency Notifications.

For questions concerning the Clery Act, contact the Campus Safety Department.

## Missing Student Policy

The Rhodes College missing student policy relates to students who reside in on-campus student housing. Rhodes College will report to the appropriate contact person and to the Memphis Police Department any student who has been determined to be missing from campus for 24 hours or more.

If any member of the Rhodes community believes that a student who lives in on-campus housing has been missing from campus for at least 24 hours, one or more of the individuals or organizations on the list below should be contacted.

- Dean of Students
- Director of Residence Life
- Director of Campus Safety
- Rhodes College Campus Safety
- Memphis Police Department

When a campus official other than Campus Safety receives a report that a student is missing, the report must be referred to Campus Safety immediately for investigation. The Campus Safety Department will initiate a “Missing Student” report. The College will take reasonable and prudent steps to locate the student. Campus Safety may contact the Memphis Police Department for assistance in its investigation.



Students can identify a contact person whom Rhodes College shall notify within 24 hours of the determination, either by Campus Safety or the Memphis Police Department, that a student is missing.

This contact information will be confidential and will be accessible only to authorized campus officials, and will be disclosed only to law enforcement personnel in furtherance of the missing student investigation.

Once a student has been determined to be missing, Rhodes College will take the following actions no later than 24 hours from the determination:

1. Notify the emergency contact person named by the missing student. Notification will be made by all methods of contact provided by the missing student.
2. Notify the student's custodial parent or legal guardian if the missing student is under the age of 18 and not emancipated.
3. Notify the Memphis Police Department if it was not already involved in the missing person investigation.

## **Guests and Visitors**

### **Guests On Campus**

Guest are expected to remain under the auspices of their host and the host bears the responsibility for the guest's behavior in compliance with campus policy. Host responsibilities for a guest should not be transferred from one person to another. Guest are not permitted during finals and senior week.

### **Overnight Guests**

Rhodes permits 24-hour visitation if the student first secures the verbal approval their roommate(s) and/or suite-mate(s) before the arrival of any visitors. A roommate's right to free access to the room/apartment at all times, privacy, study time, or sleep must not be compromised because of a guest. Any student wishing to entertain a guest, whether of the same or opposite sex, must have the permission of the roommate(s).

The College does not allow cohabitation and cannot ignore any infraction of this policy that comes to its attention. Cohabitation is defined as a guest spending the night more than three consecutive nights. Failure to comply with these requirements may result in disciplinary action.

### **Visitors**

Visitors without a host bear the responsibility themselves for compliance with campus policy. Visitors are expected to conduct themselves in a civil and non-disruptive manner. Visitors are not permitted during finals and senior week.

### **Trespass Notice**

A Criminal Trespass Notice may be issued by any Campus Safety or Rhodes official when it is determined that an individual's continued presence on campus poses a significant threat to the health, safety, welfare, or academic experience of members of the College community. Regardless



of whether such notice has been issued, any individual who is deemed to have committed a crime may be subject to arrest by the Memphis Police Department.

## **Lost and Found**

All items found on campus should be turned in to Campus Safety located in Spann Place #5. Campus Safety will donate all items not claimed during the semester at the beginning of each new semester - August 15, January 15, and May 15. Lost and found is in the Campus Safety office in Spann Place #5 and on the Campus Safety website.

## **Bicycles**

All bicycles should be registered with the Campus Safety Office. Bicycles may be stored: 1) in the student's own residence hall room, 2) in the bicycle storage rooms assigned, or 3) in the outside bike racks. Bicycles may not be stored in hallways, social rooms, alcoves, under stairways, or other places. Campus Safety or Residence Life staff will remove bicycles found in unauthorized locations.

## **Pedestrian Gates**

Campus pedestrian gates are equipped with locking devices and springs to ensure proper perimeter safety and security. Electronic key FOBs, issued to students, will access these gates. If a gate is left unsecured, please close it. Notify Campus Safety if it is malfunctioning.

## **Fire Safety**

The safety of the Rhodes community is the highest priority. An essential piece to the College's safety practices includes taking fire and fire hazards seriously.

A student may be in violation of the Fire Safety policy if they:

- Fail to evacuate a Rhodes College-controlled building or area during a fire or fire alarm
- Improperly use fire safety equipment, i.e. discharging a fire extinguisher or activating/engaging a sprinkler system when there is no threat of fire
- Tamper with or cause damage to any firefighting or fire safety equipment
- Light fires or burn items, i.e. burning paper on doors or walls

There may be other ways a student can be found in violation of the Fire Safety policy – violations are not limited to the examples listed above.

When considering whether a Fire Safety charge will be issued, Rhodes will consider whether the alleged action was intentional or unintentional. However, unintentional actions may still result in a Fire Safety charge, as ignorance is not an excuse to violate College policy. In such instances,

consideration would be made as to the nature and severity of the sanction(s) issued if a student were found responsible for violating the policy.

Falsely reporting a fire or pulling a fire alarm is not only a violation of the College's Fire Safety policy, but also of the Falsification policy.

Students who improperly use or tamper with firefighting or fire safety equipment will, at minimum, be charged a fine in addition to facing other sanctions. If such improper use or tampering occurs in a residence hall where the responsible party cannot be identified, the fine may be divided equally among residents on the floor or in the building.

The City of Memphis prohibits the use of fireworks in the city. Possession or use of fireworks is prohibited on the Rhodes College campus.

## **Residence Hall Policies**

### **Bottle and Can Collections**

Cans and/or bottles may not be stored, collected, or used as decorations in a resident's room. Violations of this policy will result in a \$50 fine for the first violation. Subsequent violations may result in additional disciplinary action. Students are encouraged to recycle cans and bottles using one of the recycling centers on campus.

### **Common Area Damage**

Common areas include but are not limited to hallways, door exteriors, bathrooms, stairwells, lounges, laundry rooms, study rooms, utility rooms, storage rooms, kitchens, and TV rooms. Students are expected to help maintain these community areas. Furnishings in common areas must not be removed or rearranged. Roofs, ledges, and balconies of residence halls are always off-limits. For security reasons, outside hall doors may not be propped open. All residence hall space is non-smoking. The College will make every effort, within reason, to discover the individuals responsible for any damage or loss in the common areas of any residence hall. However, when the damage or loss cannot be attributed to specific individuals, the cost for damages or loss occurring in the common areas of the building will be shared equally by all students of that facility. Students can be held accountable for building damage if a connection can be made back to a particular residence hall facility.

When intentional and deliberate damage occurs in a common area (hallway, communal bathroom, social room, etc.) and no one claims responsibility for such damage, the RAs of the building will notify the residents of an impending Common Area Damage charge. If the individual(s) responsible cannot be identified, then the charge is equally distributed among the community members.

Each resident should feel as though they have an intrinsic investment in the residential community. As such, residents should feel motivated to hold each other accountable for their actions. If a student damages college property, they are bound to accept responsibility and report these actions to their RA. Damage to public areas often goes unreported. Failure to take responsibility for our

actions and allowing members of the hall to pay for damage is a serious breach of our Honor System. If damage occurs accidentally, the student still holds the responsibility to report the incident to their RA honestly and promptly.

If damage occurs to an area outside of the residence hall, but can be connected back to a particular residence hall, the damage charge may be assessed to the residents of that residence hall.

Charges will often be assessed based on a standardized fine. Situations that require additional work from sources outside of the College will result in the fine plus the cost of the outside contractor. Damage fines can be incurred for the following but are not limited to: Vomit, excessive trash, damage to exit signs, damage to ceiling tiles, cracked or broken window panes. etc. Additional fines may be assessed for deliberate contamination of recycling bins.

### **Semester/End of Year Closing**

Students must remove all their belongings within 24 hours after their last exam and check out appropriately. Only graduating seniors and students associated with an official College function will have permission to remain past the official closing. Students (non-Seniors) must be approved to stay past official closing by the Director of Residence Life. When extenuating circumstances exist, students must agree to be relocated (along with all their possessions). Failure to abide strictly by these time limitations may result in a fine of \$250 per incidence/per day and/or other disciplinary action.

### **Fire Extinguisher, Fire Alarms and Fire Related Activities**

By State and Local Codes, the College strictly prohibits tampering with any fire safety equipment or the starting of fires of any sort on the campus. Disciplinary action and/or civil prosecution may be taken against those found tampering with fire alarm mechanisms (including room or hall smoke detectors) and fire extinguishers and/or refusing to vacate a building in the event of a fire alarm. In addition, the residents will be assessed a monetary penalty, individually or collectively, if the College is reasonably unable to determine the individual(s) responsible for false fire alarms and/or damage to alarm mechanisms or fire extinguishers.

Falsely pulling a fire alarm or discharging a fire extinguisher, possession of fireworks on campus, and burning items (e.g., paper on doors or walls, paper in bathrooms, etc.) is prohibited. Minimally, first-time offenders will be fined \$100 and the Community Standards Council may take other appropriate action. If the person responsible cannot be identified, the charge may be divided equally among residents of the floor. Clean-up fees may also be charged.

Any student who willfully fails to exit the residence hall after the fire alarm sounds will be subject to disciplinary action that may result in removal from the residence hall.

Rhodes is required to conduct fire drills each semester to ensure that fire safety systems are in working order.

## Fire Prevention and Safety

The residence halls are private residences owned and maintained by the College. They are subject to the Memphis Fire Code, and are regularly inspected by the Fire Marshall's Office.

1. Students should test their battery operated smoke alarm regularly to assure proper operation of the alarm. Service requests for malfunctioning alarms or new batteries should be submitted through the work order system. Smoke alarms must not be tampered with or covered.
2. No upholstered furniture that has significant cuts or ruptures in the upholstery will be permitted in the residence halls. Students may be asked to remove items on walls that create a fire hazard. No items are to be hung from ceilings, covering lights, or covering smoke detectors.
3. Students may be asked to remove appliances to avoid overloading the circuits and to avoid fire hazards. All electrical appliances should be turned off when not in use.
4. Refrigerators in residence halls must be no larger than 33” high or 19” wide. Only one refrigerator per room.
5. Any appliance with an open flame or burner, including but not limited to candle warmers, hot plates, electric skillets, toaster ovens, toasters, counter top style grills, sandwich makers and woks are prohibited.
6. Halogen and other exposed bulb lamps are not permitted.
7. “UL Approved” power-strips with surge protectors not exceeding 15 amps must be used.
8. “UL Approved” Christmas tree lights designed specifically for indoor use may be used. No other forms of extension cords or multi-outlet extenders can be used.
9. Neon lights, beer signs, fireworks, flammable liquids of any kind, and open flame devices, including but not limited to candles and incense, are not allowed in residence halls.
10. Residents are prohibited from installing air conditioners or ceiling fans in their rooms. Students are prohibited from plugging air conditioner units into any other outlet not designated specifically for the unite.
11. Space heaters are prohibited.
12. All residence hall spaces are non-smoking.

Failure to comply with any of these fire safety requirements will minimally result in a \$50 fine for first offense. Subsequent offenses may result in suspension or expulsion from the residence halls.

## Housing Contract

All students who reside in campus housing sign the Housing Contract and agree to abide by the policies and regulations contained therein. Students have a responsibility to know all College policies in general, and specifically all residence hall policies contained in the Housing Contract and The Student Handbook.

All non-summer Rhodes College Housing assignments are made for the entire academic year. Concerning Rhodes College Housing, the academic year begins on the day residence halls open at the beginning of the fall term (August 18, 2023 for first years, and August 20, 2023 for returning

students). The academic year ends on the day following the last final examination of the spring semester (May 5, 2024). Concerning Rhodes College Housing, the Fall semester begins on the day residence halls open (August 18, 2023 for first years, and August 20, 2023 for returning students) and ends on the day following the last final examination (December 14, 2023). Concerning Rhodes College Housing, the Spring semester begins on the day residence halls open (January 7, 2024) and ends on the day following the last final examination (May 5, 2024). Concerning Rhodes College Housing for graduating students, the academic year ends the day after Commencement (May 12, 2024).

1. Students required to live on campus (see “Residency Requirement” in the Student Handbook) agree to reside in College housing for the number of semesters indicated by the residency requirement policy. They are responsible for room and board charges for each of those semesters.
2. Students not required to live on campus but who choose campus housing are financially responsible for the room and board charges for each semester of campus residency. For billing purposes, the Student is considered a resident if they have personal property in the residence hall room on or after the day residence halls open at the beginning of the semester. In addition, any student who remains enrolled but withdraws from campus housing during the contract period will be assessed a \$750 contract termination fee. Exceptions may include graduation, study abroad, etc.

### **Housing Registration**

All current resident students must register online by the date determined by the Office of Residence Life to become eligible for the Rhodes College Housing lottery and selection process for the following academic year.

It is the student’s responsibility to know the eligibility requirements of the housing selection process.

Students who cancel their registration or housing after the selection process begins are subject to a progressive cancellation fee.

If a student cancels before May 15, there is no cancellation fee.

Students who cancel between May 16 and June 30 will incur a \$250 cancellation fee. For students who cancel between June 30 and July 15, the cancellation fee is \$500.

Cancellations after July 15 will incur a \$750 cancellation fee. For the Student required to live on campus, the College will assign a room in Rhodes College Housing even if the Student does not meet the designated registration deadline.

Once the Student checks into their Rhodes College Housing at the appointed time for any given semester, this Housing Contract may only be canceled if expressly provided herein. There are no refunds of room/board charges once students move into Rhodes College Housing, irrespective of cancellation, for the following reasons:

1. If the Student fails to register for classes;
2. If the Student is not a full-time registered student in any given semester;

3. If the Student is required to live in non-Rhodes College Housing by participating in an academic program officially sanctioned by the College. The College does NOT guarantee Rhodes College Housing to students returning from an officially sanctioned year or semester off-campus. Students who participate in an approved off-campus program may return to Rhodes College Housing on a space-available basis only;
4. If the Student marries or gives birth during the period of Contract;
5. If the Student takes a leave of absence from the College for any reason;
6. Upon completion of graduation requirements by the Student, unless the Student continues to be enrolled full-time;
7. If the accommodations assigned to the Student are destroyed or become otherwise unavailable and the College does not furnish substitute accommodations; and
8. If, in the opinion of the Vice President for Student Life, the Student fails to meet the full terms and conditions stated herein or if the Student violates any College or residence regulations as stated in the Student Handbook or the College Catalogue, which are both, incorporated herein by reference, or if, in the opinion of the Vice President for Student Life, the Student poses a threat of substantial harm to persons or College property.
9. If the Student is convicted of a felony, a misdemeanor involving assault or non-consensual sexual contact, or a crime requiring registration as a sex offender.

### **Keys and Key Fobs**

Individual room keys will be issued to each resident student by the Office Residence Life upon arrival on campus. Students will have access to the outside doors of residence halls via electronic key fob. It is the responsibility of each student to protect all other students by taking care neither to lose residence hall keys and key fobs nor lend them to others. Lost keys and fobs should be reported to Campus Safety. A new fob and room key can be requested via the campus work order system. Residents must return keys to the Residence Life Office when leaving campus or at the end of the year. Students who fail to report a lost or stolen key are jeopardizing the safety and security of their fellow students. The cost for a replacement key fob is \$25. Lost or unreturned keys will result in a \$10 charge. Students are to keep their key fob unless they withdraw or graduate from the College.

Due to the serious compromise to the security of all residents, exterior doors should never be propped. A \$50 fine and a possible referral to the Community Standards Council will be assessed for individuals found violating this policy.

In the interest of personal security, residence hall rooms must always be locked. Room keys and access devices (key fobs) are NOT to be duplicated under any circumstances. All keys must be turned in to the Office of Residence Life during room check-out. The student may not lend their residence hall keys to anyone at any time (whether a student or non-student). The College will issue replacement keys if the Student loses their residence hall key only after paying the \$20

replacement fee. The College reserves the right to assess the cost of changing locks depending on the circumstances involved with lost keys.

### **Laundry and Vending Services**

Laundry and vending services are available in many of the residence halls. Refunds for lost money may be obtained from Rhodes Express. See section on Physical Plant for reporting broken machines. The Office of Residence Life will remove remaining clothing items at the end of the semester.

### **Official Recesses**

Residence halls will remain open for Fall, Thanksgiving, Spring, and Easter recesses. Either the Refectory or the Lynx Lair will be open during Fall, Thanksgiving, Spring, and Easter recesses with the exception of Thanksgiving Day, however, the meal plan will not be in effect. Normal operating services are not available during break periods. Residence halls and dining venues will be closed during Winter Break. All students must temporarily vacate their assigned Rhodes College Housing during winter break and may not return until the published College opening date. Failure to abide strictly by these limitations may result in a fine of \$100 per incidence/per day and/or other disciplinary action. Students who believe they are unable to leave campus due to extreme circumstances (e.g. homelessness, emancipated foster youth, inability to return to home country) may petition to reside on campus during the Winter Break. The petition form will be made available late in the fall semester. Submitting a petition to remain on campus during Winter Break does not guarantee a space will be available or that the petition will be approved.

Students who remain in the halls after the posted closing times or who arrive prior to halls opening may be asked to leave immediately, may be fined a fee per day, and may face disciplinary action.

### **Personal Property**

The College does not insure or assume any legal obligation to pay for the loss of or damage to the student's personal property that may occur on Rhodes College Housing property or in leased buildings. Students and their families and supporters are encouraged to carry appropriate insurance to cover such losses. Bicycles must be locked in a designated rack when not in use.

### **Pest Control**

The College contracts with a pest control company to provide service to control insects and rodents. Service is requested by submitting a work order to Physical Plant by Sunday or Wednesday of each week. If it is found that unsealed food, excessive trash, or improper storage of belongings has led to extra treatment, the resident(s) may be charged the total cost incurred by the College. Do not use your own pest control products. Use of such chemicals can pose a serious health risk to you and the other residents who live near you.



## Physical Plant and Maintenance

Routine maintenance may be requested via the Rhodes webpage. For emergency requests, call Physical Plant at 901-843-3870; if no answer or after hours, call Campus Safety at 901-843-3880.

Students are responsible for cleaning assigned room. Housekeeping staff will clean community bathrooms/showers, laundry rooms, and common space. Residents in apartment style units (East Village, West Village, Spann, and Parkway Hall) or suite style unit bathroom (Glassell, Blount, Robinson, Voorhies, and Voorhies-Townsend) or rooms in unit, are responsible for cleaning the suite, including common areas, bath/shower rooms, and kitchens.

Students are responsible for notifying Physical Plant directly or by the Work Order system of any items needing attention/repairs. These items include but are not limited to furniture, lighting, electrical, plumbing/leaks, HVAC, keys/locks, pest control, etc.

