



2025-2026 STUDENT HANDBOOK





2025-2026 Siena Life

Student Handbook

Division of Student Life

Table of Contents

Introduction	4
Compliance Statement	4
Greetings from the Dean of Students	6
Siena University Mission	7
Community Standards and Accountability	
Definitions	9
Student Expectations and Responsibilities	10
Institutional Authority	12
Code of Conduct	17
Drug and Alcohol Policy	21
Visitation and Guest Policy	28
Dangerous Instruments/Weapons Policy	30
Hazing Policy	31
Conduct Review Process	33
Student Conduct Review Board Process	36
Sanctions	39
Appeal Process	44
Hate Crimes and Bias-related Incidents	
Overview	45
Victims of Bias-related Incidents or Hate Crimes	48
Health and Wellness	
Health Requirements	50
Counseling Center: Scope of Care	52
Refusing Medical Treatment	54
Medical Leave of Absence Policy	54
Death in the Family	58
Reasonable Accommodations Due to a Disability	58
Food Allergy Policy and Accommodations for Students	59
Service and Emotional Support Animals	61
Service Animal Policy	62
Emotional Support Animal Policy	67
Philosophy on Sexual Intimacy	70
Residential Facilities, Living Guidelines and Procedures	
Facilities	72
Housing Policies and Procedures	74
Residence Hall and Townhouse Safety	77
Residence Hall Policies	81

Public Safety Emergency Information/Parking	
Department of Public Safety /Emergency Preparedness	83
Crime Reporting /Confidential Crime/Incident Reports	84
Voluntary Confidential Reporting	86
Voluntary Private Reporting	86
Disclosure of Crime Statistics	86
Campus Public Safety Advisory Committee	87
Emergency Information/Emergency University Closing	87
Inclement Weather and Snow Policy	88
Missing Student Notification Policy and Procedures	88
Threat Assessment Policy	89
Traffic/Parking Rules and Regulations	89
General Policies	
Constitution of the Siena University Student Body	101
Computing-Use Policy	108
Electric Scooters, Bicycles, Skateboards, and Similar Transportation Devices Policy	108
Copyright Infringement Policy	108
Disorderly or Disruptive Classroom Behavior Policy	109
Official Communication of University Business	109
Posting Policy	110
Preferred Name Policy	111
Smoking/Tobacco Free Campus Policy	112
Solicitation and Vendor Policy	114
Speakers' Policy	116
Student Internal Complaint Policy	118
Student Records	120
Drug and Alcohol Policy for Employees	124
<u>Discrimination and Harassment Policy</u>	
Statement of Basis and Purpose	
Title VII and the Title IX Coordinator and Equal Opportunity Specialist (EOS)	
Responsibilities	
Terminology	
Legal and Behavioral Definitions of Discrimination and Harassment	
Definitions	
Immediate Assistance in Cases of Discrimination and Harassment	
Choice of Actions in Response to Discrimination and Harassment	
Reporting	
Filing a Complaint	
Resolution	
Annual Reporting	
Resolution Through Means	
Modifications	

Sexual Misconduct and Interpersonal Violence Policy

Statement of Basis and Purpose

Title IX Coordinator/EOS Responsibilities

Terminology

Definitions and Behavioral Examples of Prohibited Conduct (Title IX Sexual Harassment and Non-Title IX Misconduct)

Definition of Employee Consensual Relationships

Immediate Assistance in Cases of Prohibited Conduct

Obtaining Immediate Medical Attention and Emotional Support

Reporting, Confidentiality, Privacy and Choice of Actions in Response to Prohibited Misconduct

Jeanne Clery Act and Timely Warning

Initial Assessment

Resolution

Informal Resolution

Annual Reporting

Resolution Through Other Means

Revocation by Operation of Law

Modifications

Student Bill of Rights

Resources

Introduction

The Siena Life Student Handbook is a resource and reference guide to University operations, policies, guidelines, terms, conditions and regulations. The handbook supplements the University's catalog as a source of additional information about Siena University. It is not intended to serve as a complete source of University requirements and policies, and it does not contain a complete listing of all programs and services.

Students enrolled at Siena agree to comply with the University's rules and regulations. While every effort is made to provide accurate and current information, the University reserves the right to change, without notice, statements in Siena Life concerning rules, policies, fees, curricula, courses, calendar and other matters. The University's rules, policies and other matters stated in this edition of Siena Life supersede all prior rules, policies, procedures, terms, conditions, guidelines and services. Documents generated by student organizations should be in accordance with University policies and regulations. In the event that a conflict exists between University policies and regulations and a student-generated document, the University policies, rules, guidelines, regulations, terms and conditions shall govern.

Siena University reserves the right to change the tuition, fees, room-and-board costs, rules governing admission, occupancy of the residential facilities, granting of degrees, and any other regulation, rule, term, condition, policy or guideline that may affect students. Such changes take effect whenever Siena authorities deem necessary. Siena University also reserves the right to exclude at any time students whose academic record is unsatisfactory or whose conduct is found to be detrimental to the University community. **The online version of Siena Life is the most current and may reflect changes from the printed copy (www.siena.edu/sienalife).**

Compliance Statement

Siena University is an equal opportunity and affirmative action employer and does not discriminate against employees or job applicants on the basis of race, religion, color, sex, age, national and ethnic origin, disability, marital status, pregnancy, veteran status, sexual orientation, gender identity, predisposing genetic characteristics, domestic violence victim status, criminal conviction or any other status or condition protected by applicable federal or state statutes.

Siena University admits students of any race, religion, color, sex, age, national and ethnic origin, disability, marital status, pregnancy, veteran status, sexual orientation, gender identity, domestic violence victim status, criminal conviction or with a predisposing genetic characteristic to all the rights, privileges, programs, services and activities generally made available to students at the school. It does not discriminate on the basis of race, religion, color, sex, age, national or ethnic origin, disability, marital status, veteran status, sexual orientation, gender identity, predisposing genetic characteristics, domestic violence victim status or any other status or condition protected by applicable federal or state statutes in administration of its educational policies, admissions policies, scholarship and loan programs and athletic and other school administered programs.

Siena University does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and this part, including in admission and employment. Questions about the application of Title IX to this institution may be referred to Siena University's Title IX Coordinator, the Office of Civil Rights, or both. Siena's nondiscrimination policy,

including grievance procedures, may be found on the Title IX Website. To report information about conduct that may constitute sex discrimination under Title IX, or for information about how to make a complaint of sex discrimination, please contact the Title IX Coordinator at the contact information listed below:

Siena University
Dr. Bill Boerner
titleix@siena.edu
518-782-5514

Greetings from the Dean of Students

Dear Siena Student,

It is my pleasure to welcome you to Siena for the 2025 – 2026 academic year. During your time here, I encourage you to take an active role in your education and in our community.

Siena realizes that life outside of the classroom plays an important role in the development of the whole person. A Franciscan, Catholic, liberal arts education is as much about mutual respect, the appreciation of differences, values and social responsibility as it is about intellectual development, career goals and critical thinking.

Our faculty and staff expect great accomplishments from you, as we hope you do of yourself. Strive for excellence, reflect upon your goals, and use your talents and energy for service with others and to better your community. Members of the Student Life staff encourage you to take advantage of as many Siena University opportunities as possible to stretch your mind, heart and spirit. We will assist and support you in your journey.

The University policies, procedures, guidelines and services outlined in Siena Life are to inform you of the expectations Siena University has for its students. Your presence here signifies your willingness and expressed consent to adhere to the policies and procedures outlined in this and other University publications.

If a member of the Student Life staff can be of assistance to you, please stop by my office in Sarazen Student Union, room 310, and we will be happy to meet with you. You can also contact us via email (studentlife@siena.edu) and a member of our team will be able to assist you. Best wishes for a productive and enjoyable year.

Adam W. Casler
Interim Vice President for Student Life & Dean of Students

Siena University Mission

Siena University is a learning community advancing the ideals of a liberal arts education, rooted in its identity as a Franciscan and Catholic institution.

