

Students' Rights and Responsibilities (cont.)

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,

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and spring breaks), facility maintenance, checkouts, and informal visits, the following activities may occur:

1. If staff members observe items in plain view that are prohibited by the Code of Conduct, such items may be reported.
2. Judicial action may be taken against the resident and any other student involved in the violation.
3. Staff members may have representatives of the Office of Safety and Security confiscate and turn over to the proper authorities prohibited items such as weapons, alcohol, illicit drugs and paraphernalia that could be used to ingest illicit drugs. Staff members may have Safety and Security Officers or professional in-hall staff members confiscate other items found in plain view that are prohibited according to college housing policies.
4. Confiscated items may be used as evidence in college judicial proceedings.
5. The college reserves the right not to return confiscated items.
6. Notifying students prior to entering their rooms is not necessary in cases of life-safety inspections and facility maintenance. Students will be notified in advance of staff inspections prior to the closing of college housing (fall, winter, and spring breaks).

M. Room Searches

Individual room searches are permitted when there are reasons to suspect the existence of contraband or crime. Except for life-safety searches, which the college reserves the right to conduct at any time and without notice, room searches will comply with the following regulations:

1. General room searches are prohibited and may not be authorized.
2. All searches are to be authorized by the Office of the Dean of Students or his/her designee in advance in writing.
3. Students will be notified if a search of their room has been authorized, but they need not be present at the time of the search. The resident may send a witness to observe the search if he/she wishes.
4. The resident has the right to be present during the search and/or to appoint a witness to observe the search.
5. A college official will oversee each search.
6. The resident retains the right to compensation for any damage done to his or her property during a search.
7. If a search has not complied with these regulations, college judicial action against the resident(s) may not be taken on the basis of evidence discovered during the search.

N. Policy on Alcohol, Drugs and Tobacco

Approved by the Student Life Committee on April 13, 1995.

Oberlin College prohibits the unlawful possession, use, or distribution of alcohol or drugs. It is the college's policy to provide a learning, living, and work environment that is free of illicit drugs, tobacco smoke, and the unlawful use or abuse of alcohol. Believing that the acceptance by students of full responsibility for their conduct is an essential component of the educational process, the college seeks to prevent the destructive use of tobacco, drugs, and alcohol by means of counseling and the education of students with regard to the risks involved.

While the college's emphasis is on preventive and educational approaches to substance use and abuse, the college will not protect students from local, state, or federal laws. College judicial procedures will be initiated if a complaint of misconduct related to drug, alcohol, or tobacco use is filed by a member of the Oberlin College community. Judicial sanctions may include suspension or dismissal, depending on the seriousness of the offense.

The following statement was issued to the Oberlin College community by the General Faculty Council on May 9, 1991:

"Oberlin College cannot condone the illegal possession, consumption, provision or sale of alcohol or drugs, and Oberlin College cannot protect members of the community from prosecution for crimes under federal, state, or local laws. Ohio state law (Section 4301.69) provides that no person shall sell intoxicating liquor or beer to a person under the age of 21 years, unless given by a physician in the regular line of his/her practice, or by a parent or legal guardian. Drugs are defined as including marijuana as well as the following, all of which are illegal except when taken under a doctor's prescription: barbiturates, amphetamines, prescription tranquilizers, LSD compounds, mescaline, psilocylin, DMT, cocaine, and other narcotics or opiates."

1. SUMMARY OF STATE LAWS

Ohio Revised Code Governing Alcoholic Beverages Section 4301.22(A)(2) and (3) and (M)(3). No intoxicating liquor or beer shall be sold to or handled by any person under twenty-one years of age. The penalty for violation of this section provides for a fine of not more than \$500 plus court costs or imprisonment of not more than 60 days, or both. (Third degree misdemeanor.)

Section 4301.69 (A) and (I). No person shall sell* intoxicating liquor to an underage person, or buy intoxicating liquor or beer for an underage person, or furnish it to an underage person, unless given by a physician in the regular line of the physician's practice or given for established religious purposes or unless the underage person is supervised by a parent, spouse who is not an underage person, or legal guardian.

The penalty for violation of this section provides for a fine of not more than \$1,000 or imprisonment of not more than 180 days, or both. (First-degree misdemeanor.)

** The law is quoted as it reads. Selling alcoholic beverages, however, requires a license and thus is not legal anywhere on campus except the Dionysus, where a license has been issued to*