## Residence Hall Property

1. All residence hall furniture in students' rooms at the beginning of the academic year must remain in their rooms throughout the academic year.
2. Beds may not be stacked on other beds, dressers, or desks. Bed risers may not be used.
3. Students are responsible for removing trash and debris and for cleaning their residence hall room when moving out of a room. Failure to do so is subject to a fine. No items may be stored on campus during the summer. Anything left behind will be discarded and the expenses incurred will be charged to the owner(s).
4. Social rooms serve as a place where residents can gather as a community. Thus, priority for reservation is given to residents of the hall and Residence Life sponsored programs. The primary use of social rooms should allow for maximum availability and access to hall residents. Social rooms are not intended to serve as sleeping or storage spaces for residents or their guests.
5. Personal furniture or equipment must not be placed in the halls or lounges. Any items of furniture found missing from a residence hall room will be charged to the residents of that room. A student who leaves personal furniture in a room after checking out will be charged a disposal fee. Social Room furniture must remain in social rooms at all times. Removal of furniture is considered a violation of the Honor Code. Additionally, any costs involved and a fine of up to \$100 will be assessed in such matters. Screens must not be removed from windows. Student-made or individually purchased lofts of any kind are not permitted in residence halls. Students with lofts will be fined no less than \$100.00 for any offense. Use of bed raisers is prohibited. Marring and destruction of furnishings and defacement of walls, doors and woodwork, breakage of windows, etc., is not tolerated. Compensatory damages will be assessed for any violation, and disciplinary action will be taken against those responsible.
6. Students are prohibited from being on the roof or other unapproved spaces. Violation of this policy may result in \$50 fine and housing probation or removal.
7. Tampering with, opening or removing window screen is prohibited.



8. Residents may not install radio, television, satellite or other telecommunications equipment outside of the room or apartment.
9. The uses of the residence hall space and/or individuals' room for business purposes is prohibited.
10. Students are not permitted to play sports or ride bicycles or skate boards in residence

College-provided furnishings must remain in the room. Student(s) will bear the cost of repair or replacement for damaged or misplaced furnishings. Refer to the guidelines for students' personal property in the Student Handbook. Any non-College property left in the student's assigned room at the end of the term of this Contract will be discarded, and the student (s) of the room will be charged for the expense involved in discarding such property.

### **Residency Requirement**

Living on campus is a vital part of the college experience and aids the student's adjustment to college. Room changing/moving to a room not approved by a Residence Life Staff member may result in a \$50 fee for each offense. In addition, students may be charged the cost of occupying an additional room if they move into a space that they are not assigned to. Therefore, all first-time, first-year students at Rhodes must live on campus for their first three full academic years. Transfer students must live in College housing until they have completed three full academic years; previous enrollment at other institutions counts toward fulfilling this requirement. Exchange students must reside in College housing for the duration of their enrollment at Rhodes.

### **Room Changes**

The Office of Residence Life must preapprove all room assignment changes during this contract term. Students can email [reslifestaff@rhodes.edu](mailto:reslifestaff@rhodes.edu) to initiate the room change process. A student may not change rooms during the first or last two weeks of either semester during the academic year. The Student making an unapproved room change without proper notification and approval will be fined \$250 and may have the preferred room assignment revoked.

### **Room Condition Report**

Residents are responsible for the condition of their assigned rooms, furnishings, and common areas. All students will review the state of the room with the Resident Assistant when they begin occupancy, at which time any existing damage and missing furnishings will be noted. Damages occurring during the period of occupancy, normal wear, and tear excepted, are the student's responsibility, and damages will be assessed to the individual(s) responsible, as will any unusual cleaning charges. Upon request of the College, students will promptly reimburse the College for all damages to the room and any fixtures, furnishings, or other furnished properties (including the interior of doors, windows, walls, ceilings, floor, furniture, etc.) provided under this Contract. Any student responsible for such damage or destruction will also be subject to additional disciplinary action. Students must return their keys to the Office of Residence Life when moving out of the room.

### **Room Searches and Safety Inspections**

The Dean of Students or the Dean's designee, in consultation with the Director of Campus Safety and/or Director of Residence Life, may authorize a search of a student's premises if there is

reasonable cause to believe that a violation of college policy is occurring or has occurred. Students who refuse to permit or seek to delay a search of their dorm room or locker will be subject to disciplinary action.

Authorized personnel of Rhodes have the right to enter student rooms at any time for purposes of maintenance and repair, inspection of health and safety conditions, and investigation of violations of College regulations. Resident Assistants conduct routine checks of battery-powered room smoke detectors. At least once a semester a representative of the Office of Residence Life and/or a representative of Physical Plant or Campus Safety will conduct safety, sanitation, and maintenance inspections. Rooms are expected to be livable and in good sanitary conditions.

**On-Site Inspection and Assessments.** Room conditions must be the same as at the beginning of the term at check-out, except for ordinary wear and tear. At the end of every academic term, an onsite inspection is conducted by the College, at which time the cost to restore the room to its original condition will be assessed against the student (s) of the room. The cost of discarding non-college property, excessive cleaning, repairing any damage to the room, and replacing missing items will be divided equally among room residents unless the College determines the fees should be assessed otherwise. If students feel they have received a residence hall charge in error, they may appeal it to the Office of Residence Life. All appeals must be made within 30 days of the notification of the charge.

### **Storage of Personal Property**

The College does not provide storage for students. Please contact the Office of Residence Life for recommendations for local off campus storage facilities.

## **Community Standards at Rhodes**

The Office of Community Standards strives to educate the Rhodes community to understand that our standards serve as a guide for our daily life. They allow members of our diverse community to live in harmony, to interact effectively, and to learn from each other. These standards, by which we all agree to live, protect our personal freedom by encouraging a climate of trust, concern, and respect conducive to learning and growing.

### **Expectations**

The Rhodes Community depends on personal concern for one another, and our standards serve as a guide for our daily life. They allow the members of our diverse community to live in harmony, to interact effectively, and to learn from each other. These standards, by which we all agree to live, protect our personal freedom by encouraging a climate of trust, concern, and respect conducive to learning and growing.

Actions and attitudes that undermine this respect and concern are unacceptable. We strive instead to act in a way that promotes the pursuit of knowledge in an atmosphere of integrity, justice and truth. In order to do so we pledge to uphold the following standards:

- “We pledge to treat the members of the Rhodes Community, that is, anyone who lives, works, or learns here, as well as those who visit the community, with conscientious respect, honor, kindness and even-handedness.”
- “We pledge to respect the property of other members of the Community, treating all such property with care equal to or greater than that accorded our own property. Further, realizing that the property of Rhodes College, that is, its buildings and grounds and all encompassed within, serves to benefit all members of the community, we pledge to preserve this property for others to use after us. Understanding that adherence to these standards is necessary to promote community spirit, we pledge to report violations.”
- “Remembering that the reason the Rhodes Community exists is to promote the intellectual development of its members, we pledge to help create an environment that encourages reasoned discourse and action in a way that promotes this intellectual pursuit for everyone.”

### **Governance of the College**

Rhodes College has the right to establish standards for academic and personal conduct for continued membership in the College community, to deny membership to those who do not meet these standards, and to impose outcomes and discipline on any Student, Registered student organization (RSO), or Affinity group (AG) who is found in violation of these standards.

Rhodes College has charged the Office of Community Standards (OCS) with the responsibility for administering these Standards of Conduct and the Honor Code. OCS generally cannot make public comment on any individual’s case, as per the Family Educational Rights and Privacy Act (FERPA). However, in limited circumstances, as required or allowed by law, information relative to certain incidents and case statistics may be disclosed.

### **Statement of Policy**

1. General Rights and Responsibilities
  - a. All Students, RSOs, and AGs are bound by the Honor Code, Standards of Conduct, and all College policies. Any Student, RSO, or AG found in violation of the aforementioned policies may be held accountable and be subject to the Community Standards process outlined in these Standards.
  - b. Additionally, faculty and staff are required to follow the procedures outlined in these Standards when they become aware of behavior that may violate the Standards.
2. Purpose of the Standards of Conduct and Honor Code
  - a. The purpose of the Standards of Conduct and Honor Code is to engage Students on issues of community membership, encourage responsible decision making, safeguard the health and welfare of all members of the Rhodes community, protect college property, and promote integrity and accountability.
3. Implementation of Rights
  - a. The Standards of Conduct and Honor Code are the College’s document governing Student, RSO, and AG conduct and the Community Standards process. All

discipline imposed upon a Student, RSO, or AG must be in accordance with the provisions of the Standards of Conduct and Honor Code.

- b. The procedures for addressing and resolving allegations of sex and gender-based harassment and discrimination, including sexual misconduct (e.g. sexual assault, stalking, dating violence, domestic violence, sexual exploitation, retaliation, etc.) are addressed by the Office of Title IX.
- c. OCS may delegate its authority over potential violations by residents of Rhodes College housing to the Department of Residence Life for resolution using the standards set forth in the Standards of Conduct.

## **Retaliation**

All members of the Rhodes College community have a right to bring forth information that helps support an environment of safety and support. Any act of retaliation taken against another is a serious violation of College policy.

1. Retaliation is defined as any adverse action (including and not limited to retaliatory harassment, threats, vandalism, unauthorized or unwelcome contact, or other harmful behavior) taken against an individual who is or is perceived to be engaged in a report, an investigation, or any Rhodes College proceedings because that individual participated in the process or to deter a person from participating in the process.
  - a. Adverse action does not include petty slights or trivial annoyance (i.e., giving someone angry looks, refusing to socialize with someone, and/or making negative comments about someone would not generally constitute retaliation.)
2. Retaliation against an individual for reporting an incident, supporting an affected party, or otherwise participating in the student conduct process is a violation of the Standard of Conduct.
3. No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege as outlined in the Standards of Conduct, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing.
4. Any individual or group found to have retaliated against another individual or group will be in violation of this Policy and will be subject to disciplinary action, up to and including expulsion for students and indefinite removal of recognition as a student organization.

## **Definitions**

1. Administrative Hearing Conference: An opportunity for a Respondent to address the allegations and charges with a Hearing Officer individually.
2. Advisor: An individual that provides support, education, guidance, and advice to the Student, RSO, or AG during any OCS procedure. An Advisor may not have personal involvement regarding any facts or circumstances of the allegation. An Advisor may not be an attorney and does not represent the Respondent in any hearing proceeding. An Advisor is a member of the Council who has been selected by/for the Respondent. The President of the Honor Council shall not act as an Advisor in any case. The Advisor's role is limited to

- informing the Respondent concerning Honor Council procedures and answering any questions about those procedures. The Advisor is foremost a member of the Honor Council.
3. Affinity Group (AG): specialized educational groups or athletic teams in which members are sponsored by Rhodes College department/office . An affinity group is not a Registered Student Organization recognized by the Office of Student Engagement.
  4. Appellate (or Appellate Officer or Appeals Committee): The individual or a group of individuals with responsibility under the Standards of Conduct or Honor Code to review and respond to appeals.
    - a. The designated individual appellate officer is the individual reviewing appeals of outcomes rendered from Administrative Hearing Conferences.
    - b. Faculty Appeals Committee: the group of faculty members authorized by Rhodes College to consider an appeal of the Honor Council’s decision that a student has violated the Honor Code or an appeal of the outcome rendered to a student by the Honor Council.
    - c. Community Standards Appeals Committee: the group authorized by Rhodes College to consider an appeal of the Community Standards Council’s decision that a student has violated the Standards of Conduct or an appeal of the outcome rendered to a student by the Community Standards Council.
  5. Campus: Campus includes all land, buildings, property, and facilities in the possession of, owned by, used by, or controlled by Rhodes College, regardless of contiguity or proximity. This includes land leased to others, property owned, managed or maintained by the College, and all streets, alleys, sidewalks, and public ways adjacent to any land of the College or the land upon which housing is located even if the housing is not owned by the College.
  6. Charge Letter/Notification: Correspondence for a hearing sent to a student outlining the alleged violation(s) of the Standards of Conduct. The correspondence will also include the date, time, and location of the hearing along with any evidence/documentation a part of the case.
  7. College: College refers to Rhodes College.
  8. Complainant (or Reporting Party): An individual who submits a report/referral against a Student, RSO, or AG alleging misconduct under the Standards of Conduct and/or Honor Code.
  9. Council: A student-elected hearing board responsible for hearing violations of the Honor Code, Standards of Conduct, and other Rhodes College policies and procedures.
    - a. Honor Council: the governing body of students elected by the student body of Rhodes College or, in the case of a mid-year vacancy, selected by the council by application to implement and interpret the Honor Code, including, without limitation, determining whether or not a student has violated the Honor Code and to impose outcomes.
    - b. Community Standards Council: the governing body of students elected by the student body of Rhodes College to implement and interpret the Standards of Conduct, including, without limitation, determining whether or not a student has violated the Standards of Conduct and to impose outcomes.
  10. Confidential and Private: indicating that what one shares is private or secret.
  11. Dean: Dean refers to any Dean within the Division of Student Life (i.e. Dean of Students (DOS), Dean of Student Success (DSS), and Dean of Belonging (DOB)).

12. **Disciplinary Violations:** Those violations detailed in the Standards of Conduct and Honor Code that are specific to student behavior. Certain conduct may constitute both Academic and Behavioral Misconduct.
13. **Disciplinary Outcome:** identifies a resolution and any requirements, restrictions, or change in Student status that have been assigned to the Student by the Director of Community Standards, or designee, or Council.
14. **Eligible Voting Member:** a council member serving as a class representative, and who is not serving a special role (including but not limited to investigator, advisor, acting secretary, etc.) during the hearing.
15. **Evidence (or documentary evidence or material evidence):** refers to emails, texts, social media, images, or other documents, whether in hard-copy or electronic format, presented to the hearing officer/body to determine the outcome of a hearing.
16. **Faculty Member:** a person who teaches a course offered for academic credit by an institution of higher education, including teaching assistants, instructors, lab assistants, research assistants, lecturers, assistant professors, associate professors, and full professors.
17. **Hearing Officer:** An individual who adjudicates a case.
18. **Honor Code:** the rules regarding proscribed conduct set forth in which students commit to not lie, cheat, or steal. Furthermore, commit to report a violation of the policy.
19. **Education and Accountability Conference -** In cases of minor misconduct, an informal resolution may be pursued. This typically involves a discussion or meeting between the student and a staff member, such as a resident advisor or a student conduct officer, to address the issue and find a mutually agreeable educational and reflective solution.
20. **Instructor:** Any Professor, Associate Professor, Assistant Professor, Instructor, Adjunct Faculty, Graduate Teaching Assistant, Teaching Assistant, or other professional charged with oversight of a lab, class, section, or course for academic credit at the College.
21. **Investigator:** the member of the Council designated by the President to investigate a reported violation and present evidence to the Council of such investigation. An Investigator may be present at Council deliberations on a matter for which they did the investigation in order to clarify facts, but may not deliberate or vote on that matter.
22. **Mediation:** Mediation involves bringing the involved parties together, along with a neutral mediator, to facilitate a constructive conversation and work towards a resolution. It is commonly used when conflicts arise between students or groups of students and aims to reach a mutually acceptable agreement.
23. **Member of the Rhodes College Community:** any person who is a student, faculty member, Rhodes College official, or any other person employed by Rhodes College. A person's status in a particular situation shall be determined by the OCS Administrator for the Honor Council upon consultation with the Honor Council President.
24. **Not Responsible (or "Not In Violation"):** The finding or acknowledgment that indicates a Student, RSO, or AG is in not violation of the a College policy, the Standards of Conduct, or the Honor Code.
25. **Notice of Investigation:** The written notice sent to a Student, RSO, or AG of the allegations and corresponding violations/infractions to be addressed
26. **Outcome (formerly "sanctions"):** a determination/decision as a result of the formal or informal resolution process.
27. **OCS Administrator:** the person designated by the administration to provide procedural information and support to a Respondent and/or Complainant before and after hearing

proceedings with a Council. Also serves as a liaison between the Honor & Community Standards Councils and the administration and consults with the Council Presidents concerning matters of the respective Council business.

28. Pledge: refers to the statements: 1) “As a member of the Rhodes College community, I pledge my full and steadfast support to the Honor System and agree neither to lie, cheat, nor steal, and to report any such violation that I may witness.” Although this pledge may not be written explicitly on a particular assignment, it is implicit in every assignment or activity completed at Rhodes College, as the initial Honor Code signing before the beginning of the student’s first year at Rhodes binds him or her to the Honor System. Or 2) “As a member of the Rhodes College community, I pledge to respect my fellow students, faculty, staff and their property. I will treat others as I would be treated and their property as I would my own.”
29. Policy: the written rules and regulations of the college as found in, but not limited to, the Campus Handbook, Academic Catalogue, and the college website.
30. Report: A written complaint against a Student or Registered student organization forwarded to OCS. A report may be submitted by any individual(s). Anonymous report may be considered at the discretion of OCS.
31. Registered student organization (RSO): any group of persons who have fulfilled the formal requirements for Rhodes College recognition.
32. Responsible (or ‘In Violation’): The finding or acknowledgment that indicates a Student, RSO, or AG is in violation of the a College policy, the Standards of Conduct, or the Honor Code.
33. Respondent: A Student (also referred to as a Charged Student) or RSO or AG who has received notice of allegations detailing a potential violation of a policy, the Standards of Conduct or Honor Code.
34. Rhodes College Official: any person employed by Rhodes College, performing assigned administrative or professional responsibilities. Rhodes College officials include, without limitation, administrators, faculty, and campus safety officers; and resident assistants, Honor Council members and Community Standards Council members when acting in an official capacity.
35. Rhodes College Premises: all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College (including adjacent streets and sidewalks).
36. Social Media: Examples of social media include but are not limited to blogs, wikis, microblogs, message boards, chat room, electronic newsletters, online forums, social networking sites, and other sites and services that permit user to share information with others on the internet (i.e., including, but not limited to Facebook, Instagram, SnapChat, TikTok, Twitter, YikYak, GroupMe, etc).
37. Source: refers to, without limitation, class textbooks, other books, journals, newspapers, magazines, information obtained electronically, and other persons’ work.
38. Standards of Conduct: the rules regarding proscribed conduct set forth in which students commit to the rules, regulations, polices, and procedures of the College.
39. Student: any person admitted to Rhodes College or enrolled or scheduled to be enrolled in a course for academic credit through Rhodes, both full-time and part-time, pursuing undergraduate or graduate studies. Persons who are not officially enrolled for a particular term but have a continuing relationship with Rhodes College are considered “students.”

40. Office of Community Standards (OCS): OCS is the office and staff responsible for the implementation and administration of Rhodes College policies, the Standards of Conduct, and Honor Code.
41. Vice President: Vice President refers to Vice President of Student Life (i.e., VP, VPSL)
42. Witness: A person who has knowledge of facts or circumstances pertaining to an alleged violation.
43. Written Communication: Written correspondence generated by OCS, including but not limited to email. Any correspondence sent to a Student's College-issued email address shall constitute actual notice.

NOTE:

- The term "shall" is used in the imperative sense.
- The term "may" is used in the permissive sense.

### Jurisdiction of the Standards of Conduct and Honor Code

The Standards of Conduct/Honor Code apply to conduct that occurs on the Campus, at Rhodes College-sponsored activities, and/or when the Student, RSO, or AG is representing Rhodes College.

OCS will have discretion to extend jurisdiction over conduct that occurs off campus when the conduct adversely and significantly affects the learning environment or College community and would be in violation of a college policy, the Standards of Conduct, or the Honor Code had occurred on campus. In determining whether or not to extend jurisdiction, OCS may consider its ability to gather information. OCS may extend jurisdiction if the alleged conduct:

- A. Involves violence or produced a reasonable fear of physical harm; and/or
- B. Involves any members of the College community or any academic work, records, documents, or property of the College.
- C. Involves conduct which constitutes a hazard to the health, safety, or well-being of members of the College community or which is detrimental to the College's interests.