As a learning community, Siena is committed to a student-centered education emphasizing dynamic faculty-student interaction. Through a blending of liberal arts and professional education, Siena University provides experiences and courses of study instilling the values and knowledge to lead a compassionate, reflective, and productive life of service and leadership.

As a liberal arts institution, Siena fosters the rigorous intellectual development of its students through a healthy exchange of ideas both inside and outside the classroom. It provides opportunities to develop critical and creative thinking; to make reasoned and informed judgments; to appreciate cultural diversity; to deepen aesthetic sensibility and to enhance written and oral communication skills. It develops in each individual an appreciation for the richness of exploring knowledge from a variety of perspectives and disciplines.

As a Franciscan community, Siena strives to embody the vision and values of St. Francis of Assisi: faith in a personal and provident God, reverence for all creation, affirmation of the unique worth of each person, appreciation for beauty, service to the poor and marginalized. We seek to build a community strengthened through diversity, where members work together in friendship and respect, committed to building a world that is more just, peaceable, and humane.

As a Catholic University, Siena seeks to advance not only the intellectual growth of its students, but their spiritual, religious and ethical formation as well. To this end, Siena is composed of and in dialogue with people from different religious and cultural traditions; fosters a critical appreciation of the Catholic intellectual heritage in conversation with contemporary experience; provides ample opportunities for worship and service; explores the moral dimensions of decision-making in business and the professions; and affirms the dignity of the individual while pursuing the common good.

Core Values

Guided by our mission statement and the values of St. Francis of Assisi, the Division of Student Life ensures that a student's time at Siena University will be educational, developmental, satisfying, and most of all, enjoyable. Siena's core values are:

- **Compassionate Leadership** - We lead by putting others first, through our commitment to social justice, service with others, and concern for the poor and vulnerable.
- **Inclusivity** - We respect and care for the dignity of all people while celebrating the diversity that enriches our community.
- **Innovation** - We identify, develop, and implement imaginative, forward-thinking ideas with the foresight to meet emerging needs.
- **Lifelong Learning** - We foster intellectual curiosity and the passionate pursuit of knowledge to lead meaningful, successful, and fulfilling lives.
- **Person Centered** – We develop the whole person through engaging relationships and formative experiences across all aspects of campus life.

These values integrate the values and teachings of St. Francis and St. Clare of Assisi into the everyday lives of Siena students. Franciscan values serve as a lens through which to view our world and our way of

being in relationship with each other. Through discussion, modeling and application of our core values, our community is enriched and made vibrant. These values ensure that students identify with and take on a sense of responsibility for the University and each other. The essence of Franciscan living is a way of relating to people that is grounded in faith and values. Our core values provide a framework for the Siena community to discuss and learn about the Franciscan tradition and its approach to fostering positive interpersonal relationships.

Community Standards and Accountability

Siena University's philosophy of student conduct is grounded in fostering students' skills and their understanding of how to live responsibly in a community. The University focuses on the growth and development of the individual within the greater context of the community. Disciplinary procedures for violations of the Student Code of Conduct are designed to foster moral and ethical development and accountability while upholding Siena community standards. Siena University expects members of its community to be responsible for appropriate standards of conduct. Students are expected to conduct themselves in accordance with the University policy and applicable local, state, and federal laws.

In light of our unique educational mission, the University strives to provide students with a fair process for adjudicating allegations of violations appropriate to the campus setting.

Code of Conduct or Code: The following set of community standards for students of Siena University, Loudonville, New York.

Code Authority: The Board of Trustees of Siena University has established the following rules and regulations for all students and their guests.

I. Definitions

When used in this Code:

- A. The term University or Institution means Siena University in Loudonville, New York.
- B. The term student includes all persons who are enrolled in a course(s) at Siena University full or part time or who have (or are eligible to have) a continuing relationship with the University (including but not limited to students on leave, study abroad, or who have withdrawn) even if they are not officially enrolled for a particular term.

For the purposes of the Division of Student Life, persons are considered students upon confirmation of acceptance until the actual conferring of a degree. It also includes those who are living in Siena University residence halls as part of a cooperative agreement although not enrolled at the institution.

Note: For persons who meet this definition who are enrolled in programs with cooperating institutions, Siena University reserves the right to notify the cooperating institution of violations (or in some circumstances alleged violations) of the Siena University student code of conduct.

- C. The term University official means any person employed by the University and authorized by the University to act in a prescribed manner in accordance with the policies, procedures, rules, regulations and guidelines of Siena University.
- D. The term student organization means any organization (such as a club, society, association, athletic team, club or intramural sports team, or student government) in which two or more of the members are students enrolled at Siena, whether or not the organization is established or recognized by the institution.
- E. The term student publication means written material published by students and distributed on the University campus or social media associated with the University including, but not

limited to, brochures, newspapers and special-interest magazines, websites, blogs, vlogs, social networking sites and platforms.

- F. The term University property, University premises or University-related premises mean all property owned, leased or on loan to the University, including, but not limited to, all radio station communications' licensing and equipment and all land, buildings and facilities owned, leased or controlled by the University and/or used during University-related activities.
- G. The term University document means any University record, publication, written communication or form.
- H. The term University community means collectively students, University officials, and employees of the University, as well as registered guests of or visitors to the University.
- I. The term member of the University community means individually any student, University official or employee of the University, or registered guest of or visitor to the University.
- J. The term personal property means anything to which a person has legal possession or title.
- K. The term common area means a place to which the University community has access. This includes, but is not limited to, hallways, lobbies, entranceways/stoops, other portions of residence halls not constituting rooms or apartments designed for actual residence, and all open areas of the University campus.
- L. The term contraband means anything illegal and/or improper to have on University premises. This includes, but is not limited to, drugs, alcohol, tobacco/nicotine products, weapons, dangerous instruments, prohibited items as outlined in the residence living guidelines and/or unauthorized possession of University-owned property.

II. Student Expectations and Responsibilities

- A. Basic Privileges and Responsibilities:

The purpose of the following statement is to incorporate the minimal principles that should guide the behavior of all students if the campus is to serve its essential purpose: the pursuit of knowledge in an atmosphere conducive to the free exchange of ideas.

Siena University expects all members of the community to demonstrate respect for themselves and for others. This respect includes sensitivity to differences. All students are entitled to and responsible for a community environment free from harassment, intimidation and violence. Students are expected to respect the property of others, University property and the property of the greater community surrounding Siena. A process exists for reviewing allegations of misconduct. Students have the right to appeal in misconduct cases, as outlined by the University.

The pursuit of knowledge and the free exchange of ideas may cause conflict. It is expected that students will be respectful in the manner in which they disagree. In addition, the University reserves the right to apply reasonable limitations to speakers and other invited guests in light of our Catholic and Franciscan tradition.
- B. Statement of Student Expectations and Responsibilities:

The student body, along with other members of the Siena community, has a responsibility to provide, protect and maintain an environment for learning and living. As representatives of the Siena University Student Body, the Student Senate, in the spirit of the Franciscan tradition, provides the following statements of student rights and responsibilities. These rights allow for any member of the Siena University student body to focus on the primary goal of pursuing an education.

As set forth in the policies, procedures and guidelines in Siena Life, a Siena University student has the expectation:

1. to be treated respectfully as a member of the Siena community
2. to a free, timely and impartial process for the review of allegations of misconduct, a student conduct/administrative hearing and to an appeal of decisions regarding responsibility and sanctions
3. to expect assistance and professional conduct from members of the University's administrative staff
4. to be able to learn, including having access to ideas, facts and opinions
5. to the free and responsible expression of ideas and opinions, without fear of retribution, including peaceful dissent, that will not disrupt or interfere with the orderly operation of the University
6. to expect professional conduct from faculty in the assignment and evaluation of academic work
7. to an evaluation of their academic performance free from discrimination on the basis of race, religion, color, sex, age, national and ethnic origin, disability status, marital status, veteran status, sexual orientation, gender identity, predisposing genetic characteristics, domestic violence victim status or any other status or condition protected by applicable federal or state statutes
8. to expect the University to promote and foster an environment that is free from violence, harassment or any physical threats from any other member of the Siena community, and for the University to address, investigate and/or take any other appropriate measures against any member of the community who infringes on this right as stated
9. to have the opportunity to review and correct any statement prepared by Public Safety before signing, or refuse to sign any statement if the student feels they are being misrepresented and/or misquoted in the statement itself
10. to have any search of personal property authorized, either in writing or orally, by an authorized University official in conjunction with the Public Safety Department and in accordance with the University's search procedures
11. to file a complaint when they believe that any of their rights have been violated.*

*NOTE: For complaint procedures, please refer to the Code of Conduct, the Hate Crimes and Bias-Related Incidents, Sexual Misconduct Policy, Siena University Discrimination and Harassment Policy, and the Internal Complaint Policy sections of Siena Life.

