

Students' Rights and Responsibilities (cont.)

Appendix 4: Conduct of Formal Panel Hearings

The following shall be the order of procedure for a formal hearing:

- A. Opening statement of complainant or administrator, if acting as complainant) and presentation of written charge.
- B. Opening statement of respondent.
- C. Witnesses and evidence submitted by the complainant or administrator, if acting as complainant.
- D. Witnesses and evidence submitted by the respondent.
- E. Witnesses and evidence requested by the formal panel.
- F. Rebuttal witnesses and evidence submitted by the complainant or administrator, if acting as complainant.
- G. Rebuttal witnesses and evidence submitted by the respondent.
- H. Summary of evidence (closing statement) submitted by complainant or administrator, if acting as complainant.
- I. Summary of evidence (closing statement) submitted by respondent.

Appendix 5: Appropriate Disciplinary Guidelines

Sexual offenses may demand serious sanctions. The formal panel will judge each case on its merits and recommend disciplinary action according to the seriousness of the offense and, when appropriate, on the record of the accused.

1. If a person is found responsible for sexual harassment, the recommended disciplinary action may include, but not be limited to, admonition, probation, suspension, or dismissal, depending on the severity of that offense. Offenses involving abuse of power, as opposed to misconduct between equals, and especially repeated abuse of power (i.e., professor-student; supervisor-employee, tenured-untentured faculty) are always severe and may result in dismissal.
2. If a person is found responsible for sexual assault (coercion with or without physical force) or attempted sexual assault, the recommended disciplinary action may be dismissal, termination, or suspension/expulsion, according to the procedures for students and each employee group.
3. If a person is found responsible for sexual battery or rape, the recommended disciplinary action will be dismissal.
4. Disciplinary action shall normally include participation in an education program designated by the Administrator. Additional institutional violations of any nature while one is on probation may result in suspension or dismissal.

Appendix 6: Guidelines on Employment of Spouses, Partners, and Immediate Family Members

Subject to the guidelines listed below, Oberlin College recognizes no restrictions on the full-time and permanent

employment of spouses, partners or immediate family members on the teaching faculty and other college employment.

Guidelines:

1. All candidates for job openings will be judged competitively on the basis of professional qualifications. Spouses, partners, or immediate family members will be considered equally with other candidates.
2. No faculty or staff member will participate in any part of the evaluation process of a spouse, partner, or member of his or her immediate family.

Appendix 7: Oberlin College Discrimination and Harassment Policy Statement

Oberlin College is committed to creating an institutional environment free from discrimination and harassment for students and employees. Thus, discrimination and harassment based on the following categories are prohibited: race, color, sex, marital status, religion, creed, national origin, disability, age, military or veteran status, sexual orientation, family relationship to an employee of Oberlin College, and gender identity and expression. In addition, should any applicable law be enacted in the future prohibiting discrimination and/or harassment based on a category not listed above, or should there be other changes in the applicable law governing discrimination and/or harassment, this policy will be deemed amended to the extent necessary to reflect such changes.

Oberlin College deplors incidents of discrimination or harassment wherever they may occur—for example between students, between employees, and between students and employees. The college is especially mindful of its obligation to seek learning opportunities for its students. Discrimination or harassment, whether overt or covert, may directly or indirectly have a negative impact on students' abilities to learn. Discrimination not only may have undesirable educational and psychological consequences; it is also against the law. Perpetrators of such behavior can be subject to college adjudication processes, including disciplinary action up to and including termination, suspension, and expulsion as appropriate. The community is further advised that recourse can be sought through the Equal Employment Opportunity Commission (EEOC), the Office of Civil Rights (OCR), the Ohio Commission on Civil Rights, or the courts. This policy does not limit the rights of an individual to seek remedies available under state or federal law.