Each Student is responsible for conduct from the time of application for admission through the actual awarding of a degree, though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment and even if the conduct is not discovered until after a degree is awarded.

### Violation of Law and Rhodes College Policy

Proceedings may be instituted against a Student, RSO, or AG charged with conduct that violates both the law and the Standards of Conduct without regard to the status of any civil, criminal, or other proceedings. Any student who is arrested on or off campus must inform the Office of Community Standards within 48 hours of the arrest.

Proceedings under this Standards of Conduct may be carried out prior to, simultaneously with, or following any civil or criminal proceedings.

### Disciplinary Conduct Verification

Students have the opportunity to apply for a variety of activities at Rhodes, during which the student represents the College and/or is placed in a leadership position. Because of the nature of



these opportunities, applications for these positions may include consideration of the applicant's disciplinary record.

Upon receipt of a signed release from the requesting student/alumni, Rhodes College will report to institutions or agencies outside the College only violations and/or outcomes that result in suspension or expulsion regardless of the information that may specifically be requested by the institution/agency.

Disciplinary records for students are maintained for seven (7) years post-graduation or separation from the College. Records of violations/outcomes for RSO/AGs are also maintained for seven (7) academic years. If a student is suspended/expelled or the RSO/AG is suspended/removed from the campus, their records will be kept indefinitely. To request your disciplinary/conduct records, complete the Disciplinary/Conduct Record Request Form by clicking [here](#).

### **Student Due Process, Rights, and Responsibilities**

#### **1. Rights of a Charged Student (or Respondent)**

- A Charged Student (Respondent) will have the following rights:
  - i. The presumption of not responsible. A Respondent/Charged Student may not be deemed responsible until the conclusion of the hearing proceedings.
  - ii. To receive a notification letter through Written Communication of any specific allegation, Charge(s), and evidence collected.
  - iii. To be provided with a reasonable amount of time to respond to the Notification Letter.
  - iv. To refuse to comment or answer questions.
  - v. To present information or any Witness in defense of a charge per the procedures outlined in the Standards of Conduct and Honor/CSC Council constitution.
  - vi. To request that any member of a hearing body be recused for good cause clearly established by the charged Student. The request for a Council member to be recused will be reviewed by the Council President in consultation with the OCS Administrator.
  - vii. To present evidence of any issue coming before their hearing.
  - viii. To have an Outcome imposed that is appropriate with the violation.
  - ix. Right to be assisted by an Advisor (for Honor Council and Community Standards Council hearings only). The Advisor can only be selected by the Respondent from the current members of the Honor or Community Standards Councils.
  - x. To retain rights as a Student until a final decision is issued by the hearing officer, hearing body, or Appeals Committee if requested. However, a Student may be subject to an Interim Suspension, limitations or conditions as set forth in the Standards of Conduct.

#### **2. Responsibilities of a Charged Student (Respondent)**

- A Charged Student will have the following responsibilities before and during a hearing:
  - i. To be honest.

- ii. To attend the scheduled hearing on a specified date, time, and location.
  - iii. To have personal information kept private. All hearing proceedings are confidential and private. The Office of Community Standards may share information with campus partners with a legitimate educational interest of the matter.
  - iv. To appeal any hearing outcome as detailed in this Standards of Conduct.
  - v. To be notified prior to a hearing to inspect and review the information on which a charge is based.
  - vi. To conduct reasonable questioning of any Witness appearing at the hearing (Honor Council and Community Standards Council hearings only).
  - vii. To conduct themselves in a manner that is respectful and honorable. Any participant that is disruptive to the hearing process will be dismissed and the hearing will continue in their absence.
  - viii. Only the College may record the Honor Council and Community Standards Council proceedings. No other forms of recording or transmission of any proceeding is allowed.
3. Proceeding in Absentia
- In the event a Charged Student, fails to respond to any notification sent by a Hearing Officer or Council representative, the case may proceed through the process without the Charged Student, in attendance.
    - i. A hearing may proceed without the Charged Student in attendance.
4. Rights of a Complainant
- The Complainant may be notified the outcome of the hearing has been determined; details of the outcome will not be shared due to confidentiality.
  - When participating in any OCS hearing, the Complainant may use conference call, written statement, video, or other measure for the Complainant's safety or wellness. The hearing officer/chairperson may require that the Complainant respond to reasonable questions requested by the Charged Student in real time.
5. Role of Advisor
- The Advisor's function shall be to provide support, education, guidance, and advice to the Student, during any OCS meeting or procedure.
  - The Advisor may be present but may not represent the Respondent in any hearing proceeding.
  - OCS can assist in partnering a Charge Student, with an Advisor that has been trained to provide support, education, guidance, and advice to students through the process.

## Student Conduct

### Amendments to Policies

Amendments to the Disciplinary Violations, Disciplinary Outcomes, and Grounds for Appeal can be made at the discretion of Rhodes College. If amendments are made, the updates will be added to the constitutions of the Honor Council and Community Standards Council, respectively. These amendments will not require revisions and approval as outlined in the Honor Council/CSC constitutions.

## Disciplinary Violations

At Rhodes College, each student is responsible for their behavior at all times and under all circumstances. Intoxication or the influence of drugs will not be considered a mitigating circumstance in determining whether a student has engaged in misconduct. Each student is responsible for the actions of their guest and may be held socially and financially responsible for any social offenses committed by that guest. Ignorance is not an excuse for violating College policy.

Since shared community standards are necessary to maintain an atmosphere of respect among individuals in the community, it is the responsibility of every member of the community to report any violation of the Honor Code or Standards of Conduct.

Examples of student misconduct at Rhodes include, but are not limited to:

- A. Lying in Official Matters and/or Dishonest Conduct. The term “lying” in official matters or “dishonest conduct” is defined as:
- Making an untrue or deceptive statement;
  - Making a material omission, or conveying a false impression, with the intent to mislead a Rhodes College official in an official matter; or falsifying, altering, or misusing official material with the intent to mislead a Rhodes College official in an official matter. Official matters and material include, without limitation, matters having to do with course work, college administration, faculty, residence hall administration, Campus Safety, Honor Council, or Community Standards Council. If an respondent student has lied in an Honor Council hearing, the Council may use the lie as evidence relating to the Respondent to the Honor System when determining a outcome.
  - Misuse or falsification of any state, federal, or University documents, forms, records, identification cards, or funds by actions such as forgery, alteration, or improper transfer;
  - Possession of a false identification card or possession of another’s identification card.
- B. Cheating. The term “cheating” is defined as the attempt or act of giving or receiving unauthorized aid from any source on academic course work.

Cheating includes plagiarism. Plagiarism is an act of academic dishonesty. A student must not adopt or reproduce ideas, words, or statements of another person without appropriate acknowledgment. A student must give credit to the originality of others and acknowledge an indebtedness whenever the student does any of the following:

- Quotes another person's actual words, either oral or written.
- Paraphrases another person's actual words, either oral or written.
- Uses another person's idea, opinion, or theory.
- Borrows facts, statistics, or other illustrative material unless the information is common knowledge.
- It is the student’s responsibility to consult the professor, an Honor Council member, or writing handbooks for procedure for properly acknowledging sources.

C. Stealing. The term “stealing” is defined as the act of intentionally taking, appropriating, or transferring, without right or permission, the academic property of any individual, organization, or institution, either permanently or temporarily associated with the Rhodes community. The following are examples of what could be considered under the definition of stealing:

- Appropriating or obtaining access to files or any other electronically stored information without authorization of the owner of such files or information
- Taking papers, files, gradebooks, notes, past tests or exams or other academically-related information without the owner’s authorization
- Removal of or otherwise making unavailable any material from the Rhodes College library without permission

Outside the academic context, stealing is the attempted or actual theft of services or property of the College, of a member of the College community, or other personal or public property.

D. Violation by Guest. Any Honor Code/Standards of Conduct violation committed by a guest of a Rhodes College student, excluding prospective students registered through the Admissions Office, shall be the responsibility of their host. Failure of a student host to reasonably supervise guest behavior, including behavior occurring in their residence hall rooms, behavior at student organization events, college-sponsored events, and behavior by off-campus guests.

E. Interfering with College or College sponsored activities, including but not limited to, studying, teaching, research, college administration, campus safety, or fire, police, or emergency services.

F. Bullying and Other Abusive Behavior. This offense includes, but is not limited to: A pattern of targeted, unwelcome conduct directed at an individual or group that is a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College’s educational programs or activities.

G. Hate-Motivated Acts. Engaging in verbal, written or physical conduct that is (i) based on a person’s or group’s race, sex, national origin, sexual orientation, religion, gender identity, age (40 or over), or disability; and (ii) is intended to intimidate or injure the person physically, mentally or emotionally.

H. Disorderly Conduct. Conduct that is disorderly, lewd, or indecent; conduct that has the effect of unreasonably disrupting the life of or interfering with the activities of persons or groups in the college community.

I. Endangering health or safety. Attempting or causing physical assault, verbal abuse, threats, coercion, and/or other conduct that threatens or endangers the health or safety of any

person, including the accused student. Includes conduct that reasonably makes or could be anticipated to make others feel unsafe.

- J. Interfering with the freedom of expression of others.
- K. Vandalism/Property Damage. Attempted or actual destruction/damage and/or defacement to property of the College or property of a member of the College community or other personal or public property, on or off campus.
- L. Failure to comply with directions of College officials, including campus safety officers, in performance of their duties.
- M. Unauthorized possession, duplication or use of keys to any College premises or unauthorized entry to or use of College premises.
- N. Possession of weapons of any type by students or guests while on College property, including firearms, B-B guns, pellet guns, bows and arrows, hunting knives, explosives or other weapons, except as specifically permitted by the Weapons Policy in the Student Handbook.
- O. Violation of the College's Social and Alcohol
- P. Violation of the College's Drug Policies.
- Q. Violation of any College regulation or policy.
- R. Violating the terms of any disciplinary outcome imposed in accordance with the Honor Code or Standards of Conduct.
- S. Violation of any federal, state or local law.
- T. Silent Agreement/Passive Participation: The agreement to (can be inferred by silent presence or failure to act) or support for an act that is against federal, state, or local laws, Honor Code, Standards of Conduct, or College policy.
- U. **Hazing.** According to Tennessee state law (TN 49-7-123 & 49-2-120), every college and university must implement a policy prohibiting hazing. Hazing refers to any intentional or reckless act, whether on or off-campus, by a single student or a group of students that endangers another student's physical or mental health and safety. However, customary athletic events, contests, or competitions are not considered hazing, and the law is limited to actions and situations related to initiation or affiliation with an organization.

The College's definition of hazing includes acts that cause mental or physical discomfort, embarrassment, harassment, ridicule, humiliation, intimidation, or endangerment of health and safety, regardless of affiliation, including but not limited to recruiting, joining, pledging, initiating, admitting, affiliating, participating, or retaining membership in an organization or team.

- Pressuring, coercing, and/or violating federal, state, provincial, local law, organizational, NCAA, or college policy;
- Consumption of any food, liquid, alcohol liquid, drug, or other substance in any non-customary manner;
- Physical contact, including and not limited to beating, paddling, branding, dangerous physical activity, exposure to elements, or threats of such conduct;
- Any other forced physical activity that could adversely affect the health or safety of the student;
- Any activity or exercise that is inconsistent with the mission of the organization/team;
- Any activity that could adversely affect the mental health or dignity of the individual through acts such as line-ups or berating, sleep deprivation, forced or coerced exclusion from social interaction, forced or coerced wearing of clothing/apparel, forced conduct, threats of such behavior that could result in extreme embarrassment or any other forced activity that could negatively affect the student's mental health or dignity;
- Disruption of academic performance or class attendance, including early morning or late-night work sessions,
- Personal or financial servitude (e.g., not limited to doing someone's laundry, buying someone's food, driving someone around/"chauffeur" someone, completing someone's classwork for them);
- Publicly wearing apparel that is conspicuous and not generally in good taste;
- Engaging in public stunts,
- Any activity that a reasonable person would view as morally degrading or humiliating games and activities.
- Kidnapping or abandonment

The College holds individuals and organizations accountable for hazing, regardless of whether it occurs on or off campus. Victims' voluntary participation in hazing does not absolve responsibility. The severity of the hazing, including forced alcohol or drug consumption, physical abuse that causes or could cause bodily harm, sexual misconduct, or deprivation of sleep, food, or water, will determine the sanctions and accountability action plans. First-time acts of aggravated hazing may result in suspension or expulsion.

### **Disciplinary Outcomes**

The following outcomes may be imposed for student misconduct at Rhodes:

1. **Warning:** This outcome will be used in cases in which the College determines that the appropriate lesson has been learned and conclude the matter with a formal letter of warning.
2. **Disciplinary Probation:** A written notification for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary outcomes if the student is found to violate any institutional regulation(s) during the probationary period. Students on disciplinary probation are considered not in good social standing with the College. Good Standing may be required for participation in certain campus activities. In addition, students not in good standing may have their conduct reviewed for leadership or employment positions on campus.

3. Loss of Privileges: Denial of specified privileges for a designated period of time.
4. Fines: Previously established and published fines may be imposed.
5. Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
6. Discretionary Outcomes: Work assignments, service to the college, education, referral to counseling, or other related discretionary assignments (such assignments must have the approval of the OCS Administrator or their designee).
7. No Contact: a preventative measure when alleged violation(s) of the Standards of Conduct are reported. At the discretion of the Director of Community Standards, or their designee, a NCO can be issued as a means of informal resolution. The NCO will usually state that the individual may have been involved in a situation where a violation of College policy occurred and prohibiting the individual from contacting another student(s).
8. Residence Hall Suspension: Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
9. Residence Hall Expulsion: Permanent separation of the student from the residence halls.
10. College Suspension: Separation of the student from Rhodes College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
11. College Expulsion: Permanent separation of the student from Rhodes College.

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

### **Amnesty**

Student safety is of utmost importance to the College. To encourage Students to make responsible decisions, Rhodes College recognizes the need for amnesty from College sanctions in certain situations. Amnesty under this policy, when granted, excuses a Student, RSO, or AG from College violations under the Standards of Conduct. Amnesty is intended to promote action when an emergency situation is present. It is not intended to excuse any student or organization causing the emergency situation or unsafe condition. The decision to grant amnesty will be determined by the Dean of Students, Director of Community Standards, or their designee, on a case-by-case basis.

Amnesty under this policy is limited to violations of the Standards of Conduct/Honor Code and has no bearing on actions taken by any law enforcement agency, including any Police entity. To qualify for amnesty, a Student, RSO, or AG is encouraged to: report any incident or medical emergency by contacting the appropriate College officials (i.e. Campus Safety, Residence Life,

etc.), remain with any student needing attention or emergency treatment. This policy does not protect students from violations of other college policies, such as threatening/causing physical harm, sexual assault, harassment, damage to property, etc. After a review of the information and considering of any mitigating factors reported, the College has the discretion to grant or deny amnesty to a student, RSO, or AG. The Amnesty Policy policy may apply to minors who are official guests/visitors of a Rhodes College student.

The College strives to empower students to make healthy and responsible decisions while exploring opportunities to learn. A student, RSO, or AG may not use the Amnesty policy repeatedly as a means to circumvent accountability medically or non-medically.

### *Medical Amnesty*

The College recognizes the need for emergency response amnesty (“Medical Amnesty”) in certain alcohol, drug, physical, and emotional distress related emergencies and situations.

Medical Amnesty may be available in the following situations:

- Student seeking medical attention for themselves
- Student seeking medical attention on behalf of another Student
- an RSO or AG seeking medical attention for a Student

Medical Amnesty will not be granted for other policy violations (outside of alcohol and drug related violations) that may have occurred during the incident. In order to qualify for Medical Amnesty, the Student, RSO, or AG must comply with College requests for an educational conversation, assessment, and any potential referrals for additional services or treatment and/or outcomes to address the behavior.

### *Non-Medical Amnesty*

The College recognizes the need for amnesty in certain behavioral situations which do not require immediate emergency medical response (“Non-Medical Amnesty”). In order to qualify for Non-Medical Amnesty, the Student, RSO, and/or AG must notify the College of the specific concerns in advance of the College having knowledge of the incident for which Non-Medical Amnesty is sought. In order to qualify for Non-Medical Amnesty, the Student, RSO, or AG must agree to comply with appropriate educational outcomes to address the behavior.

- Non-Medical Amnesty may be available to a Student, RSO, or AG who proactively seeks clarification of College rules prior to engaging in questionable conduct.

## **Appeals**

Appeals for Charged Students (Individual):

All student conduct proceedings at Rhodes allow for an appeal of the outcome of the hearing. For administrative hearings, the appellate officer will be the Dean of Students, or designee. For appeals of hearings before the CSC, the appellate officer will be the Community Standards Appeals Committee, which is chaired by the Dean of Students, or designee and composed of a representative from Academic Affairs and a student representative, usually the President of the Honor Council. For appeals of an Honor Council decision, the appellate officer will be the Faculty Appeals Committee, composed of faculty and staff.



Whether from an administrative, Honor Council or CSC decision, the appeal must be in writing, written by the student and not a third party, and is limited to three grounds:

1. A hearing procedure was not followed; and/or
2. The outcomes imposed were inappropriate for the violation of College policy; and/or
3. New and relevant information, sufficient to alter the decision, that was unknown or unavailable to them at the time of the original hearing.

Appeals that are not based on one or more of the above grounds may be dismissed without further meeting or action. As with the original hearing, legal counsel may not attend any appeals hearing. Any advice or assistance of counsel must be obtained prior to the hearing.

While an appeal is pending, the student may continue to attend their courses and participate in College life as usual, unless they are under interim removal from campus. Additional limitations on personal contact and/or participation in College-related events or activities may be imposed while the appeal is pending.

After hearing the appeal, the appellate officer/committee may:

- For administrative appeals, uphold, modify, or overturn the original decision. If the decision is modified the appellate officer may, at their discretion and considering the information received, impose a more severe decision and/or outcome.
- For Community Standards Council appeals, sustain the decision of the Council or recommend that the Council reconsider its decision or outcome(s).
- For Honor Council appeals, sustain the decision of the Honor Council or return the case to the Honor Council for reconsideration with remarks and suggestions.

The decision of the appellate officer/body is final.

Amendments to the Disciplinary Violations, Disciplinary Outcomes, and Grounds for Appeal can be made at the discretion of Rhodes College. If amendments are made, the updates will be added to the constitutions of the Honor Council and Community Standards Council, respectively. These amendments will not require revisions and approval as outlined in Article V of the Honor Council/CSC constitutions.

NOTE: For [Appeal Procedures for RSO/AGs](#), see below under Organizational Conduct.

### **Conduct Holds**

The Office of Community Standards will place a hold (“conduct hold”) on the student’s record if the student has a pending conduct proceeding under the Standards of Conduct/Honor Code or has failed to complete their disciplinary outcome.

A conduct hold may restrict the student from registering for classes, requesting an official transcript, or receiving a degree from the College until the hold has been removed. The hold will remain in place until lifted by the Office of Community Standards or other designated Rhodes College official with authority to do so.

Typically, a conduct hold will be lifted when circumstances change, where the hold is no longer necessary (i.e. completion of disciplinary outcomes, etc.), or at the completion of a conduct proceeding.

### **Confidentiality and Redaction of Information**

The Office of Community Standards reserves the right to redact a student's information to uphold a student's privacy and protection of confidential information that is protected under FERPA law.