- C. In every community, along with expectations, each individual has responsibilities. As set forth in Siena Life, a Siena University student has the responsibility:
1. to recognize and respect the rights of all other students and members of the Siena community
 2. to treat all members of the campus community with civility, respect and courtesy

3. to refrain from discriminating against other members of the Siena community on the basis of race, religion, color, sex, age, national and ethnic origin, disability status, marital status, veteran status, sexual orientation, gender identity, predisposing genetic characteristics, domestic violence victim status or any other status or condition protected by applicable federal or state statute
4. to assist the University in maintaining a healthy environment of learning and living, as outlined in Siena Life
5. to cooperate to the best of their ability with all investigations involving violations of the Code of Conduct and/or crimes committed on campus
6. to respect the personal property of the University and members of the Siena community
7. to become an active learner, fully engaged in both intellectual and human growth
8. to exercise the above mentioned rights and responsibilities in a reasonable and respectful manner that will not offend or violate the University's Franciscan and Catholic traditions of compassion and empathy; will not violate University policies, procedures, guidelines, rules or regulations; will not disrupt or interfere with the orderly operation of the University; and will not infringe upon the rights of other members of the Siena community

III. Institutional Authority

A. Jurisdiction:

All students are subject to and are expected to familiarize themselves with the Siena University Code of Conduct. In addition, any violations of federal, state or local law as determined by the University shall be considered a violation of the Siena University Code of Conduct. When alleged violations of University regulations or local laws take place off campus and come to the University's attention, the University reserves the right to take appropriate action when, in the judgment of University officials, the alleged conduct has a negative impact on the University community or the pursuit of its mission or the broader community in which we live. The Dean of Students or designee may initiate University disciplinary proceedings, whether or not criminal charges have been filed.

B. Right to Take Disciplinary Action:

The University reserves the right to suspend, dismiss or expel any student when, in the opinion of the University as determined by the Dean of Students, Associate Dean of Students, Assistant Dean of Students or designee, their behavior threatens or endangers the health, safety, or well-being of the University community or any of its individual members. This right also applies to violations of the Code of Conduct and other University policies, rules, regulations, terms, conditions or guidelines. In addition, the University reserves the right to impose penalties, which include, but are not limited to, fines, cancellation of the housing license, suspension and expulsion.

C. Welfare of the Community (Amnesty):

The health and safety of every student at Siena University is of utmost importance. Siena University recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to discrimination and harassment, domestic violence, dating violence, stalking, or sexual assault

occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Siena University strongly encourages students to report discrimination and harassment, domestic violence, dating violence, stalking, or sexual assault to University officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of discrimination or harassment, domestic violence, dating violence, stalking or sexual assault to University officials or law enforcement will not be subject to Siena's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the discrimination and harassment, domestic violence, dating violence, stalking, or sexual assault. This policy may also be applied, but not limited to: Alcohol or drug related incidents, discrimination and harassment, sexual misconduct or situations of vandalism and damage. The policy only applies to the University's Student Code of Conduct and has no status in other jurisdictions such as local or state courts.

D. Conduct On and/or Off University Premises:

In the event a student also faces criminal charges for any conduct on or off campus, the University reserves the right to bring charges against a student for any violation(s) of the Code of Conduct prior to, concurrent with or following criminal charges being filed in a court of law for the same act(s). All University rules and regulations apply to students and their conduct, behavior and activity, both on and off University premises and at University-sponsored events and activities, regardless of where they are being held.

Student members of the Siena community are expected to act with respect for the safety, personal rights and property of individual groups outside the University as well as to respect the proper authority of local, state and federal officials. The University reserves the right to take disciplinary action against students or student organizations responsible for organizing non-University-sponsored events (dances, theme parties, etc.) that result in underage drinking, misconduct or criminal activity. Hosting a non-University sponsored event at a third-party vendor shall not exonerate the student or student organization from responsibility.

E. Administrative Withdrawal:

If in the opinion of the Associate/Assistant Dean of Students, or designee (in consultation with other University officials), a student with a behavior problem cannot accomplish their objectives in concert with those of the University or without jeopardizing their welfare or that of others, the student's registration may be terminated and the student may be required to leave the University immediately. In such cases, the student will be restricted from being on campus property and, if found, subject to arrest for trespassing. Depending upon the circumstances surrounding the termination and at the University's discretion, the student may be eligible for a refund of tuition and fees as outlined in the Siena University catalog. In addition, any housing/board fees will be refunded on a pro-rata basis based upon the date of termination. The decision of the Associate/Assistant Dean of Students, or designee to terminate a student's registration may be appealed in writing to the Dean of Students within five (5) business days. If not appealed within this time frame, the decision of the Dean of Students, or designee, is final. At the University's sole discretion, the Dean of Students, or designee, may consider a student's application for readmission.

F. Sex Offender Registry Act (SORA):

In accordance with federal law, the University shall provide a statement advising the campus community where law enforcement agency information provided by a state under 42 U.S.C.

Section 14071 (j), concerning registered sex offenders, may be obtained, such as the local law enforcement agency with jurisdiction for the campus. In accordance with the New York State Sex Offender Registration Act (SORA), law enforcement agencies may disseminate certain relevant information concerning a sex offender to any entity with vulnerable populations related to the nature of the offense committed by such sex offenders. The University shall comply with federal and state law concerning SORA. Should the Dean of Students or designee be informed that a student is listed as part of a sex offender registry, the University reserves the right to take immediate action to temporarily suspend the student pending a University administrative hearing. The University also reserves the right to take immediate action to suspend or dismiss the student from the University if the student represents a risk to the health, safety or welfare of the community or to any person or property.

G. Cooperation with Law Enforcement:

The University may be required to cooperate with civil/criminal authorities. No attempt will be made to insulate an individual from the legal consequence of their act.

H. Access Restricted/Access Limited:

The University reserves the right to restrict or limit access for any student/non-student when their conduct is considered a violation of community standards as determined by University officials. An individual whose access has been restricted is not permitted on University property and, if found, is subject to arrest for trespassing. Individuals whose access has been limited may only be on campus at designated times and/or locations. Public Safety may impose a temporary restriction limiting a student's access to campus facilities pending proper adjudication when the behavior of a student disrupts or interferes with the orderly operations of the University or constitutes a danger to their safety or the safety to other persons or property in the residence hall/townhouse.

I. Searches:

The University reserves the right to inspect University premises. The University reserves the right to enter any portion of a University-owned building (including student rooms). If an individual is suspected of harboring contraband on University premises, the University reserves the right to go through their belongings. The University further reserves the right to search all vehicles on University premises. If contraband is found, the University may confiscate the contraband and contact civil/criminal authorities.

J. Public Order/Health, Safety, and Welfare of the Community:

The University reserves the right to limit access to specific areas of the campus and/or to adjust normal operations or procedures to maintain public order and/or the health, safety and welfare of the University community. This includes but is not limited to restriction of guests and visitors, adjustments to residential maximum occupancy limits and community gatherings, capacity of interior or exterior spaces (lawns, residential/academic quad, Grotto, etc.), requirements associated with social distancing, etc. This also may include the need to evacuate/close the campus due to a public health, national, or University emergency.