K. Noise

College housing units are students' homes and must inevitably accommodate a wide range of lifestyles, freedoms, and values. A continuing subject of concern in Oberlin's college housing is noise, as must be the case in any community where people live in extremely close quarters with their peers or community members and

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have tastes, schedules, and habits that differ widely. It is appropriate to have agreed-upon times and occasions when the noise level will be much higher than usual, for instance when parties have been planned. However, every Oberlin student is expected to ensure that neither he/she nor any situation for which he/she has responsibility, is noisy enough persistently to disturb his/her fellow residents or persons who live in the neighborhood close to college housing units.

It is expected that house councils and other groups with the responsibility for governance will establish rules and guidelines in college housing to address particular situations. Such groups, along with the residential education staff, OSCA, and individual students are expected to work collaboratively to encourage compliance and to promote such principles, procedures, and policies among students. Early in the year, students are expected to discuss whether or not they want to implement specific quiet hours. It is essential to bear in mind that college housing units are students' private homes; while they are of course places to relax, these rooms are the only place where students are guaranteed space and opportunity for sleep; they must also provide private study space. Therefore, the college makes the following housing regulations, which may be augmented by those that members living in college housing units will establish:

1. All stereo systems, television sets, radios, etc., in college housing units must be used either with earphones or at a level that does not disturb others. These standards for appropriate noise levels are purposely stringent; students living on campus are encouraged to establish standards for at least moderate quiet hours.
2. The practicing or playing of musical instruments in student rooms or other areas of the building is not permitted except where the house council or other governing body has designated particular times and areas for such activity. Amplified instruments are not permitted under this clause unless the house council or other governing body and the resident director approve other specific parameters.
3. Specifically, music that is loud enough to possibly disturb persons outside the building, or in other buildings, must be restricted to the times designated. The House Council or other governing body has a responsibility to determine what times and conditions will be considered acceptable:
 - a. In conjunction with the house councils or other governing bodies of neighboring college housing units.
 - b. After careful consideration of the wishes of people in other buildings in the surrounding area.
 - c. After consultation with professional in-hall staff and other staff or persons who can bring a helpful, long-term perspective to these considerations.

4. At all times, students have responsibility for showing consideration for roommates and neighbors, for cooperating when reasonably requested to reduce the volume of noise, and for negotiating agreements with neighbors and other concerned parties about appropriate guidelines for the playing of music or any other activity that has the potential to be a noise disturbance.

Students are encouraged to take the following steps to counteract the problem of noise in each college housing unit:

- a. The section, floor, or house should gather at the beginning of the academic year to discuss various community issues and to establish what standards for quiet are desired. Responding to a brief written questionnaire prior to discussion is often helpful so that all those at the meeting are aware of their neighbors' concerns and ideas.
- b. A meeting of representatives from the staff and house councils or other governing bodies of nearby college housing units should be held early in the year to discuss issues of noise that may extend beyond the confines of individual buildings; students are also urged to consult with neighboring townspeople before establishing any guidelines for noise control of situations that may affect such neighbors.
- c. Individual students who are disturbed by noise are urged to make a direct, courteous request to the relevant person(s) to reduce noise.
- d. If a problem persists, any student who is disturbed should request a meeting to review the agreements that have been made and to discuss a solution. Students may want to ask for the support of a staff member in facilitating such a discussion.

In the event that conflicts are not resolved by any of the above consultations and negotiations, students are encouraged to communicate their problem to the house council or other governing body, to seek the assistance of the residence hall staff, or, if necessary, to lodge a complaint with the Judicial Coordinator.

L. Room Inspections

Amended administratively in August of 2005 to reflect structural and functional changes in the Office of Residential Education and Dining Services formerly titled Residential Life and Dining Services.

Approved by the Rules and Regulations Task Force on April 18, 2001, approved by Student Senate on April 21, 2001; and approved by the General Faculty on April 22, 2001.

There are numerous occasions in which a staff member has the right to enter a student's assigned room in a college housing unit. When entering a room for the purposes of life-safety inspections, closing a building (fall, winter,