### **Interim Suspension**

An interim suspension is an immediate temporary restriction from the College. An interim suspension may be implemented when a student, RSO, or AG whose alleged violation of the Standards of Conduct/Honor Code indicate that there may be a perceived threat to themselves, to others, or to College property.

Conditions may include, but are not limited to, restriction from College premises, participation in academic and/or social endeavors, and college-related activities.

Interim suspensions will be expedited through the Community Standards process. An interim suspension may be imposed at the discretion of the Vice President for Student Life, or their designee.

- A student under interim suspension is immediately removed from the Rhodes College community; they may not attend classes, reside in the residence halls, be present on Rhodes College property, or attend Rhodes College sponsored events/activities.
- A Registered student organization or Affinity group under interim suspension will be temporarily restricted from operating as an organization/group, including but not limited to, publicizing and hosting events, recruiting, meeting, representing the organization/group.

An interim suspension will end at the conclusion of the conduct proceedings. An interim suspension should not be confused with a disciplinary suspension, which is one possible outcome of the disciplinary proceedings.

### **Virtual/Remote Hearings**

At the discretion of the adjudicating Hearing Officer or Council Leadership, a hearing can be conducted virtually. The Charge Notification will outline the platform that will be used to conduct the hearing.

All due process rights, responsibilities, and procedures will be adhered to for virtual/remote hearings as a hearing conducted in person.

### **Resolution Processes**

When a student is alleged to have violated one of the College's policies, there are resolution processes by which a student's case may be heard:

- Informal Resolution Processes:
  - [Education and Accountability Conference](#)

- [Mediation](#)
- Formal Resolution Processes:
  - [Administrative Hearing Conference](#)
    - Individual
  - [Organization Conduct](#)
  - [Honor Council](#)
  - [Community Standards Council](#)

These processes exist to ensure that there is diversity of thought when addressing alleged misconduct. These processes exist under the purview of the Director of Community Standards (also referred to as the OCS Administrator) or their designee, and they are authorized by the Dean of Students. The Director of Community Standards may, in their complete discretion, designate which process an alleged violation of student conduct policy be addressed by.

All student conduct resolution processes, while slightly different in nature, abide by the same standard of proof – a preponderance of the evidence, or “more likely than not”- to determine whether a student did or did not violate College policy.

Student conduct processes at Rhodes are not legal proceedings and so do not strictly adhere to the rules of evidence and procedure by which courts are governed. For the same reasons, lawyers are not permitted to participate in student conduct processes at Rhodes. Any advice or assistance a student requests from legal counsel must be obtained prior to the conduct process.

Students are required to be responsive to College officials when a meeting is requested, and more specifically, students must respond in a timely manner to emails and communication sent on behalf of the conduct process.

When a student chooses not to be responsive or elects not to participate in the conduct process, the College reserves the right to move forward with the process in absentia. This means that the Office of Community Standards will conduct a hearing relying on the information they have already received about the incident.

If the College chooses to hold a hearing in absentia, the student will lose the ability to provide new information not brought out in the original hearing.

### **Education and Accountability Conference**

Education and Accountability Conference is an informal resolution that provides an opportunity for the OCS Administrator to meet with the Respondent involved in an incident where ownership actions have been demonstrated or there is an opportunity for the student to engage in ownership actions. The goal of this conference is to:

- Understand the impact of their actions and how they align and/or misalign with their intent.
- Seek development and education through discussion of exploration of alternative ideas, framework of thinking, and actions.

- Reach accountability for the actions that have been taken and reach a mutual educational outcome.

### **Educational and Accountability Conference Procedures**

1. The Respondent will receive written notification of the alleged violation and any evidence submitted.
2. The OCS Administrator or designee must act with complete impartiality.
3. No recordings (audio and video) are made of the Educational and Accountability Conference process. The Respondent cannot record the process on any device.
4. The student provides their narrative about what took place during the incident.
5. The Respondent may revisit the evidence submitted from their notification; the Respondent may also submit any evidence prior to the scheduled conference or during the conference. The Respondent must be prepared to provide a copy of their evidence.
6. The OCS Administrator, or designee, asks the Respondent questions relevant to the incident and their narrative of events.
7. The Respondent shares their closing statement.
8. The OCS Administrator, or designee, concludes the conference and discusses the decision and the outcome with the student.
9. The Respondent will acknowledge the outcome, in writing:
  - a. If the Respondent agrees to the outcomes, they acknowledge: 1) they are waiving their student due process rights, 2) they do not request a hearing.
  - b. If the Respondent does not agree with the outcome, the case is referred to a hearing officer/body.

### **Outcomes of Education and Accountability Conferences**

- A. Outcomes of an Education and Accountability Conference will be discussed and agreed on between the OCS Administrator and the Respondent.
- B. When determining the educational outcomes for the violation, the following criteria is considered along with any other factors determined by the OCS Administrator to be relevant:
  1. The nature and severity of the violation.
  2. The ability of the Respondent to demonstrate their ability to uphold the Standards of Conduct as a productive member of the Rhodes community.
  3. The level of cooperation and accountability of the Respondent during the conference.
- C. The following outcomes may be imposed:
  1. Warning: This outcome is used in cases in which the Honor Council determines that the appropriate lesson has been learned and concludes the matter with a formal letter of warning.
  2. Disciplinary Probation: A written notification for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary outcomes, including suspension or expulsion, if the student is found to violate any institutional regulation(s) during the probationary period.
    - Students on disciplinary probation are considered not in good social standing with the College. Good standing may be required for participation in certain campus activities. In addition, students not in good standing may have their conduct reviewed for leadership or employment positions on campus.

3. Discretionary Outcomes: Work assignments, service to the College, education, referral to counseling, follow-up meetings, developing/hosting programs and/or initiatives, educational seminar/workshops, required behavioral assessment, or other related discretionary assignments (such assignments shall have the approval of the OCS Administrator or their designee).
- D. More than one of the outcomes listed above may be imposed for any single violation.
- E. The outcomes of the Education and Accountability conference is discussed and agreed on between the Respondent and the OCS Administrator conclude the conference.
  - a. If the Respondent agrees with the outcome, they acknowledge their agreement and understand they are waiving their right to a formal hearing and appeal.
- F. Failure to adhere to any outcome imposed may result in the individual being referred through a formal Community Standards resolution process (i.e., Administrative Hearing Conference, Community Standards Council, or Honor Council) or a [conduct hold](#) placed on their account.
- G. Disciplinary Outcomes are not a part of the student's permanent academic record but are a part of the student's disciplinary record.
- H. Future violations of the same policy will be referred through a hearing resolution process.

## Mediation

- Mediation is an informal resolution that involves bringing the involved parties together, along with a neutral mediator, to facilitate a constructive conversation and work towards a resolution. It is commonly used when conflicts arise between students or groups of students and aims to reach a mutually acceptable agreement.

## Administrative Hearings

When a case is addressed through the Administrative Hearing process, the staff member adjudicating the matter (the OCS Administrator, Hearing Officer, or their designee) will send the student a charge letter via their Rhodes email address.

1. The Office of Community Standards receives an information/incident report regarding an alleged violation of the Standards of Conduct, the student is notified by the OCS Administrator in writing an Administrative Hearing will take place.
2. Any student identified as an active part of the reporting or hearing process is required to comply with every part of the process. Such students may not decline to participate in the process without good cause, as determined by the OCS Administrator. If a Respondent declines to participate in the process, the outcome will be determined without their input and they may be subject to disciplinary outcomes under the Rhodes Standards of Conduct.
3. The OCS Administrator will send a Charge Notification Letter that includes an incident report identifying the nature of the alleged violation, the time and place of its alleged occurrence, and any evidence/documentation to be considered at the hearing. The student will also receive a written list of hearing procedures as outlined in the Standards of Conduct.
4. The notice will be sent at least 48 hours prior to the hearing. This time period may be extended by a written request from the student to the OCS Administrator. The approval is at the discretion of the OCS Administrator.
5. The student shall be allowed to review all evidence prior to the scheduled hearing.

6. The student shall not be present during hearing officer's deliberations.
7. The Respondent may offer evidence/documentation, including, without limitation, the introduction of documentary evidence, the calling of witnesses with relevant knowledge. All evidence and a complete list of witnesses shall be submitted by the Respondent to the OCS Administrator at least 24 hours before the hearing. The OCS Administrator reserves the right to postpone the time of the hearing to properly evaluate any new evidence. The Respondent shall be responsible for securing the appearance of their witnesses at the hearing. Evidence submitted less than 24 hours prior to the hearing will not be considered.
8. All participants in the hearing process should keep the matter under consideration confidential. The Respondent may make such investigation as they require to state their case and may also consult with a chosen faculty member, family members, counselors or their attorney.
9. The hearing officer may find the Respondent "Responsible" of the Standards of Conduct/Honor Code/policy only upon a preponderance of the evidence. Under this standard, a violation has occurred if it is more likely than not (greater than a 50% chance) that a violation of the Standards of Conduct/Honor Code/policy occurred.
10. The Respondent may be found "Responsible" of the Standards of Conduct/Honor Code/policy only for the violation(s) which is the subject of the hearing.
11. If the Respondent fails to participate in the hearing process, the Hearing Officer may continue with the hearing procedure.
12. In cases in which two or more students are respondent of a joint violation, the Hearing Officer may conduct one hearing for the joint violation but shall arrive at an independent decision for each respondent student.
13. If found "Responsible" of the Standards of Conduct/Honor Code/policy, the Respondent may call for an appeal of the Hearing Officer's decision and/or sanctioning by the Appellate Officer. The Respondent must request the appeal in writing within four business days of the decision, and the Respondent must indicate or list the specific ground(s) upon which they are basing their request for an appeal.
14. All accounts (Complainant, Respondent, and Witnesses) during the Administrative Hearing will be held individually only to give their own testimony. No other persons may be present during the hearing. Disruptive behavior on the part of anyone present shall result in immediate and permanent removal from the hearing. Hearing proceedings will move forward in absentia.

### *Hearing Procedures*

1. The Hearing Officer shall preside over the hearing.
2. The Hearing Officer must act with complete impartiality. If the Hearing Officer believes their participation in any aspect of hearing process constitutes a conflict of interest, they must recuse themselves.
3. No audio or video recording of the hearing will not be made during the Administrative Hearing process. The Student may not record on their personal device.
4. The student shares their opening statement.
5. The Respondent may observe all evidence presented during the hearing but shall not be present for Hearing Officer's deliberations.
6. The student provides their narrative about what took place during the incident.



7. The OCS Administrator or designee asks the student questions relevant to the incident and their narrative of events.
8. The student shares their closing statement.
9. The OCS Administrator or designee concludes the hearing and deliberates on the outcome.
10. Legal counsel retained by an Respondent student or any other person participating in the hearing shall not attend the Administrative Hearing. Any advice or assistance requested of legal counsel by a student must be obtained prior to the hearing.

After the hearing has ended, the student will: 1) meet with the OCS Administrator, or their designee to discuss the outcome of the hearing followed by a written decision, or 2) receive a decision letter. All written decisions will be sent via the student's Rhodes email address, informing them of the outcome, whether or not they have been found in violation, and if they have been found in violation, what the outcomes will be.

### *The Appeal Process for a Respondent (Charged Student)*

Students who wish to appeal the outcome of an administrative hearing should submit an appeal letter to the decision-maker who is named in the decision letter. The appeal letter must be written by the student, and not another individual or party. This letter must specify the basis for the appeal. Appeals will be considered based on the supporting documents provided by the student, and may be requested on one of three grounds:

1. The student believes that the hearing procedure was not followed;
2. The student believes the outcomes imposed were inappropriate for the violation of College policy;
3. The student has new and relevant information, sufficient to alter the decision, that was unknown or unavailable to them at the time of the original hearing

Appeals that are not based on one or more of the grounds listed above may be dismissed without further meeting or action. Students have four business (4) days from the date their decision letter was sent to submit an appeal.

The appeal of an administrative decision will be heard by the Dean of Students, or their designee. The Dean of Students, at their discretion, may determine that, in addition to the documentation received for the appeal, interviews are warranted to gather more information about the appeal. After reviewing the appeal documentation/information, the Dean of Students, or their designee may uphold, modify, or overturn the original decision. If the decision is modified by the Dean of Students, at their discretion and considering the information received, may impose a more severe decision and/or outcome. The decision of the appellate officer is final.

## **Organizational Conduct**

### *Registered Student Organization and Affinity Group Due Rights & Responsibilities*

#### **Rights of a Charged RSO, or AG**

A. A Charged RSO, or AG will have the following rights:

- The presumption of not responsible. A Charged RSO, or AG may not be deemed responsible until the conclusion of the hearing proceedings.

- To receive a notification letter through Written Communication of any specific allegation, Charge(s), and evidence collected.
- To be provided with a reasonable amount of time to respond to the Notification Letter.
- To refuse to comment or answer questions.
- To present information or any Witness in defense of a charge per the procedures outlined in the Standards of Conduct.
- To present evidence of any issue coming before their hearing.
- To be notified prior to a hearing to inspect and review the information on which a charge is based.
- To have an Outcome imposed that is appropriate with the violation.
- To retain rights as a RSO, or AG until a final decision is issued by the hearing officer or appellate body. However, a RSO, or AG may be subject to an Interim Suspension, limitations or conditions as set forth in the Standards of Conduct.
- To appeal any interim suspension and/or hearing outcome as detailed in this Standards of Conduct.

#### **Responsibilities of a Charged RSO or AG**

B. A Charged RSO, or AG will have the following responsibilities before and during a hearing:

- To be honest.
  - To attend the scheduled hearing on a specified date, time, and location.
  - To have personal information kept private. All hearing proceedings are confidential and private. The Office of Community Standards may share information with campus partners with a legitimate educational interest of the matter.
  - To conduct themselves in a manner that is respectful and honorable. Any participant that is disruptive to the hearing process will be dismissed and the process will continue in their absence.
  - Only the College may record in the investigative and hearing proceedings. No other form of recording or transmission of any proceeding (including investigations) is allowed.
1. A registered student organization (RSO) or Affinity group (AG) may be accused of a violation of the Standards of Conduct regardless of whether a member of the organization is individually accused of a violation arising from the same incident(s). Registered organizations and sponsored activities are subject to the same rules and regulations as individual students, and Rhodes may hold them accountable for their actions even when the College pursues charges of misconduct for the same incident against individual members of the group.
  2. A RSO or AG may be held accountable if any of the following situations regarding an alleged violation(s) of the Standards of Conduct apply:
    - The conduct is sanctioned by the organization and/or any of its officers. “Sanctioned by” includes, but is not limited to, active or passive consent or encouragement or possessing prior knowledge that the conduct was likely to occur; and/or
    - The activity involved such a significant number of members of the organization and/or the organization advertised or promoted the activity through communications



associated with the organization, such that a reasonable person would conclude that the activity was affiliated with or sanctioned by the organization; and/or

- The organization, either in whole or in part, planned and/or implemented the activity, and/or advertised the activity; and/or
  - The activity occurred on property (whether on campus or off) owned, controlled, rented, leased, or used by the organization or any of its members for organization activities; and/or
  - The activity was related to initiation, admission into, affiliation with, or as a condition for continued membership in the organization; and/or
  - The organization knew or should have known about the activity and failed to act responsibly in preventing it.
3. In any hearing resulting from a violation by a RSO or AG in which it is determined that the violation was caused by the action of individuals rather than the official action(s) of the organization, those individuals may be referred through the Community Standards process as individuals.
  4. The president of the RSO/ the primary student point of contact for the AG shall represent the organization in all conduct proceedings. Rhodes College-issued email addresses are the primary means of communication with RSO or AGs and the Office of Community Standards. Officers within the RSO or AGs are responsible for all communications delivered to their Rhodes College email addresses. RSO or AG leadership should check their Rhodes College email address daily. Notices of an investigation, meetings, and hearings are only sent to Rhodes College email addresses.
  5. The president of the RSO/ the primary student point of contact for the AG will be notified in writing by the Director of Community Standards of the charges against the organization. The president will be further advised in writing of any outcomes the Office of Community Standards is taking against the organization.
  6. The Director of Community Standards, or their designee, will conduct an Administrative Hearing on the charge(s).

#### Hearing Procedures (for RSO/AG)

1. The Hearing Officer shall preside over the hearing.
2. The Hearing Officer must act with complete impartiality. If the Hearing Officer believes their participation in any aspect of the hearing process constitutes a conflict of interest, they must recuse themselves.
3. No audio or video recording of the hearing will not be made during the Administrative Hearing process. The Student may not record on their personal device.
4. The president of the RSO/ the primary student point of contact for the AG (or Respondent) shares their opening statement.
5. The president of the RSO/ the primary student point of contact for the AG (or Respondent) may observe all evidence presented during the hearing but shall not be present for Hearing Officer's deliberations.
6. The president of the RSO/ the primary student point of contact for the AG (or Respondent) provides their narrative about what took place during the incident.

7. The OCS Administrator or designee asks the president of the RSO/ the primary student point of contact for the AG (or Respondent) questions relevant to the incident and their narrative of events.
8. The president of the RSO/ the primary student point of contact for the AG (or Respondent) shares their closing statement.
9. The OCS Administrator or designee concludes the hearing and deliberates on the outcome.
10. Legal counsel retained by president of the RSO/ the primary student point of contact for the AG (or Respondent) or any other person participating in the hearing shall not attend the Administrative Hearing. Any advice or assistance requested of legal counsel by a student must be obtained prior to the hearing.

After the hearing has ended, the president of the RSO/ the primary student point of contact for the AG (or Respondent) will: 1) meet with the OCS Administrator, or their designee to discuss the outcome of the hearing followed by a written decision, or 2) receive a decision letter. All written decisions will be sent via the student's Rhodes email address, informing them of the outcome, whether or not they have been found in violation, and if they have been found in violation, what the outcomes will be.

#### Interim Suspension for RSO/AG:

A RSO or AG that has been charged with a violation of the Standards of Conduct may, in the discretion of the College, be placed on interim suspension pending the investigation and/or adjudication of the charge(s). While on interim suspension, an organization may be directed to take one or more of the following actions: (1) refrain from publicizing or holding events; (2) refrain from recruiting, meeting with, or initiating new members; (3) refrain from holding meetings of its membership; or (4) any other action deemed appropriate based on the charge(s) at issue. An organization placed on interim suspension will be notified in writing of the terms of the suspension. Failure to observe the terms of the interim suspension may itself be deemed a violation of the Standards of Conduct.

#### Appeal Procedures for a RSO/AG:

- Appeals for RSO (Under Interim Suspension): RSO/AG has the right to appeal an interim suspension. The appeal must be submitted to the Dean, or their designee, who is named in the interim suspension notification letter. The appeal letter must be written by the President of the RSO/the primary student point of contact for the AG. This letter must specify the basis for the appeal. The Dean, at their discretion, may uphold, modify, or overturn the interim suspension.
- Appeals (After a Hearing): All organizational conduct proceedings at Rhodes allow for an appeal of the outcome of the hearing. The appellate officer will be the Vice President for Student Life, or their designee. The [Standards of Conduct Appeal Form](#) must be completed, and is limited to three grounds:
  1. A hearing procedure was not followed; and/or
  2. The outcomes imposed were inappropriate for the violation of College policy; and/or
  3. New and relevant information has become available, sufficient to alter the decision, that was unknown or unavailable to them at the time of the original hearing.