Impromptu or unapproved gatherings with no nexus to the university's educational mission present an elevated health risk to the community. Such gatherings, whether indoors or outdoors, are not authorized by the university. Students must refrain from initiating and participating in such gatherings and understand the health and safety risk in such a setting. Any student involved may face discipline under the student code of conduct with sanctions

ranging from written warning up to and including expulsion. The University encourages students to visit friends and classmates but requires an invitation to visit other buildings/residential areas.

If an outdoor area, quad or lawn has an impromptu gathering(s) of any size that, in the assessment of University Officials, poses an elevated safety risk, university officials will ask the students to disperse in order to ensure the continued health and safety of our community.

1. Prohibited Conduct:

The following conduct is prohibited on any premises owned or operated by Siena University:

- Deliberate disruption or prevention of the peaceful and orderly conduct of classes, lectures, administration, disciplinary hearings, commencement activities, or other University activities or deliberate interference with the freedom of any persons to express their views, including invited speakers;
- The destruction or damage to any premises or property owned or controlled by Siena University or any personal property located on or at a location owned or controlled by Siena University.
- The illegal or unauthorized possession of dangerous weapons or instruments;
- The intentional obstruction of free movement of any individual or vehicle in any place to which these rules apply;
- The unauthorized entry or use of any building or facility for any purpose other than its authorized uses or in such manner as to obstruct its authorized use by others, to remain, without permission, in any building or facility after it is normally closed, or refuse to leave any building or facility after being asked to do so by an authorized administrative officer;
- The unauthorized construction of tents, encampments, or any other temporary or permanent location or structure on University property;
- Violate any rules or regulations relating to conduct as enumerated in the Employee Handbooks, University Policies, or Community Standards and Student Code of Conduct contained in the Student Handbook;
- Willfully incite others to commit any of the acts herein prohibited with specific intent to encourage them to do so; or
- Take any action or create, or participate in the creation of, any situation which recklessly or intentionally endangers mental or physical health which involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization.

2. Procedures:

- **Removal from Premises:** Any individual in violation of the within Policy may be directed by an authorized University official to cease any unauthorized activity and, at the University's discretion, may be removed and restricted from the University premises.
- **Adjudication and Enforcement:**

- Students: Any student charged with a violation of Section III. A. of this Policy shall be subject to the sanctions and procedures outlined within the Student Handbook.
- Employees: Faculty, Staff and administrators charged with any violation(s) of Section III. A. of this Policy shall be subject to the disciplinary procedures and sanctions of the applicable employee handbook.
- Licenses, Invitees, and Other Community Members: Any Licensee, Invitee, or other community members charged with any violation(s) of Section III. A. of this Policy shall be heard and determined by the President or the President's designee.
- Suspension Pending Adjudication: Any individual subject to the restrictions contained within this Policy may be suspended from the University until such time as the matter may be adjudicated pursuant to the Adjudication and Enforcement provision of this Policy. Notwithstanding the previous sentence, should this Section III.B.2.d. conflict with the applicable employee or student handbook, the provisions of the handbook shall take precedence.

K. Order of No Contact:

An Order of No Contact is a directive by the Dean of Students or designee, to a student or students to refrain from any contact, direct or indirect, with one or more designated persons through any means including, but not limited to: personal contact, telephone, electronic means (social media, email, text message, etc.), written, nonverbal or oral communication and/or intermediaries (third parties other than an attorney). This order is designed to help establish clear expectations between all parties involved in any situation deemed by the University as necessary, and should not be considered, on its own, as a violation of the Student Code of Conduct. After a period of time and at the request of either party, the Office of the Dean of Students may review the Order of No Contact to evaluate the potential termination of the order based upon the circumstances of the order and agreement of all parties.

L. Temporary Measures:

The University reserves the right to take immediate temporary measures in situations where the health, safety, and/or University community are at risk. These temporary measures include, but are not limited to:

1. Temporary Suspension from the University: The DOS, Associate/Assistant Dean of Students or designee may impose an immediate temporary suspension from the University and remove the student from campus pending adjudication when the behavior of a student constitutes a danger to their safety or the safety to other persons or property on University premises, or where the student's behavior presents a threat of disruption or interference with normal campus operations. Students temporarily suspended are restricted from entering campus premises without prior authorization from the DOS or designee, or Associate/Assistant Dean of Students.

2. Temporary Suspension from Campus Housing: The DOS or designee, Associate/Assistant Dean of Students, or Director of Community Living or designee may impose a temporary suspension from University housing pending proper adjudication when

the behavior of a resident student significantly detracts from the educational environment of the residence hall/townhouses or constitutes a danger to their safety or the safety to other persons or property in the residence hall/townhouse. Students temporarily suspended are restricted from entering all residence areas during the term of the suspension.

3. Temporary Housing Relocation: Administratively required relocation to another room and/or hall pending adjudication.

4. Temporary Group Suspension: The Dean of Students or designee, Associate/Assistant Dean of Students, or other authorized University official as outlined by policy, guidelines, regulations, terms or conditions may impose an immediate temporary suspension of a student organization, club or team pending investigation and/or adjudication when the conduct of the group constitutes a possible threat to the safety, welfare and/or integrity of the University community.

Groups placed on temporary suspension may have all activities of the group canceled for the duration of the temporary suspension. During this time, funding may be frozen, the group may lose University recognition and all privileges thereof, including exclusion from all University programs and services, student government, funding, and advertising the organization and/or displaying the organization name. Exclusions also may include participating in or sponsoring any activities as an organization, including recruitment activities.

IV. Code of Conduct: Conduct that violates the Code of Conduct includes (but is not limited to):

A. General Code Violations:

1. Arson:

Any attempt to intentionally or recklessly start a fire or cause an explosion and/or contribute to an unauthorized fire

2. Bias-Related Incident: A bias-related incident is defined as behavior that constitutes an expression of hostility against the person or property of another because of the targeted person's race, religion, sexual orientation, ethnicity, national origin, gender, age, or disability. Bias-related incidents include, but are not limited to, name calling and using degrading language or slurs directed toward a person because of their membership (or perceived membership) in a protected class. See

<https://www.siena.edu/files/resources/discrimination-harassment.pdf>

3. Dangerous Instrument and Weapons:

The use, possession or storage of any dangerous instrument and/or weapon. See the Dangerous Instruments/Weapons Policy within Siena Life for a full description of the policy.

4. Disorderly or Disruptive Conduct:

Behaviors that are disruptive to the orderly operations of the University, disregard the rights of others, or are disrespectful of the community such as, but not limited to:

- a. engaging in fighting or violent, tumultuous or threatening behavior
- b. making unreasonable noise
- c. using abusive or obscene language, making an obscene or lewd gestures, or using abusive, obscene or lewd chanting in a public place
- d. disrupting any authorized assembly or meeting of persons without permission

- e. obstructing vehicular or pedestrian traffic
 - f. creating a hazardous or physically offensive condition (e.g. public urination, breaking glass, etc.)
 - g. engaging in conduct that has the intent to harass, demean, annoy or alarm another person (including, but not limited to, initiating communication via phone, mail, electronic mail or other form of written communication, or through any form of social media or other online platform.
5. Disorderly or Disruptive Classroom Behavior Policy:
Disorderly or disruptive classroom behavior violates the Siena University Student Code of Conduct. Faculty members have the discretion to require disorderly or disruptive students to leave the classroom, or any other academic space including academic offices, hallways, the library, and off-campus experiential learning sites. Failure of a student to abide by the faculty member's request to leave the academic space may result in the summoning of Public Safety. If a student is requested to leave the academic space, the faculty member will report the conduct violation to the Office of Academic Affairs, the appropriate School Dean, or the Dean of Students Office, and file a report with Public Safety. Egregious violations may result in removal from the course and the student receiving the final grade of "F."

Faculty may report lesser conduct violations, not resulting in being removed from the class, to the Office of Academic Affairs, appropriate School Dean, the Dean of Students Office, or file a report with Public Safety.

Following the report of a conduct violation, whether or not the student may return to the academic space will depend upon further discussion, investigation, or resolution of concerns with the faculty member and the Office of Academic Affairs/appropriate School Dean. The Dean of Students may be consulted. If it is determined that the student may return to the academic space, the student will be required to submit a statement to the faculty member and the Office of Academic Affairs/appropriate School Dean acknowledging the conduct violation and an understanding that a second violation will result in the student's removal from the course and a final grade of F. A student may appeal the final grade of F using the Appeal of Assigned Grades policy. The final determination of the appeal rests with the Provost.

