

# Middlebury

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## Community Standards and General Policies

Middlebury College requires all its faculty, staff, and students to adhere to certain policies and regulations. These regulations, which differ for different segments of the College community, are all designed to further the educational goals of the College. The College's central purpose is to develop the life of the mind in the fullest sense: to foster clear and critical thinking; to disseminate valuable information; to facilitate research; and to enrich the imagination, broaden sympathy, and deepen insight. The College seeks to help each student develop the capacity to contribute to society and find personal fulfillment. Whatever promotes learning and human growth is encouraged by the College; whatever hinders it is opposed. The College's policies and regulations, which are always open to review, are formulated with this general principle in mind.

In addition to fostering the growth of its individual students, Middlebury College recognizes its obligation to promote the welfare of the College community as a whole and to take appropriate action when that welfare is jeopardized. To that end, the College reserves the right, notwithstanding and apart from the procedures described below, on an emergency basis, to suspend, dismiss, or require to withdraw any student whose presence is determined by College authorities (the dean of the College; the vice president for Language Schools, Schools Abroad and Graduate Programs; the director of the Bread Loaf School of English; or the director of the Bread Loaf Writers' Conference, as appropriate) to pose a danger to self, the College community, or its members, or to be unduly disruptive of College life. The College recognizes that its students are citizens of larger communities – local, state, and federal – and should enjoy the same rights of petition and freedoms of speech and peaceful assembly that other citizens enjoy. Faculty and administrative officials should ensure that College authority is not used to inhibit that intellectual and personal growth of students, fostered by the exercise of the rights of citizenship, both on and off campus.

College disciplinary action is distinct from and not dependent upon the outcome of any legal proceedings involving a student, although conduct that forms the basis for legal proceedings may also warrant disciplinary action by the College, and conviction of a crime may in itself justify disciplinary action.

The College will hear complaints pertaining to conduct of Middlebury College students occurring on Middlebury College property (including the Bread Loaf campus, the main campus, or Middlebury College campuses abroad), or in Middlebury or its environs. The College will also consider hearing cases involving Middlebury College students that occur off campus if the incident occurs while the students are participating in an official College event, program, or are on official College business. The College's disciplinary process will not be used merely to duplicate the function of federal, state, or local laws, but where the institution's distinct interests as an academic community are involved, the College may invoke its disciplinary authority in response to infractions of the laws of the off-campus community.

If the College determines that the complaint will not be heard on campus, the avenue for the victim to seek redress will be legal action (civil and/or criminal). The College may offer assistance to a student facing civil or criminal legal proceedings, by apprising the student of sources of legal counsel, for example, but the College will endeavor not to interfere in any such proceedings. Students should also be aware that College officials and other students may, like all persons, be compelled to give testimony or evidence if subject to the subpoena power of a court.

While students are enrolled at the College, they must inform the College of any occasion on which they are charged with a felony by state or federal authorities. Failure to do so may itself result in disciplinary action.

### A. General Regulations

Flagrant disrespect for persons, flouting of common standards of decency, behavior unbecoming of a Middlebury student, or continued behavior that demonstrates contempt for the generally accepted values of the intellectual community may result in disciplinary action.

#### 1. Respect for Persons and Property

The College expects all members of the College community to respect the dignity, freedom, and rights of others. Violence in word or deed against another; incitement or provocation to violence; conduct that exploits or coerces another; theft or the destruction of another's property; prevention of another's free expression of ideas by intimidation, abuse, or physical force; defamation; violation of another's privacy; unauthorized entry and, specifically, uninvited hostile presence in another's room or office, are all considered serious offenses. Any one offense may lead to disciplinary proceedings with penalties up to and including suspension or expulsion.

Where verbal or physical altercation has occurred, where harassment or hazing has been alleged, or where otherwise deemed appropriate under the circumstances, the deans have authority to issue a "no contact" order to the persons involved, whether

or not disciplinary action is taken. Refusal to adhere to the order after notification of its terms, which notification may be verbal, may lead to disciplinary proceedings, up to and including suspension or expulsion.

The College has adopted a statement on harassment, which states the College's opposition to any form of sexual, racial, ethnic, religious, or other forms of harassment, as prohibited by the College's policies. It also sets forth procedures to be followed in the event of an incident of such harassment.

## **2. Hazing**

The College prohibits hazing activities, whether by an individual or an organization. Conduct may be considered hazing if it

- (a) endangers the mental health, physical well being, safety, or rights of any individual;
- (b) is intended to or is reasonably likely to result in humiliation, physical or emotional injury, or
- (c) leads to a violation of Vermont state law or Middlebury College policies.

Conduct is still hazing even if the person against whom the hazing was directed consented to or acquiesced in the hazing activity.

Examples of prohibited individual/group activities include but are not limited to the following:

- (a) requiring participation in activities that by design do not allow adequate time for study;
- (b) requiring the use of alcohol in any process or activity;
- (c) requiring nudity at any time;
- (d) throwing substances or objects at individuals with intent to harm;
- (e) vandalizing, defacing, or stealing any property;
- (f) verbal abuse or threatening physical harm;
- (g) assigning unreasonable chores;
- (h) forcing a person to eat something against his or her will;

or

- (i) requiring excessive exercise.