Appeals that are not based on one or more of the above grounds may be dismissed without further meeting or action. As with the original hearing, legal counsel may not attend any appeals hearing. Any advice or assistance from legal counsel must be obtained prior to the hearing.

While an appeal is pending, the organization's interim suspension status will remain active, if applicable. If no interim suspension status was imposed, the sanctions will be placed in abeyance until the appellate officer renders an outcome.

After hearing the appeal, the appellate officer may uphold, modify, or overturn the original decision. If the decision is modified the appellate officer may, at their discretion and considering the information received, impose a more severe decision and/or outcome.

#### Disciplinary Outcomes for RSO/AGs:

The following outcomes may be imposed when a RSO or AG has been found in violation of the Standards of Conduct:

##### Primary:

- **Warning** is notifying the organization that it has violated the Standards of Conduct and is a caution that repetition of the behavior or other misconduct may result in a more severe outcomes. An organization may not receive more than two warnings for the same conduct in an academic year without more serious action being taken.
- **Loss or Restriction of Privileges** is limitation or removal of social privileges including, but not limited to, the opportunity to schedule social functions, to use Rhodes facilities, or to post notices.
- **Educational Measure** is a requirement to complete specific assignments at the organization's expense directly related to the violation committed.
- **Restitution** is requiring an organization to reimburse Rhodes, appropriate individual(s), or vendor(s) for damage or misappropriation.
- **Task Participation** is requiring the organization's members to participate in assigned tasks or service projects appropriate to the violation.

##### Secondary:

- **Termination** is removal of institutional recognition. Rhodes denies the organization all privileges associated with recognition including, but not limited to, the right to reserve space in College facilities or to use Rhodes property or resources, the right to receive student activity fees or other funding from College resources, and the right to participate in or sponsor extracurricular or social activities on campus.
- **Suspension** is removal of institutional recognition for a stated period of time. During the period of suspension, the organization will be denied the use of all Rhodes facilities and resources and may not in any way participate in or sponsor any extracurricular or social activity on campus. At the end of the prescribed period of time, the organization will be allowed to re-form subject to any condition(s) set forth at the time of suspension.

- **Probation with Loss of Privileges** is continued recognition with loss of the right to sponsor or participate in all extracurricular and/or social activities for a stated period of time. Further misconduct during the period of probation or violation of the terms of the probation will most likely result in a loss of recognition.
- **Probation** is continued recognition and operation with a warning that further misconduct during the period of probation or violation of the terms of the probation may result in loss of institutional recognition. Conditions may be attached as terms of continuance during the period of probation.

The officers, leaders, or any identifiable spokespersons for a RSO or AG may be directed by a member of the college staff to take appropriate action designed to prevent or end prohibited conduct by the organization or by any persons associated with the organization who can reasonably be said to be acting on the organization's behalf. Failure to make reasonable efforts to comply with the directive shall be considered a violation of the Standards of Conduct both by the individual officers, leaders, or spokespersons for the organization and by the organization itself.

Rhodes College officials may exercise the authority to cancel an organization's event when there are concerns about an organization's ability to follow campus policies and guidelines. Cancellation notification will be through the Office of Student Engagement with rationale for the decision included. The sponsoring organization shall be notified immediately upon the decision to cancel.

In the course of an approved activity/event, the Department of Campus Safety or an acting Rhodes College official can discontinue a sanctioned activity/event when College policy is not being followed.

## The Rhodes Honor System

Student academic conduct at Rhodes is governed by the Honor System, and misconduct is judged according to the Honor Code. This section discusses the process for adjudicating Honor Code violations by the student-run Honor Council, whose members are selected by the student body.

The Honor System, perpetuated by the students of Rhodes College, was one of the institutions brought to Memphis, Tennessee when the College moved there in 1925. Throughout its history, the College has emphasized a true spirit of honor and integrity, by means of the Honor System's governing document—the Honor Code—and its governing body—the Honor Council. Though it has since been revised over the years, the Honor Code's underlying tenets of honor and trust remain unchanged. The Honor Council, then, represents both the steadfast tradition of the Honor Code and the ever-changing nature of Rhodes College.

The Honor System at Rhodes is a tradition, an inheritance, and an opportunity all in one. It is a tradition because it is and has been a valued possession of Rhodes students since the early days of the College. It is an inheritance because each entering class receives it from the previous class as

a gift to be cherished and respected. Above all, it is an opportunity because it allows the fullest possible expression of individual life in harmony with community life.

Within the Honor System, Rhodes students have found a moral ideal by which to guide their actions. This ideal is absolute honesty to oneself and to others in all aspects of life. It is not only a guide for college life; it is also a principle that guides one's ethical life after leaving Rhodes College. The objective of the Honor System is the spiritual, moral, and intellectual development of the individual student. It demonstrates the important union between freedom and responsibility. To demonstrate their commitment to this ideal, Rhodes College Students take the following pledge: "As a member of the Rhodes Community, I pledge I will not lie, cheat, or steal, and that I will report any such violation that I may witness."

Students are personally responsible for their work, their actions, and their word. Because these actions take place in a larger community, students have a responsibility to that community. Students must protect their freedom by encouraging adherence to the Honor Code and by reporting any violations of which they are aware. In order to preserve an atmosphere of honor and trust at Rhodes, it is necessary for the Honor Council to act upon any cases of dishonesty in connection with academic or campus life. All members of the Rhodes community must fulfill their responsibilities to the Honor System. This process of cooperation is vital to the spiritual, moral, and intellectual development of Rhodes College.

For these reasons, the Honor Council is composed of, by, and for the students of Rhodes College, that they may honor one another and the larger community to which they belong. The Honor Council is chosen and governed by the Honor Council Constitution, which also houses the Honor Code.

### *Honor Council Constitution*

## **ARTICLE I—PURPOSE AND DEFINITIONS**

### **SECTION 1. Purpose**

The purpose of the Honor Council shall be to foster a spirit of honor at Rhodes College, and to act upon cases of cheating, stealing, or lying in official matters, or the failure on the part of students to report such violations in connection with academic work or campus life.

The Honor Council's role at Rhodes College is to maintain a system which is symbolic of the perpetual commitment of this institution to the values of truth and honesty. The Honor Council recognizes that the Honor System is more than a guide to campus life; it is a guide to ethical life, both during and after college.

### **SECTION 2. Definitions**

- A. The term "student" includes any person admitted to Rhodes College or enrolled or scheduled to be enrolled in a course for academic credit through Rhodes, both full-time and part-time, pursuing undergraduate or graduate studies. Persons who are not officially enrolled for a particular term but have a continuing relationship with Rhodes College are considered "students."

- B. The term “faculty member” means **a** person who teaches a course offered for academic credit by an institution of higher education, including teaching assistants, instructors, lab assistants, research assistants, lecturers, assistant professors, associate professors, and full professors.
- C. The term “Rhodes College official” includes any person employed by Rhodes College, performing assigned administrative or professional responsibilities. Rhodes College officials include, without limitation, administrators, faculty, and campus safety officers; and resident assistants, Honor Council members and Community Standards Council members when acting in an official capacity.
- D. The term "member of the Rhodes College community” includes any person who is a student, faculty member, Rhodes College official, or any other person employed by Rhodes College. A person’s status in a particular situation shall be determined by the OCS Administrator for the Honor Council upon consultation with the Honor Council President.
- E. The term “Rhodes College premises” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College (including adjacent streets and sidewalks).
- F. The term “organization (or Registered Student Organization)” means any group of persons who have fulfilled the formal requirements for Rhodes College recognition.
- G. The term “Honor Council” means the governing body of students elected by the student body of Rhodes College or, in the case of a mid-year vacancy, selected by the council by application to implement and interpret the Honor Code, including, without limitation, determining whether or not a student has violated the Honor Code and to impose outcomes.
- H. The term “pledge” refers to the statement: “As a member of the Rhodes College community, I pledge my full and steadfast support to the Honor System and agree neither to lie, cheat, nor steal, and to report any such violation that I may witness.” Although this pledge may not be written explicitly on a particular assignment, it is implicit in every assignment or activity completed at Rhodes College, as the initial Honor Code signing before the beginning of the student’s first year at Rhodes binds him or her to the Honor System.
- I. The term “Faculty Appeals Committee” means the group of faculty members authorized by Rhodes College to consider an appeal of the Honor Council’s decision that a student has violated the Honor Code or an appeal of the outcome imposed on a student by the Honor Council.
- J. The term “OCS Administrator for the Honor Council” means the person designated by the administration of Rhodes College to serve as a liaison from the Honor Council to the administration and to consult with the Honor Council President concerning matters of Honor Council business. The OCS Administrator shall not attend or participate in Honor Council hearings.

- K. The term “Eligible Voting Member” means a council member serving as a class representative, and who is not serving a special role (including but not limited to investigator, advisor, acting secretary, etc.) during the hearing.
- L. The term “shall” is used in the imperative sense.
- M. The term “may” is used in the permissive sense.
- N. The term “Honor Code” refers to the rules regarding proscribed conduct set forth in Article III of the Honor Council Constitution.
- O. The term “Advisor” refers to a member of the Council who has been selected by/for the Respondent. The President of the Honor Council shall not act as an Advisor in any case. The Advisor’s role is limited to informing the Respondent of Honor Council procedures and answering any questions about those procedures. The Advisor is foremost a member of the Honor Council and does not represent the .respondent
- P. The term “Respondent (or Charged Student)” refers to a Student (also referred to as a Charged Student) who has received notice of allegations detailing a potential violation of the Honor Code.
- Q. The term “Complainant (or Reporting Party)” refers to Respondent An individual who submits a report or referral against a Student alleging misconduct under the Honor Code.
- R. The term “Witness” refers to A person who has knowledge of facts or circumstances pertaining to an alleged violation.
- S. The term “Investigator” refers to the member of the Honor Council designated by the President to investigate a reported Honor Code violation and present evidence to the Council of such investigation. An Investigator may be present at Honor Council deliberations on a matter for which they did the investigation in order to clarify facts, but may not deliberate or vote on that matter.
- T. The term “source” refers to, without limitation, class textbooks, other books, journals, newspapers, magazines, information obtained electronically, and other persons’ work.
- U. The term “documentary evidence” refers to emails, texts, social media, images, or other documents, whether in hard-copy or electronic format, presented to the Honor Council to determine the outcome of a hearing.

## **ARTICLE II—HONOR COUNCIL AUTHORITY**

### **SECTION 1. Membership**

The Honor Council shall consist of four members each from the senior, junior, sophomore, and first-year classes; the President; the Vice President; and two Secretaries.



## **SECTION 2. Elections**

The President and Vice President shall be elected by a majority vote of the Honor Council members in the spring semester, prior to the election of class representatives. The meeting during which the election is held shall be presided over by the OCS Administrator of the Honor Council or designee. To be eligible for the office of President or Vice President, a candidate must have at least one year of experience as a member of the Honor Council. The rising senior, junior, and sophomore representatives of the Honor Council shall be elected by the members of their class in the spring semester of each year. Four (4) first-year student representatives shall be elected by their class as soon as possible after the opening of the fall semester of each year. They shall be installed immediately and shall serve until the installation of a new Council in the spring. Representative positions of the Honor Council are open to any member of the student body in good academic and social standing.

## **SECTION 3. Officers**

The officers of the Honor Council are the President, the Vice President, and two Secretaries.

## **SECTION 4. President**

The President shall decide questions of procedure and interpretations arising under the Constitution, execute decisions of the Council, and represent the Council to the OCS Administrator for the Honor Council. The President's role in all hearings and deliberations shall be one of impartial participation, and the President shall not vote.

## **SECTION 5. Vice President**

The Vice President shall act in the capacity of President in the absence of the President. Unless acting as President, the Vice President shall be a voting member of the Council. In addition, the Vice President shall preside over business meetings and have authority over committees. The Vice President shall also serve as a liaison between the Council and the Rhodes community. These duties shall include, but are not limited to, programming and community engagement. The Vice President may serve as a voting member of the Pre-Hearing Committee in the absence of a Secretary.

## **SECTION 6. Secretaries**

The two Secretaries, Recording and Corresponding, shall be appointed by the President from the general student body and shall be confirmed by a two-thirds vote of the incoming Council. The Secretaries shall serve on the pre-hearing committee in order to determine if an alleged violation should be taken to a hearing. In addition, the Recording Secretary shall keep records of hearings and meetings, and the Corresponding Secretary may (in the discretion of the President) handle the Council's official communication to the Respondent, Complainant, Witness(es), and Rhodes College administration. The two Secretaries shall not participate in questioning or deliberation and shall not vote during the hearing.

## **SECTION 7. Transition**

The outgoing members of the Council shall continue to exercise the full responsibilities of membership until the incoming Council is installed. In the case that a member of the senior class is brought before the Council after installation, outgoing senior members shall remain as voting members on the Council for that hearing only. Installation includes educational training and



participation in a transition pre-hearing and hearing, both of which are mandatory. During the transition pre-hearing and hearing, new members may participate in questioning and deliberations but shall not vote.

### **SECTION 8. Vacancies**

- A. Vacancies in the Honor Council shall be filled immediately in an election by the student body, and the new member(s) shall serve until the end of the scheduled term. In the case that a position cannot be filled through an election by the student body, the Honor Council has the authority to fill that vacancy. The procedure for filling a vacancy is as follows:
  - a. The Council shall announce the vacancy and accept applications from those interested students who are eligible for the position.
  - b. The Council shall review the applications.
  - c. The Council shall choose a student to fill the vacancy by a majority vote of eligible voting members in a business meeting.
- B. In the event that an elected Honor Council representative is unable to fulfill their duties for one full semester or more, the position will be filled by an interim member. The procedure to fill an interim position is the same as for any vacancy. See Section 8.1 (i-iii). The interim position will serve for a period of time subjectively defined by the President and Vice President.

### **SECTION 9. Removal from the Council**

Any member of the Honor Council may be removed from their position by a three-fourths vote of the eligible voting members of the Council. Conditions warranting removal may include, without limitation, any unexcused absence for a hearing or meeting, violation of the Honor Code or Standards of Conduct, violation of the Oath of Privacy, Standards of the Rhodes Community, or non-support of the procedural operations of the Council. An expressed lack of belief in the Honor System of Rhodes College, or nonsupport of the procedural operations of the Council. Removal may be sought by any member of the Honor Council or the OCS Administrator. A hearing will be held at which the person seeking removal will be heard as well as the Council Member whose removal is sought. The Council may hear other witnesses or consider other evidence as determined by the Honor Council President in consultation with the OCS Administrator. The Council member in question and, if applicable, the Council Member seeking removal, may not vote in this matter.

### **SECTION 10. Hearing Schedule**

Ordinarily hearings will be conducted during the semester in which the alleged violation occurs. In the event that convening a hearing prior to the end of the semester is difficult or impossible, the President, after consulting the OCS Administrator for the Honor Council, may exercise one of the following options:

- A. The President may schedule a hearing prior to the start of the next academic session. This includes scheduling a hearing during the academic break when classes are not in session.
- B. In the event it is difficult or impossible to convene an Honor Council comprised of no less than 4 of the eligible voting members of the Council, or upon occurrence of other extenuating circumstances, a case may be transferred to the OCS Administrator for the

Honor Council (or their designee) for adjudication, upon consultation with the Honor Council President.

- C. Cases may be scheduled for a hearing in the following semester at the discretion of the President in consultation with the OCS Administrator for the Honor Council.

### **ARTICLE III—HONOR CODE**

#### **SECTION 1. Jurisdiction of Rhodes College**

Students may be sanctioned for conduct which constitutes a hazard to the health, safety, or well-being of members of the College community or which is detrimental to the College's interest, whether such conduct occurs on campus, off campus, or at College-sponsored events. The OCS Administrator or their designee, upon consultation with the Honor Council President, shall determine whether cases are within the jurisdiction of Rhodes College Honor Council.

#### **SECTION 2. Violations**

The following conduct is considered a violation of the Honor Code:

- A. Lying in Official Matters and/or Dishonest Conduct. The term "lying" in official matters or "dishonest conduct" is defined as:
- Making an untrue or deceptive statement;
  - Making a material omission, or conveying a false impression, with the intent to mislead a Rhodes College official in an official matter; or falsifying, altering, or misusing official material with the intent to mislead a Rhodes College official in an official matter. Official matters and material include, without limitation, matters having to do with course work, college administration, faculty, residence hall administration, Campus Safety, Honor Council, or Community Standards Council. If an respondent student has lied in an Honor Council hearing, the Council may use the lie as evidence relating to the Respondent to the Honor System when determining a outcome.
  - Misuse or falsification of any state, federal, or University documents, forms, records, identification cards, or funds by actions such as forgery, alteration, or improper transfer;
  - Possession of a false identification card or possession of another's identification card.
- B. Cheating. The term "cheating" is defined as the attempt or act of giving or receiving unauthorized aid from any source on academic course work.

Cheating includes plagiarism. Plagiarism is an act of academic dishonesty. A student must not adopt or reproduce ideas, words, or statements of another person without appropriate acknowledgment. A student must give credit to the originality of others and acknowledge an indebtedness whenever the student does any of the following:

- Quotes another person's actual words, either oral or written.
- Paraphrases another person's actual words, either oral or written.
- Uses another person's idea, opinion, or theory.
- Borrows facts, statistics, or other illustrative material unless the information is common knowledge.
- It is the student's responsibility to consult the professor, an Honor Council member, or writing handbooks for procedure for properly acknowledging sources.

C. Stealing. The term “stealing” is defined as the act of intentionally taking, appropriating, or transferring, without right or permission, the academic property of any individual, organization, or institution, either permanently or temporarily associated with the Rhodes community. The following are examples of what could be considered under the definition of stealing:

- Appropriating or obtaining access to files or any other electronically stored information without authorization of the owner of such files or information
- Taking papers, files, gradebooks, notes, past tests or exams or other academically-related information without the owner’s authorization
- Removal of or otherwise making unavailable any material from the Rhodes College library without permission

Outside the academic context, stealing is the attempted or actual theft of services or property of the College, of a member of the College community, or other personal or public property.

D. Violation by Guest. Any Honor Code/Standards of Conduct violation committed by a guest of a Rhodes College student, excluding prospective students registered through the Admissions Office, shall be the responsibility of their host. Failure of a student host to reasonably supervise guest behavior, including behavior occurring in their residence hall rooms, behavior at student organization events, college-sponsored events, and behavior by off-campus guests.

E. Failure to Report. Intentional failure to report a violation is a violation of the Honor Code, as it undermines the Honor System and the Rhodes Community. Any student having knowledge of an Honor Code violation is obligated to report it to a member of the Honor Council, preferably to the President. The student may approach the respondent if the student so desires, or the student can simply report it to the Honor Council.

Lack of knowledge of these policies does not absolve responsibility for these violations.

## **ARTICLE IV— HONOR COUNCIL HEARING PROCEDURES**

### **SECTION 1. Investigation and Pre-Hearing**

- A. Any member of the Rhodes community with knowledge of an Honor Code violation shall report it to a member of the Honor Council, preferably the President, or the OCS Administrator. The Complainant has the prerogative to approach the Respondent student and offer them the opportunity to report the alleged violation to the Honor Council. However, if the respondent fails to report the alleged violation, it is the duty of the person having knowledge of the alleged violation to report it to the Council in a timely manner.
- B. Upon receiving a report of a violation, the President of the Honor Council shall appoint a member of the Council to thoroughly investigate the reported violation. The Investigator shall interview the Complainant, any material witnesses, any expert witnesses (such as faculty members who may aid in investigation), and the Respondent and shall conduct such other investigations as is warranted by the circumstances.