<https://www.siena.edu/offices/academics/academic-policies-and-procedures/appeal-of-assigned-grades/>

Disorderly or disruptive classroom behaviors include, but are not limited to: violence, abusive and/or threatening behavior, using abusive or obscene language, making an obscene or lewd gestures, harassment, disrespectful behavior, refusal to abide by the faculty member's and University policies, including violations of the COVID protocols or policies.

6. Falsely Reporting an Emergency:
Falsely reporting a bomb, fire or other emergency in any building, structure or facility on University premises or at any University-related function by activating a fire alarm or by any other means.

7. Hazing: Individual and Organizational

An individual student or group of students that intentionally, knowingly, or recklessly causes or creates an unreasonable risk of harm to another student as a requirement for initiation into, affiliation with, or continued membership of a recognized or unrecognized student organization, regardless of whether a student willingly participates.

Examples of hazing include but are not limited to:

- whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity
- causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity
- causing, coercing, otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances
- causing, coercing, or otherwise inducing another person to perform sexual acts
- any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct
- any activity against another person that includes a criminal violation of local, State, or Federal law
- any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, New York State, or Federal law

In the cases of students participating in a student organization unrecognized by Siena that contains two or more members that are students enrolled at the institution, such individual students may be subject to a charge or charges of hazing on an individual basis.

See the Hazing Policy and Procedure within Siena Life for a full description of the policy.

8. Over Occupancy:

Exceeding the maximum number of persons (including residents) permitted in townhouse, suite, or room at any one time. The maximum number of persons permitted per room type are as follows:

- 6-person house or suite – 18
- 4-person house, suite or room – 12
- 3-person room – 9
- 2-person room – 6

9. Possession of Dangerous Substances:

Possession of flammable liquids/gasses or other dangerous substances such as gasoline, kerosene, propane, butane, and charcoal lighter fluid within buildings. Motors that use such flammable liquids within any building are prohibited. Students and visitors are prohibited from having gas grills on campus property.

10. Quiet Hours:

Quiet hours are Sunday-Thursday, 10:00 p.m.-7:30 a.m. Any student who is disturbed during this time period has every right to request a quieter environment and is encouraged to speak with fellow residents and/or call the resident assistant on duty.

Weekend quiet hours, beginning at 1:00 a.m. and continuing through 7:30 a.m., will be observed on Friday and Saturday. Beginning the last day of classes each semester, 24/7 quiet hours are observed and strictly enforced. The University reserves the right to adjust quiet hours at certain times of year.

Our residential facilities are located on the perimeter of the campus and near residential areas. It is important that students show respect for both Siena's neighbors and fellow students. Bands and DJs are prohibited from playing in any residential facility and inside any townhouses or on the grounds of the Townhouse areas, as well as all campus grounds, unless approved by the Director of Community Living. The University reserves the right to prohibit karaoke machines and large speakers and bass systems. Noise in the parking areas and between buildings should be minimal, especially at night.

11. Reckless Endangerment of Persons:

Behavior or conduct that places any person or persons at risk for harm or injury or potential harm or injury. This includes, but is not limited to, failing to follow established public or community health protocols, directives, etc.

12. Smoking & Tobacco Usage:

It is Siena University's policy to provide a tobacco-free environment in all University facilities and outdoor areas in conformance with applicable statutes including the New York State Clean Indoor Air Act (Public Health Law Article 13-E). Prohibited tobacco use is defined the act of using tobacco product in any university facility or outdoor area, including, chewing tobacco, and the act of smoking or carrying a lighted cigar, cigarette, pipe, nicotine water, herbal cigarettes, shisha, smoking paraphernalia, e-cigarettes, vaping devices, CBD oil, or any other smoking material or similar device. It is also the policy of Siena University to prohibit the sale of tobacco products on campus.

13. Stalking:

Examples of stalking behavior include, but are not limited to: unwelcome communication that can be face-to-face, phone, text, email, voice messages, written messages, gifts, etc.; pursuing and/or following another person or group; surveillance; trespassing; gaining unauthorized access to personal, medical, financial or any other identifying piece of information without explicit permission; accessing email, phone or other forms of personal communication in order to follow or monitor another's activity. Cyber-stalking is an extension of the physical form of stalking and is unacceptable at any level. Using electronic media such as the Internet, social networking sites, cell phones, or similar devices or mediums to pursue, track, harass, monitor, or make unwanted contact with another person is a violation of the stalking policy.

14. Unauthorized Recording:

Any unauthorized installation and/or use of any device for listening to, observing, photographing, recording (video/voice), amplifying, transmitting or broadcasting sounds of any person while on the University premises, when such person has a reasonable expectation of privacy, without the knowing and willing consent of all persons involved, is prohibited. This includes, but is not limited to, taking photographic images of a person dressing or undressing; photographing or videotaping a person's intimate body parts; video or audio recording while in residence halls and bathrooms, during class, meetings

or administrative hearings; or creating social media communication or profiles using the name or likeness of another.

15. Unauthorized Use of Emergency or Safety Equipment:

Unauthorized use, tampering with or alteration of fire- fighting equipment, safety devices or other emergency or safety equipment. This includes, but is not limited to, hanging on sprinkler pipes, discharging fire extinguishers, exiting and/or opening emergency exit doors without prior authorization (for handicap access or in emergency situations), propping or damaging emergency doors, exit signs and card-access equipment, covering or removing smoke detectors, or the activation of building fire alarms and/or smoke detectors.

16. Vandalism:

Tampering with, altering or defacing any part of a building, inside or outside, including the furnishings, fixtures, or utilities in the rooms, townhouses, corridors, lounges, commons areas, and lavatories.

17. Violence:

Actions or attempted actions which inflict bodily harm upon any person and/or result in unwanted physical contact.

B. Drug and Alcohol Policy:

The problems associated with drug and alcohol use are a major concern in this country. As such, the passage of the Drug-Free Schools and Communities Act Amendments has placed requirements on institutions of higher education to develop policies and to provide information to students on drug and alcohol use, which Siena University has done herein.

This section provides students with the University's alcohol and drug policy, as well as information on the health risks associated with drug and alcohol use. This section also provides information, counseling and rehabilitation services available, and the federal, state and University sanctions that may be imposed for violations. The University collaborates with civil authorities. Violations of the Siena University alcohol and drug policy that are also violations of federal, state or local law may be referred to the appropriate law enforcement agencies. In such situations, cases may proceed concurrently at the University and in the criminal justice system.

1. Recreational Cannabis and Medical Cannabis: Federal laws (including the Controlled Substances Act and the Drug Free Schools and Communities Act) prohibit cannabis use, possession and/or cultivation at educational institutions and on the premises of recipients of federal funds. New York State prohibits the possession of cannabis by anyone under the age of 21 and in schools or workplaces.

The use, possession, or cultivation of cannabis for medical or recreational purposes is not allowed in any Siena University housing or on any other Siena University property; nor is it allowed at any University sponsored event or activity off campus.

Students who have valid medical cannabis prescriptions may petition the University for a waiver of their requirement to live on campus.

Students' use of cannabis (and/or any other illegally or falsely obtained drug) on University premises is strictly forbidden and subject to action under the Code of Conduct.

Therefore, even students with medical cannabis prescriptions are prohibited from possessing or using cannabis on Siena University property.

2. Drugs:

Siena University students are subject to all applicable drug regulations as outlined in the Code of Conduct or other applicable rules when adopted. Sanctions imposed by the University for violations of the drug policy may include drug education programs, substance use assessment and treatment, suspension, dismissal or expulsion.

Possession or use of illegal drugs, narcotics, synthetic drugs or mind altering substances (such as but not limited to K2, salvia, spice), controlled substances.

Intended or actual sale or distribution of illegal drugs, narcotics, controlled substances or prescription drugs to those other than prescribed.