Hazing activity may lead to disciplinary proceedings with penalties up to and including suspension or expulsion. Hazing may also lead to the termination of a student organization.

## **3. Respect for the Educational Function of the College**

Any disruption of the educational function of the College is considered a serious offense, which may lead to disciplinary proceedings and carry a maximum penalty of dismissal.

## **4. Respect for College Officials**

Middlebury College vests many employees with specific duties and authority to effect the purposes of the institution. Faculty; deans; administrative, custodial, dining, and library staff; Public Safety officers; first year counselors; resident assistants; and Commons residence advisers are all College officials with authority commensurate with their duties. Failure to respect the lawful authority of College officials may result in disciplinary action. Students are expected to identify themselves by showing their College identification card upon request of College officials.

*[updated 16-Oct-2007; "first year counselors" replaces "junior counselors"]*

## **5. Respect for College Property**

The Middlebury College campus, its residence halls, institutional facilities, other buildings, furnishings, and supplies are provided

for the general and continuing use of the community. Theft of or damage to College property is considered a serious offense, which may lead to disciplinary proceedings with penalties up to and including suspension or expulsion.

**a. College Facilities:** Unauthorized entry into closed or restricted areas of the College, including roofs of buildings, may result in disciplinary procedures.

**b. Library Resources:** The Middlebury College library is committed to maintaining collections that exist as common resources to be shared, preserved, and respected in a manner guaranteeing protection for future users. The ethical use of library materials involves acceptance of this principle and appropriate conduct regarding library collections. Inappropriate use includes, but is not limited to:

- i. writing upon, defacing, tearing, cutting, mutilating, or destroying books or other library property;
- ii. willful concealment of a book or other library property on one's person or among one's belongings while attempting to leave, or leaving the premises of the library without formal borrowing through the circulation desk;
- iii. the willful concealment of a book or other library property within the library;
- iv. the willful removal of a book or other library property in contravention of library regulations;
- v. the intentional alteration or destruction of library ownership records; or
- vi. the willful retention of library materials beyond their stated loan periods.

Inappropriate use as defined above will be referred to the Judicial Affairs Officer and is subject to disciplinary proceedings.

**c. College Store:** Theft from the College Store is a serious infraction and will lead to disciplinary proceedings.

**d. College Equipment:** Students who use instructional and other College equipment are expected to return it on time and to maintain and care for it. Failure to comply with these regulations may lead to disciplinary proceedings.

**e. Furnishings:** College furnishings provided in lounges and other public spaces belong in those spaces. The presence of such College furnishings in a student's room is a violation of College policy and may result in a \$50 fine and disciplinary proceedings.

**f. Dining Facilities:** Removal of food, dishes, utensils, etc., from College dining facilities (including the Grille, Rehearsals Café, Golf Course, and Snow Bowl) may result in a \$35 fine and disciplinary proceedings.

**g. Disposition of College Property:** Disposition of College property to another under the pretense that it is one's own is not permitted and may result in a \$50 fine and disciplinary proceedings.

**h. Vandalism and Physical Damage:** The minimum penalty for damage or vandalism, whether in a dormitory or other College facility, is payment of the cost of repair or replacement. Students found guilty through a judicial hearing, or by a Commons dean, of vandalizing property may be fined \$100, in addition to being assessed the costs of repairs or replacement. If an individual voluntarily turns himself or herself in to their Commons dean, the sanction may be lessened.

**i. Theft of Services:** Unauthorized use of College services, which includes unauthorized use of telephone services, is prohibited and violators are subject to disciplinary proceedings.

Students should be advised that theft or destruction of College property may constitute a criminal offense, as well as a violation of College regulations, and the College may report the theft or destruction of property to appropriate law enforcement authorities.

## 6. Dining Room Regulations

Students who eat in a College dining room without a board contract and without having paid for the particular meal will be charged for the meal and are subject to a \$35 fine and disciplinary procedures. Students providing food from the dining hall to those without contracts will be subject to a meal charge, a \$35 fine, and disciplinary procedures. Repeated offenses may lead to suspension for at least one term.

Theft of removal of food, dishes, utensils, etc., from the College dining facilities (including the Grille, the Juice Bar, Rehearsals Café, the Redfield Room, Midd Xpress, the Golf Course and Snow Bowl snack bars) is prohibited and may result in a minimum \$35 fine, plus disciplinary procedures.

Students are not permitted to enter dining facilities through "back door" entrances. Repeated offenses may lead to a

suspension of at least one term.

Smoking is prohibited in all dining areas.

In accordance with Vermont state health regulations, shoes and shirts are required in the dining rooms. Due to health and safety concerns, roller blades, cleats, and muddy attire are not permitted.

Middlebury Vermont 05753 802-443-5000  
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