- C. Any student identified as an active part of the investigation is required to comply with every part of the process. Such students may not decline to participate in the process without good cause, as determined by the Honor Council President in consultation with the OCS Administrator. If a Respondent declines to participate in the process, the outcome will be determined without their input and they may be subject to disciplinary outcomes under the Rhodes Standards of Conduct.
- D. Any Honor Council member involved in the investigation as an Investigator, Witness, or Complainant shall not be allowed to vote or deliberate in the hearing.
- E. The pre-hearing committee shall be composed of the Honor Council President, the two Secretaries, and the Investigator. If the President served as the Investigator, then the Vice President shall serve on the pre-hearing committee. If a Secretary cannot meet, the Vice President may take the Secretary's place.
- F. Once the investigation is complete, the Honor Council President shall call a meeting of the pre-hearing committee at which the Investigator shall present all information they have gathered concerning the alleged violation to the pre-hearing committee. After all the facts have been considered and the committee feels fully acquainted with the situation, the committee, excluding the Investigator, shall decide by a majority vote whether or not a hearing, further investigation, both, or a case dismissal is warranted. Additionally, the pre-hearing committee may decide if the case shall be transferred to another judicial body or the Rhodes College administration.
- G. If the pre-hearing committee decides that the evidence is sufficient to warrant a hearing, the President shall set a time of hearing and notify the Respondent (as outlined in Article IV, Section 2).

## **SECTION 2. Hearing Procedures Relating to the Respondent**

- A. The Respondent shall be notified in writing that a complaint is to be taken to a formal hearing at least 48 hours prior to the hearing. This time period may be extended by the President of the Honor Council, who may also grant an extension in the case of other extenuating circumstances.
- B. When notice of the hearing is served, the Respondent shall receive a case packet identifying the nature of the alleged violation, the name(s) of the individual(s) reporting the alleged violation to the Council, the time and place of its alleged occurrence, a summary of any interviews conducted by the Investigator, and any documentary evidence to be considered by the Council at the hearing. The respondent will also receive a written list of hearing procedures as outlined in this article.
- C. The Respondent shall choose an Advisor from the members of the Honor Council, excluding the President, the Vice President when serving as President, the two Secretaries, and the Investigator. Should the Vice President be selected, the President shall assume the Vice President's duties. If the respondent does not choose an Advisor within 24 hours of notice, the President shall appoint an Advisor for the Respondent. The Advisor's role is limited to informing the Respondent concerning Honor Council procedures and answering any questions about those procedures. The Advisor is foremost a member of the Honor Council and does not represent the Respondent. The Advisor shall not be present during Council deliberations and shall not vote on the disposition of the case.

- D. The Respondent shall be required to meet with the OCS Administrator for the Honor Council prior to the hearing.
- E. If the Respondent believes that any member of the Honor Council has a conflict of interest or bias that would prevent them from being fair and impartial, the Respondent shall inform either their Advisor or the OCS Administrator in writing no later than 48 hours before any scheduled hearing. Any objections of this nature not presented less than 48 hours before the hearing shall be deemed waived.
- F. The Respondent shall be allowed to hear all evidence presented in the hearing, but the Respondent shall not be present during Council deliberations. The Respondent may offer such proof as is relevant and material, as determined by the Honor Council President, to any issue coming before the Honor Council for decision in their hearing, including, without limitation, the introduction of documentary evidence, the calling of witnesses with relevant knowledge and the questioning of the Honor Council witnesses. All evidence and a complete list of witnesses shall be submitted by the Respondent to the Investigator least 24 hours before the hearing. The Honor Council reserves the right to postpone the time of the hearing to properly evaluate any new evidence submitted after the prehearing committee has met. The Respondent shall be responsible for securing the appearance of their witnesses at the hearing. Evidence submitted less than 24 hours prior to the hearing will not be considered absent good cause, as determined by the Honor Council President.
- G. All participants in the hearing process is required to keep the matter under consideration confidential. The Respondent may consult with a chosen faculty member, family members, counselors or their attorney.
- H. The Council may find the Respondent “Responsible” of the Honor Code only upon a preponderance of the evidence. Under this standard, a violation has occurred if it is more likely than not (greater than a 50% chance) that a violation of the Honor Code occurred.
- I. The Respondent may be found “Responsible” of the Honor Code only for the violation(s) which is the subject of the hearing.
- J. If the Respondent fails to participate in the hearing process, the Council may continue with the hearing procedures. In such a case, the Council shall assume a claim of “Not Responsible” on the part of the Respondent and shall assume that the Respondent presents no defense.
- K. In cases in which two or more students are respondents of a joint violation, the Council may conduct one hearing for the joint violation but shall arrive at an independent decision for each respondent.
- L. If found “Responsible” of the Honor Code, the Respondent may call for an appeal of the Council’s decision and/or outcome by the members of the Faculty Appeals Committee. The Respondent must request the appeal in writing within four business days of the receipt of the Council’s written decision, and the Respondent must indicate the specific ground(s) upon which they are basing their request for an appeal (see Article IV, Section 5 for the grounds upon which an appeal may be requested).

### **SECTION 3. Hearing Procedures**

- A. The procedures for conducting an Honor Council hearing shall be as follows:
  - 1. The President of the Honor Council shall preside. In the absence of the President, the Vice President shall preside.

2. The Council must act with complete impartiality. Any Council member who believes that their participation in any aspect of the investigation or hearing process constitutes a conflict of interest must report the potential conflict of interest to the Honor Council President, who shall decide whether that member should recuse himself or herself.
3. An audio recording of the hearing shall be made, and the Recording Secretary shall keep minutes of the proceedings. Deliberations of the Council shall be absolutely private, and no record of the deliberations shall be made.
4. The Complainant, Respondent, and the Respondents Advisor may observe all evidence presented during the hearing but shall not be present for Council deliberations. Witnesses may be present at the hearing only to give their own testimony. The Investigator may be present during both the hearing and deliberations, but the Investigator's participation in deliberations shall be limited to the clarification of facts; the Investigator may not deliberate or vote. No other persons may be present during the hearing. Disruptive behavior on the part of anyone present shall result in immediate and permanent removal from the hearing.
5. The hearing shall be conducted under the Oath of Privacy, and the Complainant, Council members and witnesses shall take the following Oath of Privacy: "On my honor, I agree to respect the sensitive nature of these proceedings by keeping them confidential."
6. Every person who testifies at the hearing shall take the following Oath of Truth: "On my honor, I do solemnly swear to tell the truth, the whole truth, and nothing but the truth."
7. The Council may call witnesses relevant to the case. The Respondent may present additional witnesses with relevant knowledge and present any other relevant information. The President shall decide questions concerning the relevance and/or admissibility of witnesses or evidence. The Respondent shall not be required to make an opening and/or closing statement or answer questions unless he or she wishes to do so.
8. Questions asked during the hearing by members of the Council, the Respondent and the Complainant should be relevant, understandable and civil. The President shall have the discretion to ask that a question be rephrased or order it withdrawn if it does not meet the standards of this paragraph.
9. Legal counsel retained by a Respondent student or any other person participating in the hearing shall not attend any hearing of the Honor Council. Any advice or assistance requested of legal counsel by a student must be obtained prior to the hearing.
10. The Respondent shall be considered "Not Responsible" throughout the course of the hearing unless and until the Respondent has been found "Responsible" of the Honor Code by a preponderance of the evidence.
11. The Council's finding of "Responsible" or "Not Responsible" shall be based only on the merits and facts of the case at hand.
12. If after all available evidence has been heard and a motion to vote on "Responsible" or "Not Responsible" of the Honor Code has been properly moved and seconded, two-thirds of the members of the Council present at the hearing and entitled to vote

may find the Respondent “Responsible”. Otherwise, the Respondent shall be found “Not Responsible” and the case shall be dismissed.

- B. A quorum for an Honor Council hearing shall be determined as follows:
  - 1. Fifty percent (50%) of the eligible voting members shall constitute a quorum for hearing of alleged violations. There must be a minimum of 4 voting members in every hearing. The Honor Council shall render no decision without the presence of a quorum.
  - 2. If, for any reason, a quorum cannot be achieved, the Respondent may agree to one of the following options:
    - a. To proceed with the hearing with less than a quorum; or
    - b. To postpone the hearing for a reasonable period of time (to be determined at the discretion of the President of the Honor Council and the OCS Administrator for the Honor Council or designee) until a quorum of regular Honor Council members can be established.

#### **SECTION 4. Outcomes**

- D. Outcomes of an Honor Code violation shall be determined by a two-thirds majority of the members of the Council present at the hearing and entitled to vote.
- E. When determining outcomes for an individual found in violation of the Honor Code, the following criteria shall be considered along with any other factors determined by the Council to be relevant:
  - 4. The Honor Council’s responsibility to ensure the effectiveness of the Honor Code for the Rhodes College community.
  - 5. The nature and severity of the offense.
  - 6. The ability of the Respondent to reenter campus life under the Honor System.
  - 7. A determination, by a preponderance of the evidence, that the Respondent has lied during the investigation or hearing processes.
  - 8. The level of cooperation of the Respondent during the investigation or hearing processes.
  - 9. The probationary status, previous discipline, or any past suspensions of the Respondent. These shall be considered only when determining outcomes, and the President shall notify the Council of the Respondent’s disciplinary history only after the Council, by proper vote, has found the Respondent “Responsible.” The probationary status, previous discipline, or any past suspensions of the Respondent should cast extreme doubt on the ability of the Respondent to reenter campus life under the Rhodes College Honor System.
- F. The following outcomes may be imposed upon any student found to have violated the Honor Code:
  - 4. Warning: This outcome will be used in cases in which the Honor Council determines that the appropriate lesson has been learned and concludes the matter with a formal letter of warning.
  - 5. Disciplinary Probation: A written notification for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary outcomes, including suspension or expulsion, if the student is found to violate any institutional regulation(s) during the probationary period.



Students on disciplinary probation are considered not in good social standing with the College. Good standing may be required for participation in certain campus activities. In addition, students not in good standing may have their conduct reviewed for leadership or employment positions on campus.

6. Academic recommendations: Including but not limited to failure in the related course or on the related assignment.
  7. Loss of Privileges: Denial of specified privileges for a designated period of time.
  8. Restitution: Compensation for loss, damage, or injury. This may take the form of appropriate service to the College and/or monetary or material replacement.
  9. Discretionary Outcomes: Work assignments, service to the College, education, referral to counseling, follow-up meetings, required behavioral assessment, or other related discretionary assignments (such assignments shall have the approval of the OCS Administrator or their designee).
  10. Residence Hall Suspension: Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
  11. Residence Hall Expulsion: Permanent separation of the student from the residence halls.
  12. College Suspension: Separation of the student from Rhodes College for one, two or three semesters, after which the student is eligible to return. If the violation is an academic matter, the student shall receive an "F" in the particular class(es) related to the offense and may receive a "W" in all other classes.
  13. College Expulsion: Permanent separation of the student from Rhodes College. If the violation is an academic matter, the student shall receive an "F" in the particular class(es) related to the offense and may receive a "W" in all other classes.
- I. More than one of the outcomes listed above may be imposed for any single violation.
  - J. Failure to adhere to any outcome imposed may result in the individual being brought back before the Honor Council for consideration of further outcomes.
  - K. Disciplinary Outcomes shall not be made part of the student's permanent academic record but shall become part of the student's confidential record.
  - L. Each year, the Secretaries may, in the discretion of the President, and in consultation with the OCS Administrator, post a list of charges and Council decisions with names omitted.

## **SECTION 5. Appeals**

- A. A decision reached by the Honor Council or a outcome imposed by the Council may be appealed by the Respondent or two or more Honor Council members to the Faculty Appeals Committee. The appeal must be submitted in writing to the OCS Administrator within four business days of the decision. The appellant(s) must indicate or list the specific grounds upon which they are basing their request. Once the appellant(s) submit their appeal, the Honor Council President will write a response to the appeal to be submitted to the Faculty Appeals Committee.
- B. An appeal shall be limited to one or more of the following grounds:
  1. The hearing procedure was not followed.
  2. The outcomes imposed were inappropriate for the violation of College policy.
  3. New and relevant information, sufficient to alter the decision, that was unknown or unavailable to the appellant at the time of the original hearing.



- C. At an appeal hearing by the Faculty Appeals Committee, only the following people may be present: the Faculty Appeals Committee, the President of the Honor Council, an Honor Council representative chosen by the President, the Respondent, the Student Advisor to the Respondent, the Honor Council appellants (in the case that the Respondent is not the appellant) and the OCS Administrator for the Honor Council. If the Respondent chooses not testify at the appeal hearing, they may send a written statement of their testimony. An audio recording of the appeal hearing shall be made.
- D. Legal counsel retained by a Respondent student or any other person participating in the appeal hearing shall not attend any hearing of the Faculty Appeals Committee. Any advice or assistance requested of legal counsel by a student must be obtained prior to the hearing.
- E. The Chair of the Faculty Appeals Committee or designee shall preside and decide all questions relating to conduct of the proceedings including, without limitation, the admissibility of evidence. Committee members may ask questions subject to the approval of the Chair. The Faculty Appeals Committee shall then retire to deliberate in closed session. The Faculty Appeals Committee shall either sustain the decision of the Honor Council or return the case to the Honor Council for reconsideration with remarks and suggestions.

#### **SECTION 6. Reconsideration of Council’s Decision**

If a case is returned to the Honor Council by the Faculty Appeals Committee, the Honor Council shall reconsider the case as soon as practical after the notification of its return. A quorum for reconsideration shall consist of at least three-fourths of the voting members present at the original hearing. During a reconsideration, the Honor Council shall consider the remarks and suggestions of the Faculty Appeals Committee, recall any witnesses, the Complainant or the Respondent if deemed necessary for the clarification of facts, and either sustain the original decision and/or outcome or render a new decision and/or outcome based on the procedures outlined in Article IV.

A reconsideration of the outcome(s) imposed may not result in a more severe outcome for the Respondent. The second decision of the Honor Council shall be final.

#### **ARTICLE V—INTERPRETATION AND REVISIONS**

The Honor Council may adopt new rules and/or amend its Standing Rules. Consistent with the Constitution, the Standing Rules are the procedures the Council deems necessary to ensure the effective execution of its duties.

This Constitution may be amended by the following procedure:

1. Proposed amendments must be approved by two-thirds vote of the entire membership of the Honor Council and by the President of Rhodes College.
2. Proposed amendments shall be publicly announced at least seven days prior to the referendum.
3. To be adopted, amendments must be approved by the affirmative vote of a majority of the student body voting in a referendum called for that purpose.
4. Amendments shall become effective immediately when the above steps are completed and communicated to the student body.

## Standards of Conduct for the Rhodes Community

Conduct outside of the academic realm is governed by the Standards of Conduct for the Rhodes Community, as set forth in the Community Standards Council Constitution. Rhodes has promulgated these Standards of Conduct to help us hold ourselves accountable, and are intended to be, first and foremost, a way to ensure that all students can enjoy a diverse community where we live in harmony, interact effectively, and learn from each other. These standards protect our personal freedom by encouraging a climate of trust, concern, and respect conducive to learning and growing. Incoming students pledge as follows:

“As a member of the Rhodes community, I pledge to respect my fellow students, faculty, staff and their property. I will treat others as I would be treated and their property as I would my own.”

The Standards of Conduct are primarily enforced by the Community Standards Council, a student-led body, pursuant to the Community Standards Constitution.

Students, particularly those who wish to report a violation of the Standards of Conduct, are encouraged to use the College’s online report [form](#) to report a violation. If the student wishes, a report can be made anonymously, but it is important to remember that submitting an anonymous report means that Community Standards has no way of following up with the student to ask for additional information. Therefore, it is essential that an anonymous report contain as much information as possible. Anonymous reports should include:

- The time, date, and specific location of the violation
- The name(s) of the individual(s) involved in the violation
- The name(s) and contact information of any individual(s) who can corroborate the reporting student’s story
- As much detail as possible about the violation, including any photos, videos, or other supporting documentation available

Students do not have to report anonymously. When a student chooses to come forward and report a violation, the College can offer resources and support for that student’s physical, mental, and emotional well-being. Community Standards will work with students who report a violation to keep their identifying information private to the greatest extent possible while still being able to address the violation.

### *Community Standards Council Constitution*

#### **ARTICLE I—PURPOSE AND DEFINITIONS**

##### **SECTION 1. Purpose**

Rhodes strives to be a college community where students can develop to their fullest potential, not only as scholars, but also as responsible and caring members of the community. Thus, although they should have freedom of choice in as many areas as possible, they must also come to understand that their choices have an impact on other members of the community so that through experience they may acquire a mature and responsible attitude toward freedom and their membership in the community.

The official name of this body is the Community Standards Council of Rhodes College (hereinafter called “CSC” or “the Council”). The purpose of the Community Standards Council is fivefold: (1) Decisional: to address alleged violations/infractions of the Rhodes College standards for student conduct (hereinafter “ the Standards of Conduct”); (2) Communicative: to serve as a liaison concerning social matters between the students and the faculty/administration, and to mediate disputes regarding the Standards of Conduct between various members of the Rhodes Community; (3) Advisory: to make recommendations to the Dean of Students regarding the Standards of Conduct and students’ social life; (4) Interpretive: to promote responsible, sensitive and mature conduct among students; and (5) Educational: to educate those who are a part of the Rhodes Community about its standards and to explain what constitutes a violation of those standards.

## **SECTION 2. Definitions**

- A. The term “student” includes any person admitted to Rhodes College or enrolled or scheduled to be enrolled in a course for academic credit through Rhodes, both full-time and part-time, pursuing undergraduate or graduate studies. Persons who are not officially enrolled for a particular term but have a continuing relationship with Rhodes College are considered “students.”
- B. The term “faculty member” means a person who teaches a course offered for academic credit by an institution of higher education, including teaching assistants, instructors, lab assistants, research assistants, lecturers, assistant professors, associate professors, and full professors.
- C. The term “Rhodes College official” includes any person employed by Rhodes College, performing assigned administrative or professional responsibilities. Rhodes College officials include, without limitation, administrators, faculty, and campus safety officers; and resident assistants, Honor Council members and Community Standards Council members when acting in an official capacity.
- D. The term "member of the Rhodes College community” includes any person who is a student, faculty member, Rhodes College official, or any other person employed by Rhodes College. A person’s status in a particular situation shall be determined by the OCS Administrator for the Honor Council upon consultation with the Honor Council President.
- E. The term “Rhodes College premises” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the College (including adjacent streets and sidewalks).
- F. The term “organization (or Registered Student Organization)” means any group of persons who have fulfilled the formal requirements for Rhodes College recognition.
- G. The term “Community Standards Council” or “CSC” means the governing body of students elected by the student body of Rhodes College to implement and interpret the Standards of Conduct, including, without limitation, determining whether or not a student has violated the Standards of Conduct and to impose outcomes.
- H. The term “Community Standards Council Appeals Committee” means the group of persons authorized by the Dean of Students or designee to consider an appeal from the Community Standards Council’s determination that a student has violated the Code or from the outcomes imposed on a student by the Community Standards Council.
- I. The term “OCS Administrator for the Community Standards Council” means the person designated by the administration of Rhodes College to serve as a liaison from the

Community Standards Council to the administration and to consult with the Community Standards Council President concerning matters of Community Standards Council business. The OCS Administrator shall not participate in CSC hearings.