Presence anywhere there is obvious illegal drug use and/or the presence of actual drugs/paraphernalia.

Possession and/or use of prescription drugs which have not been prescribed for you.

Misuse of prescription drugs or any controlled substance.

Paraphernalia under federal law means “any equipment, product or material of any kind which is primarily intended or designed for use in manufacturing, compounding, converting, concealing, producing, processing, preparing, injecting, ingesting, inhaling, or otherwise introducing into the human body a controlled substance.” Paraphernalia includes, but not limited to, bongs, pipes, hookahs and scales.

Preventative Measures for Opioid Use/Overdose:

Naloxone, a life-saving medicine that rapidly reverses the effects of an opioid overdose, is widely accessible in New York State. Anyone in the Siena community (students, faculty, and employees) who wish to carry Naloxone on their person are welcome and encouraged to do so. New York State Law empowers all individuals to administer Naloxone to save a life. When administering Naloxone on campus, call Public Safety for an expedited and coordinated emergency response. Naloxone is currently available for any community member free of charge in the Sarazen Student Union. When administering Naloxone off campus, call 911. Those who call for help and persons experiencing an overdose will both be granted certain protections by the University's Welfare of the Community (Amnesty) policy and New York State Law.

3. Alcohol:

Siena University has established an alcohol policy in accordance with New York state law and based on the unique needs of the Siena community. It is students' responsibility to know and obey the law and campus policies. The legal age for alcohol possession, procurement and consumption in New York State is 21. Anyone who gives or sells an alcoholic beverage to a person under 21 is in violation of the law. Siena expects all members of the University community to comply with the law and University policies. New York State explicitly forbids the sale of alcoholic beverages unless the seller holds a state liquor license. The University's liquor license is the responsibility of our food

service vendor, which is solely responsible for the sale and distribution of alcohol at all University-sponsored events.

- a. Alcohol Policy Violations Specifically for Individuals Under the Age of 21:
 - i. Possession: Individuals under the age of 21 may not purchase, possess or consume alcohol in accordance with New York state law.
 - ii. Presence: Students under the age of 21 may not be in a residential room, suite or townhouse where alcohol is visible and/or being consumed. The only exception is the underage student who resides with students of legal drinking age who may be in the presence of alcohol in their assigned residence.
 - iii. Empty Containers: No empty alcohol containers are allowed for persons under the age of 21, including empty alcohol containers for decorative or keepsake purposes.

- b. Alcohol Policy Violations Specifically for Individuals 21 Years of Age or Older:
 - i. Alcohol in the Presence of Individuals Under 21: Students of legal drinking age may not have students under the age of 21 in their residential room, suite or townhouse where alcohol is being consumed, with the exception of underage roommate(s).
 - ii. Quantity Limit: Students of legal drinking age may possess what University officials determine to be a reasonable quantity of alcohol for their personal consumption only. University officials may consider empty alcohol containers in determining whether this standard has been violated or if they suspect underage drinking and/or excessive alcohol consumption has occurred. Community Living and Public Safety staff may consider empty alcohol containers when documenting quantity-limit violations if they suspect underage drinking and/or excessive alcohol consumption has occurred.
 - iii. Open Container: Students are prohibited from possessing open containers of alcoholic beverages in common areas of the University, including, but not limited to, hallways, lounges, bathrooms, campus grounds, athletic events, classrooms and townhouse stoops/front steps. A container is any bottle, can, glass, cup or similar receptacle designed to hold or capable of holding a liquid. University Officials acting in their official capacity may require individuals to discard or pour out any container in their possession if they believe it contains alcohol. Individual(s) acting in a manner that is inconsistent with University policies, including, but not limited to, disorderly conduct and/or public intoxication will be expected to empty all containers in their possession and are subject to violations of the Code of Conduct.

- c. Alcohol Policy Violations – General:
 - i. Gift, Sale or Distribution of Alcohol: Gift, sale or distribution of alcohol to anyone under the age of 21 is prohibited. Note: If an individual under 21 years of age is in possession of alcohol in a student room and is not a resident of that room, a charge of “gift, sale or distribution of alcohol” will be brought against the residents of the room. The person who supplied the alcohol may accept responsibility for the “gift, sale or distribution of alcohol” charge if they provided the alcohol.

- ii. Communal Source: Kegs, mini-kegs, beer balls and large communal sources of alcohol (trashcan punch, punch bowls, etc.) are prohibited. Sanctions apply to all residents of the space who are present at the time of the infraction or were involved in any way with the planning, purchase, etc. Use of empty beer balls or kegs as decorations or furnishings is prohibited.
 - iii. Rapid Consumption Devices: Objects used as drinking apparatuses that promote rapid consumption of alcohol such as, but not limited to, funnels, beer bongs, ice block tunnels, and Beirut tables.
 - iv. “Beer pong” and “water pong” or other simulated devices are prohibited. All residents of the space who are present are responsible.
 - v. Public Intoxication: Public intoxication is strictly prohibited. The University states that public drunkenness will not be tolerated since intoxicated students act in a manner that is inconsistent with the values of the University, pose a threat to themselves and others and make life unpleasant and difficult for those with whom they live. A judgment as to whether a student is intoxicated may be made on the basis of the following factors related to the use of alcohol, including, but not limited to, whether the student is:
 - unable to walk without assistance
 - speaking incoherently
 - unconscious
 - vomiting
 - emitting a strong odor of alcohol and/ or has bloodshot/ glassy eyes
 - behaving in a loud and/or disorderly manner
 - vi. Alcohol-Related Transports: If a student is found to be intoxicated to the point that medical attention is warranted upon evaluation by University staff in consultation with emergency medical personnel, they may be transported to a local hospital for evaluation and treatment, if necessary. Further, in alcohol-related situations in which emergency medical attention is necessary, the recipient of medical attention may be referred for an alcohol/drug assessment and be required to comply with the recommendations resulting from this assessment. Any student transported multiple times for alcohol-related treatment may be charged in a formal conduct review action.
The University encourages students who have concerns regarding the immediate health of a student in an intoxicated state to contact the appropriate University authorities.
 - vii. Guests and Alcohol: Guests are not permitted to bring alcohol on campus, regardless of their age or the age of the host.
- d. Alcohol Policy Violations and Events:
- i. Dispensing of Alcohol on Campus: No alcoholic beverages may be sold anywhere on the Siena campus or dispensed outdoors or in public areas except under direct supervision of the University’s food service vendor. Strategies such as the sale of tokens, tickets or any article that may be redeemed for alcoholic beverages are the equivalent of paying money and are prohibited.

- ii. **Events with Alcohol:** Alcoholic beverages may not be served at any student event without specific approval of the Director of Student Activities and Leadership Development or designee, to be confirmed in writing. No privately obtained alcoholic beverages may be brought into an organized event. Any organization or group that fails to comply with these regulations may lose its privilege of serving alcoholic beverages at events and/or the right to schedule facility use at Siena. No club or organization may sponsor events off campus where alcohol may be served with the exception of authorized Senior Class events.
 - iii. **Tailgating:** To ensure the University is able to provide a safe, healthy, and welcoming environment for all fans and athletes, alcoholic beverages are prohibited at all on campus athletic and club sports venues, parking lots, and the designated tailgate area. This policy is consistent with the open container policy in the student code of conduct which prohibits students from possessing open containers of alcoholic beverages in common areas of the University and the University's Facilities Guidelines which prohibits dispensing or consumption of alcoholic beverages in outdoor or public areas except under the direct supervision of the University food service vendor.
 - iv. **Advertising:** Advertising for University-sponsored events shall not emphasize the availability of alcoholic beverages and must be pre-approved by the Director of Student Activities and Leadership Development or designee prior to posting. Advertising for off-campus alcohol-related events and/or establishments must be approved by the Director of Student Activities and Leadership Development or designee prior to posting/distribution.
 - v. **Restriction from Campus Events:** The University reserves the right to prevent any visibly intoxicated person from entering a campus activity or event and to require persons who appear visibly intoxicated to leave an event/activity.
- e. **Sanctioning for Alcohol and Drug Policy Violations:**
Sanctions are designed to foster an environment that reduces the risks of high risk drinking and promotes responsible behavior while holding individuals accountable for their choices. Hearing officers will take into account prior conduct record, mitigating circumstances, alcohol use issues and high risk drinking factors in determining the appropriate in order to best educate the student(s) while maintaining community standards when assigning sanctions.
- f. **Health Risks Associated with the Use of Illegal Drugs and the Use of Alcohol:**
Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Low to moderate doses of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses of alcohol may cause respiratory depression and death. If combined with depressants that affect the central nervous system, much lower doses of alcohol will produce the effects just described.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

g. Services Available:

The Counseling Center and Office of Health Services provide students with information on drug and alcohol use. In addition, assessment, education and referral services are provided.