- J. The term “Standards of Conduct” refers to the rules regarding proscribed conduct set forth in Article III of the CSC Constitution and the Rhodes Student Handbook.
- K. The term “documentary evidence” refers to emails, texts, images, social media, or other documents, whether in hard-copy or electronic format, presented to the CSC to determine the outcome of a hearing.
- L. The term “Eligible Voting Member” means a council member serving as a class representative, and who is not serving a special role (including but not limited to Investigator, Advisor, acting Secretary, etc.) during the hearing. A council member is not eligible to vote until they have at a minimum witnessed a hearing and participated in the educational training required of CSC members.
- M. The term “Advisor” refers to a member of the Council who has been selected by/for the Respondent. The President of the Community Standards Council shall not act as an Advisor in any case. The Advisor’s role is limited to informing the respondent concerning CSC procedures and answering any questions about those procedures. The Advisor is foremost a member of the CSC and does not represent the Respondent.
- N. The term “Respondent” refers a Student (also referred to as a Charged Student) or organization or affinity group who has received notice of allegations detailing a potential violation of a policy, the Standards of Conduct or Honor Code.
- O. The term “Complainant” refers An individual who submits a report/referral against a Student, organization or affinity group alleging misconduct under the Standards of Conduct and/or Honor Code.
- P. The term “Witness” refers to A person who has knowledge of facts or circumstances pertaining to an alleged violation.
- Q. The term “Investigator” refers to the member of the CSC designated by the President to investigate a reported violation of the Standards of Conduct and present evidence to the CSC of such investigation. An Investigator may be present at CSC deliberations on a matter for which they did the investigation in order to clarify facts, but may not deliberate or vote on that matter.
- R. The term “pledge” refers to the statement: “As a member of the Rhodes College community, I pledge to respect my fellow students, faculty, staff and their property. I will treat others as I would be treated and their property as I would my own.”
- S. The term “shall” is used in the imperative sense.
- T. The term “may” is used in the permissive sense.

## **ARTICLE II—COMMUNITY STANDARDS COUNCIL AUTHORITY**

### **SECTION 1. Membership**

The Community Standards Council shall consist of four members each from the senior, junior, sophomore, and first-year classes; the President; the Vice President; and two Secretaries.

## **SECTION 2. Elections**

The President and Vice President shall be elected by a majority vote of the Community Standards Council members in the spring semester, prior to the election of class representatives. The meeting during which the election is held shall be presided over by the OCS Administrator of the Community Standards Council or a designee appointed by the Community Standards Council. To be eligible for the office of President or Vice President, a candidate must have at least one year of experience as a member of the Community Standards Council. The rising senior, junior, and sophomore representatives of the Community Standards Council shall be elected by the members of their class in the spring semester of each year. First-year student representatives shall be elected by their class as soon as possible after the opening of the fall semester of each year. They shall be installed immediately and serve until the installation of a new Council in the spring. Representative positions of the Community Standards Council are open to any member of the student body in good academic and social standing.

## **SECTION 3. Officers**

The officers of the Community Standards Council are the President, the Vice President, and two Secretaries.

## **SECTION 4. President**

The President shall decide questions of procedure and interpretation arising under the Constitution. The President's role in the hearing and in deliberations shall be one of impartial participation, and the President shall not vote. In addition, the President shall preside over meetings, appoint committees, be responsible for the execution of all of the Council's decisions, and represent the Council to the OCS Administrator or designee.

## **SECTION 5. Vice President**

The Vice President shall act in the capacity of President in the absence of the President. Unless acting as President, the Vice President shall be a voting member of the Council. The Vice President shall also serve as a liaison between the CSC and the Rhodes community. These duties shall include, but are not limited to, programming and community engagement. The Vice President may serve as a voting member of the Pre-Hearing Committee in the absence of a Secretary.

## **SECTION 6. Secretaries**

The two Secretaries, Recording and Corresponding, shall be appointed by the President from the general student body and shall be approved by the majority of the Council. The Secretaries shall serve on the pre-hearing committee in order to determine if an alleged violation should be taken to a hearing. In addition, the Recording Secretary shall keep records of hearings and meetings as well as posting year-end Council decisions. The Corresponding Secretary may (at the discretion of the President) handle the Council's official communication to the Respondent, Complainant, Witness(es), and Rhodes College administration. The two Secretaries shall not participate in questioning or deliberation and shall not vote during the hearing.

## **SECTION 7. Transition**

The outgoing members of the Council shall continue to exercise the full responsibilities of membership until the incoming Council is installed. In the case that a member of the senior class is brought before the Council after installation, outgoing senior members shall remain as voting members on the Council for that hearing only. Installation includes educational training and a transition hearing, both of which are mandatory. During the transition hearing, new members may participate in questioning and deliberations but shall not vote.

## **SECTION 8. Vacancies**

- A. Vacancies in the Community Standards Council shall be filled immediately in an election by the student body, and the new member(s) shall serve until the end of the scheduled term. In the case that a position cannot be filled through an election by the student body, the Community Standards Council has the authority to fill that vacancy. The procedure for filling a vacancy is as follows:
  - i. The Council shall announce the vacancy and accept applications from those interested students who are eligible for the position.
  - ii. The Council shall review all applications.
  - iii. The Council shall choose a student to fill the vacancy by a majority vote of eligible voting members in a business meeting.
  
- B. In the event that an elected Community Standards Council representative is unable to fulfill their duties for one full semester or more, the position will be filled by an interim member. The procedure to fill an interim position is the same as for any vacancy. See Section 8.1 (i-iii). The interim position will serve for a period subjectively defined by the President and Vice President.

## **SECTION 9. Removal from the Council**

A member of the Council may be removed from their position by three-fourths vote of eligible members. Conditions warranting removal from the Council may include, but are not limited to: exceeding three absences in the course of one elected term, or two in one semester, from any committee meeting, Council meeting, hearings, or other functions of the Council; any violation of the Honor Code or the Standards of Conduct; Oath of Privacy; or an expressed lack of respect for the Standards of Conduct. Removal may be sought by any member of the Community Standards Council or the OCS Administrator. A hearing will be held at which the person seeking removal will be heard as well as the Council Member whose removal is sought. The Council may hear other witnesses or consider other evidence as determined by the Community Standards Council President in consultation with the OCS Administrator. The Council member in question and, if applicable, the Council Member seeking removal, may not vote in this matter.

## **SECTION 10. Hearing Schedule**

Ordinarily hearings will be conducted during the semester in which the alleged violation occurs. In the event that convening a hearing prior to the end of the semester is difficult or impossible, the



President, after consulting the OCS Administrator or designee may exercise one of the following options:

- A. The President may schedule a hearing prior to the start of the next academic session, including a hearing during the academic break when classes are not in session.
- B. In the event it is difficult or impossible to convene a Community Standards Council comprised of no less than four (4) of the Eligible Voting Members, or upon the occurrence of other extenuating circumstances, a case may be transferred to the OCS Administrator, or their designee, for adjudication, upon consultation of the Community Standards Council President.
- C. Cases may be scheduled for a hearing in the following semester at the discretion of the President in consultation with the OCS Administrator for the CSC.

## **ARTICLE III—STANDARDS OF CONDUCT**

### **SECTION 1. Jurisdiction of Rhodes College**

Students may be sanctioned for conduct which constitutes a hazard to the health, safety, or well-being of members of the College community or which is detrimental to the College's interest whether such conduct occurs on campus, off campus, or at College-sponsored events. The OCS Administrator or designee, upon consultation with the Community Standards Council President, shall determine whether cases are within the jurisdiction of the Rhodes College Community Standards Council.

### **SECTION 2. Violations**

The Community Standards Council recognizes three major responsibilities of every student:

1. Each student is responsible for their behavior at all times and under all circumstances. Intoxication or the influence of drugs will not be considered a mitigating circumstance in judgment by the CSC of disruptive behavior.
2. Each student is responsible for the actions of their guest and may be held socially and financially responsible for any social offenses committed by that guest.
3. Since shared community standards are necessary to maintain an atmosphere of respect among individuals in the community, it is the responsibility of every member of the community to report to the CSC any violation of the Standards of Conduct.

Violations of the Standards of Conduct include, but are not limited to, the following:

- A. Lying in Official Matters and/or Dishonest Conduct. The term "lying" in official matters or "dishonest conduct" is defined as:
  - Making an untrue or deceptive statement;
  - Making a material omission, or conveying a false impression, with the intent to mislead a Rhodes College official in an official matter; or falsifying, altering, or

misusing official material with the intent to mislead a Rhodes College official in an official matter. Official matters and material include, without limitation, matters having to do with course work, college administration, faculty, residence hall administration, Campus Safety, Honor Council, or Community Standards Council. If an respondent student has lied in an Honor Council hearing, the Council may use the lie as evidence relating to the Respondent to the Honor System when determining a outcome.

- Misuse or falsification of any state, federal, or University documents, forms, records, identification cards, or funds by actions such as forgery, alteration, or improper transfer;
- Possession of a false identification card or possession of another's identification card.

B. Stealing. The term "stealing" is defined as the act of intentionally taking, appropriating, or transferring, without right or permission, the academic property of any individual, organization, or institution, either permanently or temporarily associated with the Rhodes community. Outside the academic context, stealing is the attempted or actual theft of services or property of the College, of a member of the College community, or other personal or public property.

The following are examples of what could be considered under the definition of stealing:

- Appropriating or obtaining access to files or any other electronically stored information without authorization of the owner of such files or information
- Taking papers, files, gradebooks, notes, past tests or exams or other academically-related information without the owner's authorization
- Removal of or otherwise making unavailable any material from the Rhodes College library without permission

D. Violation by Guest. Any Honor Code/Standards of Conduct violation committed by a guest of a Rhodes College student, excluding prospective students registered through the Admissions Office, shall be the responsibility of their host. Failure of a student host to reasonably supervise guest behavior, including behavior occurring in their residence hall rooms, behavior at student organization events, college-sponsored events, and behavior by off-campus guests.

E. Interfering with College or College sponsored activities, including but not limited to, studying, teaching, research, college administration, campus safety, or fire, police, or emergency services.

F. Bullying and Other Abusive Behavior. This offense includes, but is not limited to:

- A pattern of targeted, unwelcome conduct directed at an individual or group that is a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's educational programs or activities.



- D. Hate-Motivated Acts. Engaging in verbal, written or physical conduct that is (i) based on a person's or group's race, sex, national origin, sexual orientation, religion, gender identity, age (40 or over), or disability; and (ii) is intended to intimidate or injure the person physically, mentally or emotionally.
- E. Disorderly Conduct. Conduct that is disorderly, lewd, or indecent; conduct that has the effect of unreasonably disrupting the life of or interfering with the activities of persons or groups in the college community.
- F. Endangering health or safety. Attempting or causing physical assault, verbal abuse, threats, coercion, and/or other conduct that threatens or endangers the health or safety of any person, including the accused student. Includes conduct that reasonably makes or could be anticipated to make others feel unsafe.
- G. Interfering with the freedom of expression of others.
- H. Vandalism/Property Damage. Attempted or actual destruction/damage and/or defacement to property of the College or property of a member of the College community or other personal or public property, on or off campus.
- I. Hazing, hazing includes acts that cause mental or physical discomfort, embarrassment, harassment, ridicule, humiliation, intimidation, or endangerment of health and safety, regardless of affiliation, including but not limited to recruiting, joining, pledging, initiating, admitting, affiliating, participating, or retaining membership in an organization or team.
- Pressuring, coercing, and/or violating federal, state, provincial, local law, organizational, NCAA, or college policy;
  - Consumption of any food, liquid, alcohol liquid, drug, or other substance in any non-customary manner;
  - Physical contact, including and not limited to beating, paddling, branding, dangerous physical activity, exposure to elements, or threats of such conduct;
  - Any other forced physical activity that could adversely affect the health or safety of the student;
  - Any activity or exercise that is inconsistent with the mission of the organization/team;
  - Any activity that could adversely affect the mental health or dignity of the individual through acts such as line-ups or berating, sleep deprivation, forced or coerced exclusion from social interaction, forced or coerced wearing of clothing/apparel, forced conduct, threats of such behavior that could result in extreme embarrassment or any other forced activity that could negatively affect the student's mental health or dignity;
  - Disruption of academic performance or class attendance, including early morning or late-night work sessions,
  - Personal or financial servitude (e.g., not limited to doing someone's laundry, buying someone's food, driving someone around/"chauffeur" someone, completing someone's classwork for them);
  - Publicly wearing apparel that is conspicuous and not generally in good taste;

- Engaging in public stunts,
  - Any activity that a reasonable person would view as morally degrading or humiliating games and activities.
  - Kidnapping or abandonment
- J. Failure to comply with directions of College officials, including campus safety officers, in performance of their duties.
- K. Unauthorized possession, duplication or use of keys to any College premises or unauthorized entry to or use of College premises.
- L. Possession of weapons of any type by students or guests while on College property, including firearms, B-B guns, pellet guns, bows and arrows, hunting knives, explosives or other weapons, except as specifically permitted by the Weapons Policy in the Student Handbook.
- M. Violation of the College’s Social and Alcohol
- N. Violation of the College’s Drug Policies.
- O. Violation of any College regulation or policy.
- P. Violating the terms of any disciplinary outcome imposed in accordance with the Honor Code or Standards of Conduct.
- Q. Violation of any federal, state or local law.
- R. The agreement to (can be inferred by silent presence or failure to act) or support for an act that is against federal, state, or local laws, Honor Code, Standards of Conduct, or College policy.

Lack of knowledge of these policies does not absolve responsibility for these violations.

## **ARTICLE IV—COMMUNITY STANDARDS COUNCIL HEARING PROCEDURES**

### **SECTION 1. Investigation and Pre-hearing**

- A. Any member of the Rhodes community having knowledge of a possible Standards of Conduct violation should report it to the OCS Administrator or to the President of the Community Standards Council in a timely manner.
- B. Upon receiving a report of an alleged violation, the President of the CSC shall confer with the OCS Administrator to determine the appropriate disposition of the report, which will be either through an administrative hearing, to be investigated and adjudicated solely by the OCS Administrator, or through investigation and adjudication by the CSC. If a report is to be addressed by the CSC, the President of the CSC shall appoint a member of the

- Council to thoroughly investigate the suspected violation to determine whether the alleged violation will result in a hearing before the CSC or other appropriate student hearing board.
- C. A CSC member involved in the investigation as an Investigator, the Complainant, or as a Witness shall not be allowed to vote or deliberate in the hearing.
  - D. During the pre-hearing investigation, the Investigator shall interview the Respondent, the Complainant, and any other witnesses deemed pertinent by the Investigator. The Investigator shall also gather documentary evidence that the Investigator deems pertinent to the issues raised in the report.
  - E. Any student identified as an active part of the investigation is required to comply with every part of the process. Such students may not decline to participate in the process without good cause, as determined by the CSC President in consultation with the OCS Administrator. If a Respondent declines to participate in the process, the outcome will be determined without their input.
  - F. The Respondent shall choose an Advisor from the members of the Community Standards Council, excluding the President, the Vice President when serving as President, the two Secretaries, and the Investigator. Should the Vice President be selected, the President shall assume the Vice President's duties. If the respondent does not choose an Advisor within 24 hours of notice, then the President of the Council will appoint an Advisor for the respondent. The Advisor's role is limited to informing the Accused concerning Community Standards Council procedures and answering any questions about those procedures. The Advisor is foremost a member of the Community Standards Council and does not represent the respondent. The Advisor shall not be present in Council deliberations and shall not vote on the disposition of the case.
  - G. A pre-hearing committee shall be composed of the CSC President, the two Secretaries, and the Investigator.
  - H. Once the investigation is completed, the CSC President shall call a meeting of the pre-hearing committee at which the Investigator shall present all information they have gathered concerning the alleged violation to the pre-hearing committee. After all the facts have been considered and the committee feels fully acquainted with the situation, the committee, excluding the Investigator, shall decide by majority vote whether or not a hearing, further investigation, both, or a case dismissal is warranted. Additionally, the pre-hearing committee may decide if the case shall be transferred to another hearing body or the Rhodes College administration.
  - I. If the pre-hearing committee decides that the evidence is sufficient to warrant a hearing, the President shall set a time for the hearing, and notify the Respondent (Outlined in Article IV, Section 2).

## **SECTION 2. Hearing Procedures Relating to the Respondent**

- A. The Respondent shall be notified in writing that a complaint is to be taken to a formal hearing at least forty-eight (48) hours prior to the hearing. This time period may be extended by the President of the Community Standards Council. The President may also grant an extension of the time between notice of the charges and the hearing for other extenuating circumstances.
- B. When notice of the hearing is served, the Respondent shall receive a case packet identifying the nature of the alleged violation(s), the name(s) of the individual(s) reporting the alleged

violation(s) to the Council, the time and place of its alleged occurrence, a summary of any interviews conducted by the Investigator, and any documentary evidence to be considered by the Council at the hearing. The respondent will also receive a written list of hearing procedures as outlined in this article.

- C. The Respondent shall be required to meet with the OCS Administrator or designee prior to the hearing.
- D. The Respondent shall be allowed to hear all evidence presented in the hearing, but the Respondent shall not be present during Council deliberations. The Accused may Respondent may offer such proof as is relevant and material, as determined by the CSC President, to any issue coming before the Community Standards Council for decision in their hearing, including, without limitation, the introduction of documentary evidence, the calling of witnesses with relevant knowledge and the questioning of the Complainant and other witnesses. All evidence and a complete list of witnesses shall be submitted by the Respondent to the Investigator no later than 24 hours before the hearing. The CSC reserves the right to postpone the time of the hearing to properly evaluate any new evidence submitted after the Pre-hearing Committee has met. The Respondent shall be responsible for securing the appearance of their witnesses at the hearing. Evidence submitted less than 24 hours prior to the hearing will not be considered absent good cause, as determined by the Community Standards Council President.
- E. If the Respondent believes that any member of the CSC has a conflict of interest or bias that would prevent them from being fair and impartial, the Respondent shall inform either their Advisor or the OCS Administrator in writing no later than 48 hours before any scheduled hearing. Any objections of this nature not presented less than 48 hours before the hearing shall be deemed waived.
- F. All participants in the hearing process is required to keep the matter under consideration confidential. The Respondent may and may consult with a chosen faculty member, family members, counselors or attorney.
- G. The Council may find the Respondent “Responsible” of the Standards of Conduct only upon a preponderance of the evidence. Under this standard, a violation has occurred if it is more likely than not (greater than a 50% chance) that a violation of the Standards of Conduct occurred.
- H. The Respondent may be found responsible of the Standards of Conduct only for the violation(s) which is the subject of the hearing.
- I. If the Respondent fails to participate in the hearing process, the Council may continue with the hearing procedures. In such a case, the Council shall assume a claim of “Not Responsible” on the part of the Respondent and shall assume that the Respondent presents no defense.
- J. In cases in which two or more students are respondents of a joint violation, the Council may conduct one hearing for the joint violation but shall arrive at an independent decision for each respondent.
- K. If found “Responsible” of the Standards of Conduct, the Respondent may call for an appeal of the Council’s decision and/or outcome by the members of the Appeals Committee. The Respondent must request the appeal in writing to the OCS Administrator within four business days of the receipt of the Council’s written decision, and the Respondent must indicate the specific ground(s) upon which their appeal is based (see Article IV, Section 5 for the grounds upon which an appeal may be requested).