C. Theft and Abuse of Property

1. Misuse of University ID:

Loaning or giving for use, altering in any way and/or duplication of the official University identification card, or the possession and/or use of another individual's card.

2. Misuse of University Keys/Vehicles/Property:

Loaning or giving to another person, or knowingly using, making or causing to be made any key or keys for any building, laboratory, facility or room, or any other locked area of the University without the authorization from the appropriate University administrator. Also, the use of University property, including but not limited to, vehicles, University name, logo and/or stationery, without authorization from the appropriate University administrator.

3. Misuse of Documents:

Forging, transferring, altering or otherwise misusing any student record, identification card, other University identification or driver's license, possession of another person's identification or any other document or record.

4. Reckless Endangerment of Property:

Recklessly engaging in conduct that creates a substantial risk of damage to the property of another person or the University.

5. Theft and/or Possession of Stolen Property:

Theft, attempted theft, forcible theft or the unauthorized possession of University property or the property of others.

6. Property Damage:

Unintentional, reckless, or grossly negligent damage to the property of another person or the University. Further, any act that causes the University to pay for cleanup or repair of University premises (e.g., chalking, turning over benches, toilet papering trees, graffiti, spray painting walkways, etc.)

D. Failure to Comply and Interference:

1. Failure to Display Identification:

Failure to show proper student identification or their identification or proof of age upon request to any faculty, staff or student in the performance of their official duties. Lost,

stolen, damaged or improperly functioning identification cards are to be reported immediately to the Saint Card Office or to Public Safety.

2. **Furnishing False Information:**
Providing false information to a University office or to any University official. This includes, but is not limited to, any statements or information provided to Public Safety, admissions, the Dean of Students and/or Community Living staff.
 3. **Noncompliance with Requests or Directives:**
Failure to comply with reasonable requests, directives, or orders by authorized University personnel (e.g., Community Living staff, Public Safety officers). This may include, but is not limited to, reasonable requests for students to make and attend appointments in administrative or faculty offices and cooperation at disciplinary investigations and hearings.
 4. **Trespass:**
Entering or remaining without permission in dwellings, rooms, buildings, storage areas or any University premises.
 5. **Violation of Sanction:**
Failure to observe the terms and conditions of any imposed sanction.
 6. **Persistent Violator:**
The University believes that all students should understand and follow the student code of conduct. The student that consistently makes choices that are in conflict with the code exhausts University resources and demonstrates a lack of respect for orderly operations of the University may be charged as a persistent violator.
 7. **Violations of University Policy:**
Violations of University policies not cited directly in this Code, including, but not limited to: guest, visitation, solicitation, smoking, traffic rules and regulations, computing-use policy and health records. Copies of these policies are available online or elsewhere in Siena Life.
- E. **Other Prohibited Behavior**
1. **Gambling:**
Students are not permitted to participate in activities that involve the wagering of money or other property. Gambling of any kind is prohibited on campus. All those present where gambling is in progress are considered participants and subject to University disciplinary action.
 2. **Violation of Law:**
Any conduct that would violate federal, state or local law as determined by the University.
 3. **Impersonation:**
Impersonating, forging, altering or otherwise misusing the identity of any student, faculty, staff or administrator. This includes, but is not limited to, social networking sites,

utilization of artificial intelligence, and electronic communications. Impersonation may also be a violation of federal, state, or local law.

4. **Interference with Mission:**
Conduct that would interfere with the mission and/or Franciscan and Catholic values of the University. These values include, but are not limited to, treating others, self and property with dignity and respect.
 5. **Adverse Conduct:**
Conduct which would adversely affect the health, welfare and/or safety of the University community, local residents or property, or the name and/or reputation of the University.
 6. **Retaliation:**
Retaliation against an individual for reporting, assisting someone in making a report or participating in any manner in an investigation or resolution of a violation of the University's policies.
 7. **Inappropriate Electronic Communication:**
While the University does not officially monitor electronic communications, inappropriate conduct via electronic communications may be brought to the attention of University as a violation of the Code. This inappropriate conduct may be encountered on electronic communication platforms, including but not limited to, text messages, websites, blogs, vlogs, and social networking sites.
- F. Visitation and Guest Policy
At Siena University, hosting visitors of the campus community and guests is a privilege. In keeping with the Franciscan and Catholic identity of the University and our emphasis on respect of the individual. The University's visitor and guest policies are meant to promote these values, to protect residents and their guests and to safeguard the quality of our life together. The following definitions and regulations of the visitor and guest policies are outlined below.
1. **Definitions:**
The following definitions will apply to the various policies for visitation in the Siena residence living communities:
 - a. **Guest:** is defined as any person who is not affiliated with the University as a current matriculated student, employee or faculty member.
 - b. **Visitor:** is defined as a Siena University student, staff, faculty or employee who is not an assigned resident of the particular room, suite or townhouse. University officials and employees who are in student rooms for the purposes of fulfilling job responsibilities are not considered visitors.
 - c. **Commuter students:** visiting the residence halls are considered visitors and therefore must abide by the visitation policy. If a commuter student is visiting the residence halls with non-students (guests), they are required to register their guests.
 2. **Visitation and Guest Policy**
 - a. A student's right to have a guest/visitor is, in all cases, superseded by the roommates', suitemates' or townhouse- mates' right to uninterrupted use of the

room/suite or townhouse. A student hosting guests and/or visitors must ensure that doing so does not disrupt any roommate's right to expect to be able to read, study and sleep in their room free from the undue interference of guests/visitors.

- b. The safety of the Siena Community, including guests, is paramount. Therefore, all guests must be registered, even if they do not plan to spend the night. To register a guest, the host must complete a guest registration form available online at <http://www.siena.edu/guestregistrationform>. The guest registration form must be completed prior to the arrival of one's guest. Hosts are encouraged to register their guests 48 hours prior to the guest's arrival to campus. The registration form is mobile device friendly for ease of registering guests. Guests are to be provided with a copy of the form and are expected to keep it in their possession for the duration of their stay.
- c. Students are permitted to host/register a maximum of two guests at any one time. In addition, a student may host overnight guests on a limited and infrequent basis.
- d. Any individual guest is limited to one two-night overnight stay on campus per 30 days. For an exception to this limit, a student should seek permission from the Residence Director on duty, who may be contacted via Public Safety.
- e. Students may only host overnight guests/visitors of:
 - traditional college age
 - the same sex
 - at least 17 years of age or older (including siblings), unless prior approval provided through designated University program sponsor.

*Family Weekend: students participating in family weekend will be allowed to host siblings (opposite sex) during the day on this weekend in conformance with the registration and approval process required of participating resident students. Any siblings of the opposite sex staying overnight must either find off-campus accommodations or they may stay with another student of the same sex, who must be identified on the guest registration form.
- f. Non-student guests that are under 17 years of age, may be granted overnight permission if their visit to campus is of an official capacity and/or sponsored by a specific college department. The hosting student must follow existing guest registration guidelines and requirements and the supporting department must notify and receive approval from the Compliance Office at least one week prior to the visit (including a staff contact person). Under 17 year old guests are limited to visit only Sunday through Thursday.
- g. To ensure a safe campus supportive of the University's mission, the University reserves the right to restrict guests. Students may not be permitted to register/host guests during specified weekends or high-risk time periods, which are determined at the discretion of the Dean of Students. Any such restrictions will be announced in advance. In addition, guests are not permitted during the first week of each semester or during final-exam time periods in order to support student academic success. Guests are also not permitted during Thanksgiving, Christmas, spring break or Easter break. Guests are restricted during summer session housing as designated on the summer housing agreement.
- h. Visitation hours and designated 24-hour spaces:

Visitation hours are defined as the time period that students living on campus may host visitors and guests in their individual rooms. Visitation hours apply to the individual residence halls and the individual bedrooms and upstairs of all townhouses.