### SECTION 3. Hearing Procedures

- A. The procedures for conducting a Community Standards Council Hearing shall be as follows:
1. The President of the Community Standards Council shall preside. In the absence of the President, the Vice President shall preside.
  2. The Council must act with complete impartiality. Any Council member who believes that their participation in any aspect of the investigation or hearing process constitutes a conflict of interest must report the potential conflict of interest to the Community Standards Council President, who shall decide whether that member be recused.
  3. An audio recording of the hearing shall be made, and the Secretary shall keep minutes of the proceedings. Deliberations of the Council shall be absolutely private, and no record of the deliberations shall be made.
  4. The Complainant, the Respondent, and the Respondent's Advisor may observe all evidence presented during the hearing but shall not be present for deliberations. Witnesses may be present only during their own testimony. The Investigator may be present during both the hearing and deliberations, but the Investigator's participation in deliberations shall be limited to the clarification of facts; the Investigator assigned to the case may not deliberate or vote. Upon the request of a Witness, arrangements may be made for the Witness to testify via video for good cause shown, as determined by the President in consultation with the OCS Administrator. Disruptive behavior on the part of anyone present shall result in immediate and permanent removal from the hearing. No other persons may be present during the hearing.
  5. The hearing shall be conducted under the Oath of Privacy and the Complainant, witnesses, and Council members involved in the hearing shall take the following Oath of Privacy: "On my honor, I agree to respect the sensitive nature of these proceedings by keeping them confidential."
  6. Every person who testifies at the hearing shall take the following Oath of Truth: "On my honor, I do solemnly swear to tell the truth, the whole truth, and nothing but the truth."
  7. After the Oath of Truth has been administered, the Council may call the Complainant and/or witnesses relevant to the case or may rely solely on the evidence in the case packet. The Respondent may present witnesses with relevant knowledge and any other relevant evidence. The President shall decide questions concerning the relevance and/or admissibility of the witnesses/evidence. The Respondent shall not be required to make an opening and/or closing statement or answer questions unless they wish to do so.
  8. All statements or questions from the Respondent, the Complainant, and Witnesses shall be addressed to the Presiding Officer. Participants in the hearing are not permitted to address one another directly.
  9. Questions asked during the hearing by members of the Council, should be relevant, understandable and civil. The Presiding Officer shall have the discretion to ask that a question be rephrased or order it withdrawn if it does not meet the standards of this paragraph.
  10. Legal counsel retained by a Respondent student or any other person participating in the hearing shall not attend any hearing of the Community Standards Council. Any advice or assistance requested of legal counsel by a student must be obtained prior to the hearing.

11. The Council's findings of "Responsible" or "Not Responsible" shall be based only on the merits and facts of the case at hand.
12. The Respondent shall be considered "Not Responsible" throughout the course of the hearing until the CSC has heard and deliberated on the entire case and the Respondent has been found "Responsible" of the Standards of Conduct by a preponderance of the evidence.
13. If after all available evidence has been heard and a motion to vote on "Responsible" or "Not Responsible" has been properly moved and seconded, two-thirds of the members of the Council present at the hearing and entitled to vote may find the Respondent "Responsible." Otherwise, the Respondent shall be found "Not Responsible," and the case shall be dismissed.

B. A quorum for a Community Standards Council hearing shall be determined as follows:

1. Fifty percent plus one, but no less than six of the eligible voting members shall constitute a quorum for a hearing. The Community Standards Council shall render no decision without the presence of a quorum.
2. If, for any reason, a quorum cannot be achieved, the Respondent may agree to one of the following options:
  - To proceed with the hearing with less than a quorum; or
  - To postpone the hearing for a reasonable period of time (to be determined at the discretion of the President of the Community Standards Council and the OCS Administrator or designee) until a quorum of regular Community Standards Council members can be established.

#### **SECTION 4. Outcomes**

- A. Outcomes of a CSC violation shall be determined by a two-thirds majority of Council members present at the hearing who are entitled to vote.
- B. When determining outcomes for an individual found in violation of the Standards of Conduct, the following criteria shall be considered along with any other factors determined by the CSC to be relevant:
  1. The CSC's responsibility to ensure the effectiveness of the Standards of Conduct for the Rhodes College community.
  2. The nature and severity of the offense.
  3. The ability of the Respondent to reenter campus life under the Standards of Conduct.
  4. A determination, by a preponderance of the evidence, that the Respondent has lied during the investigation or hearing processes.
  5. The level of cooperation of the Respondent during the investigation or hearing processes.
  6. The probationary status, previous discipline, or any past suspensions of the Respondent. These shall be considered only when determining outcomes, and the President shall notify the Council of the Respondent's disciplinary history only after the Council, by proper vote, has found the Respondent "Responsible." The

probationary status or any past suspensions of the Respondent should cast extreme doubt on the ability of the Respondent to reenter campus life under the Standards of Conduct.

C. The following outcomes may be imposed upon any student found to have violated the Standards of Conduct:

1. **Warning:** This outcome will be used in cases in which the College determines that the appropriate lesson has been learned and conclude the matter with a formal letter of warning.
2. **Disciplinary Probation:** A written notification for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe disciplinary outcomes if the student is found to violate any institutional regulation(s) during the probationary period. Students on disciplinary probation are considered not in good social standing with the College. Good Standing may be required for participation in certain campus activities. In addition, students not in good standing may have their conduct reviewed for leadership or employment positions on campus.
3. **Loss of Privileges:** Denial of specified privileges for a designated period of time.
4. **Fines:** Previously established and published fines may be imposed.
5. **Restitution:** Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
6. **Discretionary Outcomes:** Work assignments, service to the college, education, referral to counseling, or other related discretionary assignments (such assignments must have the approval of the OCS Administrator or their designee).
7. **No Contact:** a preventative measure when alleged violation(s) of the Standards of Conduct are reported. At the discretion of the Director of Community Standards, or their designee, a NCO can be issued as a means of informal resolution. The NCO will usually state that the individual may have been involved in a situation where a violation of College policy occurred and prohibiting the individual from contacting another student(s).
8. **Residence Hall Suspension:** Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.
9. **Residence Hall Expulsion:** Permanent separation of the student from the residence halls.

10. College Suspension: Separation of the student from Rhodes College for a definite period of time, after which the student is eligible to return. Conditions for readmission may be specified.

11. College Expulsion: Permanent separation of the student from Rhodes College.

- D. More than one of the outcomes listed above may be imposed for any single violation.
- E. Disciplinary outcomes shall not be made part of the student's permanent academic record, but shall become part of the student's confidential record.
- F. Each year, the Secretaries may, in the discretion of the President, and in consultation with the OCS Administrator, post a list of charges and Council decisions with names omitted.

## **SECTION 5. Appeals**

- A. A decision reached by the Community Standards Council or a outcome imposed by the Council may be appealed by the Respondent or two or more Council members to the Community Standards Council Appeals Committee within four business days of the decision. Such appeals shall be in writing and delivered to the OCS Administrator or designee, and shall specify the basis for the appeal. Once the appellant(s) submit their appeal, the Community Standards Council President will write a response to the appeal to be submitted to the Community Standards Council Appeals Committee.
- B. Except for the limited purpose of hearing new evidence pursuant to (4) below, an appeal shall be limited to a review of the verbatim record of the initial hearing and supporting documents on one or more of the following grounds:
  - 1. The hearing procedure was not followed.
  - 2. The outcomes imposed were inappropriate for the violation of College policy.
  - 3. New and relevant information, sufficient to alter the decision, that was unknown or unavailable to the appellant at the time of the original hearing.
- C. In the event of an appeal, the President of CSC, the Respondent, and the Advisor for the Respondent shall meet with the CSC Appeals Committee to review the case. An audio recording of the meeting shall be made.
- D. The CSC Appeals Committee shall consist of the Dean of Students, or the Dean's designee, one student (usually the President of the Honor Council), and one staff member in Academic Affairs. Committee members may ask questions subject to the approval of the Chair. The Appeals Committee shall deliberate in closed session and either sustain the decision of the Council or return the case to the CSC for reconsideration with remarks and suggestions.

## **SECTION 6. Reconsideration of Council's Decision**

If a case is returned to the Community Standards Council by the Community Standards Council Appeals Committee, the Standards of Conduct Council shall reconsider the case as soon as practical after the notification of its return. A quorum for reconsideration shall consist of at least three-fourths of the voting members present at the original hearing. During a reconsideration, the



Community Standards Council shall consider the remarks and suggestions of the Appeals Committee, recall any witnesses, the Complainant, or the Respondent if deemed necessary for the clarification of facts, and either sustain the original decision and /or outcome or render a new decision and/or outcome based on the procedures outlined in Article IV. A reconsideration of the outcome(s) imposed shall not result in a more severe outcome for the Respondent. The second decision of the Community Standards Council shall be final.

## **ARTICLE V—INTERPRETATION AND REVISIONS**

This Constitution may be amended by the following procedure:

1. Proposed amendments must be approved by two-thirds vote of the entire membership of the Community Standards Council and by the President of Rhodes College.
2. Proposed amendments shall be publicly announced at least seven days prior to the referendum.
3. To be adopted, amendments must be approved by the affirmative vote of a majority of the student body voting a referendum called for that purpose.
4. Amendments shall become effective immediately when the above steps are completed and communicated to the student body.

## **College Initiated Administrative Withdrawal (CIAW)**

The College occasionally faces the problem of students who pose a threat to themselves or others, who are unable to cope, or who create a pattern of extreme disruption. If such behavior violates College rules and regulations, the case will be referred to the Dean of Students or the Dean's designee for action.

The College may administratively withdraw a student from classes, remove a student from residence halls, and/or require conditions for continued enrollment when one of the following transpires:

- The student significantly disrupts the activities of the college community;
- The student poses a direct risk to the health or safety of others; or
- The student demonstrates evidence of significant impairment such that they are unable to participate safely and successfully in the college's academic and/or residential life and cannot independently determine that a voluntary leave is needed.

In the circumstance described above, the Dean of Students (DOS), in consultation with the appropriate medical, psychological, and academic resources, may administratively withdraw a student from their classes, remove the student from the residence halls, and/or place conditions on the student's continued enrollment. The decision must be based on assessing 1) the probability, nature, duration, and severity of the disruption, risk, and/or impairment; and 2) whether reasonable accommodations can mitigate the risk allowing the student to remain enrolled. Under certain circumstances, either before or after deciding to withdraw the student administratively, DOS may mandate that the student undergo a psychological or medical assessment to evaluate the student's ability to participate successfully in the college community.

DOS's determination regarding CIAW and the reasons supporting the decision are shared in written form with the student. The written determination includes the length of separation from the college and describes the conditions the student may seek to return.

A student may appeal the CIAW determination in writing, and provide supporting documentation, within forty-eight (48) hours, the Vice President for Student Life, whose decision is the college's final decision.

## COVID Guidelines – Fall Semester 2023

Below are the COVID guidelines for the fall 2023 semester. These guidelines are based on current conditions and are subject to change as circumstances warrant. As conditions dictate, we will consult with infectious disease experts at Baptist Memorial Health Care, use CDC guidelines, monitor trends in the Memphis area, and consider our previous campus experience to make decisions about COVID protocols. COVID-related updates will be sent as necessary based on circumstances and events.

### Vaccinations/Boosters

All members of the Rhodes community, especially the most vulnerable, are strongly encouraged to be fully vaccinated against COVID, including boosters. Up-to-date vaccination remains one of the best tools to protect ourselves and each other.

### Masking

Masks are not required on campus. However, individual faculty retain the option of requiring masks in their classrooms, labs, and studios. Faculty and staff may ask visitors to their private offices to mask. You must comply with the requests if asked to mask in such circumstances.

### Student Testing

We will provide testing for symptomatic and close contact exposed students in Student Health Center.

#### If a student is experiencing COVID-19 Symptoms:

6. Contact the Student Health Center to schedule a symptomatic testing appointment.
7. **Monday-Friday from 8:30 a.m.-5:00 p.m.:** Students should contact the Student Health Center at [health@rhodes.edu](mailto:health@rhodes.edu) or 901-843-3895.
8. **After 5:00 p.m. Monday-Friday and Saturday-Sunday:** Students should contact Campus Safety by calling 901-843-3880
9. You will be scheduled for testing (self-isolate until tested).
10. Attend your symptomatic testing appointment masked and distanced.
11. **If your rapid test is positive,** the Student Health Center staff will follow up with you about the appropriate positive or contact protocols. You will be issued an isolation order, which you must follow.
12. **If your rapid test is negative,** the Student Health Center staff will contact you about the appropriate protocols, including following up on your rapid test with a PCR test. You will

be advised to mask and personally distance yourself from other community members when possible, pending the results of the PCR test, which may take up to 72 hours.

13. PCR testing will be completed by the outside vendor (American Esoteric Laboratories) that will bill your insurance information on file with the college. If you do not have insurance information on file with the college, the vendor will bill you the test cost. The college does not cover the cost of the PCR testing. Please ensure your insurance information is updated and on file by viewing the Medica Patient Portal (<https://patient-rhodes.medicatconnect.com/>).

**Student COVID-19 Care Clinic:** The Student Health Center can provide onsite rapid testing for symptomatic students and those who may have been in close contact with or exposed to a positive case of COVID-19. The clinic will be available to all students (residential and non-residential) for symptomatic testing and COVID-19 care support. The Student Health Center continues to require wearing masks at this time.

Appointments are available Monday thru Friday, and students should contact Student Health Center at 901-843-3895 or [health@rhodes.edu](mailto:health@rhodes.edu) to schedule an appointment ahead of time.

**Students experiencing severe symptoms or a medical emergency, be sure to call 911 immediately and then contact Campus Safety by calling 901-843-3880**

## **Faculty and Staff Testing**

Faculty and Staff who need a COVID test should seek one off-campus. Many pharmacies and clinics nearby offer testing by appointment.

- The [Shelby County Health Department](#) lists locations for free tests, including at-home tests;
- [CVS](#) offers drive-through tests at many locations in Memphis and Shelby County; and
- [Walgreens](#) also offers testing at most of its locations.

## **Contact Tracing**

COVID-positive students, faculty, and staff are expected to communicate directly with their close contacts. A close contact is someone within 6 feet of an infected person for a cumulative total of 15 minutes or more over 24 hours (for example, three individual 5-minute exposures for 15 minutes). An infected person can spread the virus 48 hours before symptoms until 5 days after symptoms begin.

Students who test positive are responsible for completing the [COVID-19 Reporting Form](#) and contacting all close contacts from the past 48 hours of exposure. Students, contact [covidcare@rhodes.edu](mailto:covidcare@rhodes.edu) for questions. Faculty and staff should communicate with all close contacts from the past 48 hours of exposure.

## **Isolation and Quarantine**

Isolation and quarantine for students who test positive will occur in place, which means students will remain in their assigned rooms for the duration of the isolation/quarantine period.

Vaccinated roommates are not restricted from class and should be tested by the protocols.

## **Isolation/Quarantine Protocol**

<b>Positive for COVID</b>	<p>The Rhodes isolation and protocols are based on an adaptation of CDC recommendations.</p> <p>5-day isolation protocol.</p> <ul style="list-style-type: none"> <li>• Day 1 is the day you were tested (not the day you received your positive test result)</li> <li>• The isolation protocol ends at 5 pm on day 5.</li> </ul>
<b>High Risk/ Close Contact Exposure</b>	No isolation or quarantine. Recommended test at 48 hours and another test between days 5-7.

Distinguishing mild symptoms from more significant symptoms:

Significant Symptoms:

- Lingering cough
- Fever within the last 24 hours\*\*
- Severe respiratory systems
- Lingering GI symptoms like diarrhea or vomiting
- Severe sore throat, fatigue, headache
- Body aches, chills

Mild Symptoms:

- Mild headache, mild or scratchy sore throat, fatigue
- Lingering loss of smell or taste
- Mild congestion (nasal)
- Sneezing, coughing, runny or stuffy nose

\*\*For the purpose of this guidance, fever is defined as subjective fever (feeling feverish) or a measured temperature of 100.0oF (37.8oC) or higher. Note that fever may be intermittent or may not be present in some people, such as those who are elderly, immunocompromised, or taking certain fever-reducing medications (e.g., nonsteroidal anti-inflammatory drugs [NSAIDS]).

Student-Athletes will be required to follow protocols outlined by the SAA under NCAA guidance and will receive guidance from the Coordinator of Athletic Training.

### **Class Attendance Guidelines for Students with COVID**

Students who have COVID must not attend class in person and will be responsible for sharing their need to isolate directly with faculty. Students will be on their honor in doing so but are not expected to provide medical documentation. Normally, a COVID-positive student will remain in isolation for five days.

Faculty should develop their own attendance policies in line with the college’s existing [Class Attendance Policy](#). This policy states that “students are responsible for knowing the attendance policy in each of their courses, for obtaining and mastering material covered during an absence, and for determining, in consultation with the instructor, whether and under what conditions

make-up work will be permitted. It is the student's responsibility to address the issues related to missing a class, whatever the reason for the absence."

Faculty will use their best judgment in deciding how students can best make up class time or material they have missed. Faculty are not required to provide remote access via a Zoom link to students who are in isolation. They may encourage the student to receive class notes from another student, meet individually with the student (either in person and properly distanced or via Zoom), ask the student to review materials on Canvas (including a recorded lecture), or, if they prefer, provide remote access to the class for a student via Zoom.

### **Isolation and Quarantine Meals**

Students in an isolation or quarantine protocol and with a meal plan may access to-go dining options through the college's Quarantine Café. Students order through the following link: [Quarantine Café](#). Please create an account and place daily orders by visiting the "Quarantine Café" section. We recommend that students place weekly orders upon creating their accounts to avoid missing a meal. To pick up meals, students must leave the isolation/quarantine space fully masked and distanced to pick up prepared meals for each day. Students will pick up their food between 8-10 a.m. daily in the Brooks Room in the Refectory. Students will enter the Brooks Room using the outside entrance, which opens on the Refectory north patio and is located at the Hyde-Moore breezeway.

Contact Chris Caldaro, Catering Director, at [Chris.Caldaro@cafebonappetit.com](mailto:Chris.Caldaro@cafebonappetit.com) for ordering confirmation.

## **Handbook Revisions and Approval**

The Student Handbook by the Division of Student Life. The Vice President for Student Life, or their designee, will have the final approval for all proposed changes. The Vice President for Student Life consults with the College's senior leadership team, that includes the President of the College, before finalization occurs.

The College recognizes the possibility that extenuating circumstances may require that the revision and approval process be adjusted. Therefore, under these circumstances, revisions only require the approval of the Vice President for Student Life.

Approved revisions will be reflected immediately in the Student Handbook and will be effective upon their approval.

This version of the Standards of Conduct for the Rhodes Community was approved *September 2023*.