Visitation hours in all campus residences are:

Sunday-Thursday: 9:00 a.m. – 1:00 a.m.

Friday and Saturday: 9:00 a.m. – 2:00 a.m.

24-hour visitation is permitted in the lobbies of each residence hall.

- i. After visitation hours, students may host visitors of the same gender subject to the approval of all residents of the room, suite or townhouse.
- j. Cohabitation is defined as living together. Only assigned residents of a townhouse, suite or room may take up residence/live in the assigned room/suite/townhouse. The University does not permit anyone to live in a room/suite or townhouse except those assigned to that room by the University.
- k. Guest vehicles must be registered with the University through the Online Guest Registration system (Friday – Sunday) or by visiting Public Safety (Monday-Thursday). Students who register a guest between Friday and Sunday will have the option to fill out the guest vehicle registration form online. Once the form is properly completed an email will be sent to the guest with the parking permit. Between Monday and Thursday the guest must obtain a temporary parking permit from Public Safety which is located in Hines Hall. To obtain a temporary parking permit, guests must provide a copy of the guest registration form, a valid license and vehicle registration. Unregistered vehicles of guests are subject to be towed in accordance with traffic rules and regulations.
- l. Guests are not permitted to bring alcohol to campus regardless of their age or the age of their host.
- m. Any guest is expected to abide by all University policies and all state or federal laws. Any guest who violates a policy or law may be required to leave the University immediately. Any guest that is not registered will be required to leave campus immediately. The person may be notified in writing that they are restricted from University property until further notice.
- n. The University reserves the right to take action under the Code of Student Conduct for students found in violation of this Visitor and Guest Policy, particularly, in those cases that involve disruption to roommates or the residential community.

G. Dangerous Instruments/Weapons Policy:

The use, possession or storage of any dangerous instrument (defined as any instrument, article or substance, including a “vehicle” as that term is defined in the N.Y.S. Vehicle and Traffic Law, which, under circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or physical injury).

Weapons are prohibited on University premises, including, but not limited to, replicas and other firearms. Firearm is defined as any gun from which a shot, readily capable of producing death or physical injury, may be discharged. The definition of firearms also includes rifles, pistols or handguns designated to fire bullets. Weapons also include BBs, pellets and other objects or substances that can be shot out of a device, including paint balls, regardless of the propellant used or if no propellant is used as in starter or blank guns/pistols. Also prohibited

are electronic dart or stun guns; knives larger than 4 inches (including but not limited to hunting, switchblade, gravity, “butterfly”, sport, daggers, cane swords, decorative or throwing knives of any size, or any kitchen knife displayed in public areas); bows and arrows and crossbows; slingshots or similar devices; ammunition; noxious materials, such as aerosol mace (CN or CS type), pepper spray, or any unauthorized hazardous materials or chemicals; other weapons, such as batons, billy clubs, nightsticks, kubatons, blackjacks, slapjacks, slap gloves, brass knuckles, Pilum ballistic knives, “chuka sticks,” “Kung Fu stars,” or other martial arts equipment; explosives and fireworks of any sort or any other weapon described in the New York State Penal Law.

Additionally the term “weapon” means any object or substance designed to inflict a wound, cause injury or incapacitate, or an object or substance that is not specifically designed to cause injury, but is carried, used or intended to be used for the purpose of inflicting or threatening bodily harm, including but not limited to, cooking knives, household chemical sprays, sharp objects and razor blades.

H. Hazing Policy and Procedure:

1. Anti-Hazing Policy Statement:

Hazing is abusive, degrading, psychologically damaging, and may be life-threatening. It is unacceptable in all forms and has no place in the Siena community. Student groups, organizations, and athletic teams are important contributors to a vibrant and positive campus life and are expected to act in accordance with the Student Code of Conduct and to treat others with respect. Hazing by individuals and student organizations is prohibited in any form both on campus and off campus.

2. Definitions:

- a. Hazing: Siena considers hazing as any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that:
 - Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
 - Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury. The following are non-exhaustive examples of conduct that causes or creates such a risk:
 - Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;
 - Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - Causing, coercing, or otherwise inducing another person to perform sexual acts;

- Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct
- Any activity against another person that includes a criminal violation of applicable local, New York State, Tribal, or Federal law; and
- Any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law

This definition is compliant with New York State law. Under New York State Penal Law, a person may be charged with hazing if, during another person's initiation into or affiliation with any organization, they intentionally or recklessly engage in conduct that creates a substantial risk of and/or causes physical injury to another person or a third person. A criminal charge of hazing may result in a violation or misdemeanor.

- b. **Student Organization:** An organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

3. **Reporting Incidents of Hazing:**

Siena encourages the reporting of incidents of hazing and takes every such report seriously. It will investigate all reports diligently and thoroughly in accordance with the Student Code of Conduct and/or other applicable policies and procedures. Individuals or student organizations (official or unofficial) found responsible for committing, soliciting, encouraging, directing, aiding, or recklessly permitting hazing to occur will be subject to disciplinary sanctions that could include suspension or expulsion.

Any person may report incidents of hazing in person, by telephone or by e-mail to the Department of Public Safety or by utilizing the Public Safety online reporting form. Siena Public Safety: (518) 783-2376, PublicSafety@siena.edu, located in Hines Hall.

4. **Private and Confidential Reporting:**

Siena will respect the privacy of reporters but cannot guarantee confidentiality for hazing reports. The information you provide to a non-confidential resource will be relayed only as necessary to investigate and/or seek a resolution and/or to comply with other appropriate institutional policies and procedures, and any federal, state and/or local laws, rules and regulations. Siena will limit the disclosure as much as possible, even if the institution determines that the request for confidentiality cannot be honored.

Offices and officials who are confidential resources will not report to law enforcement or university officials without a complainant/reporting party's permission, except for extreme circumstances, such as a health and/or safety emergency. The offices that are considered confidential are as follows:

Counseling Center: (518) 783-2342, Foy Hall, Room 110

Health Services: (518) 783-2554, MacClosky Townhouse Commons, Lower Level

Chaplains Office: (518) 783-2332, Hines Hall

5. **Amnesty Related to Hazing Reports:**

Siena recognizes that students are sometimes reluctant to report hazing activity, due to a fear of potential consequences for their own conduct. For this reason, the University has adopted an amnesty policy which states that a student who acts in good faith to report activity that may fall within the definition of hazing and/or a victim who cooperates fully as a witness in the investigation and disciplinary process may not be subject to student conduct sanctions related to their own participation in hazing behavior and other behavior including related to alcohol and/or drug violations, as determined by the University in its sole discretion.

In the event amnesty is granted for self-reported behaviors, if evidence is presented that the student has continued to engage in hazing behaviors or has knowledge of hazing activity that was not reported, they may be held accountable for past behavior. Students who choose to report and request amnesty for their own conduct should know that amnesty does not apply to any criminal or civil action that may be taken by any law enforcement agencies.

6. **Investigation Process:**

After a report is received, Siena will quickly review the submission and determine the next appropriate actions. If a report is criminal in nature, local law enforcement will be contacted. Siena will also conduct its own investigation to prevent a recurrence of the alleged hazing and to determine if there are potential violations of the Student Code of Conduct and/or any other applicable processes depending upon the nature of the complaint.

7. **Retaliation:**

No person may intimidate, threaten, coerce or discriminate against any individual because the individual made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Hazing Policy and Procedure. Complaints alleging retaliation may be filed with the Dean of Students Office.

V. Conduct Review Process

The Office of the Dean of Students is responsible for addressing incidents of student and student group misconduct. The Dean of Students (DOS) is the chief student conduct officer for the University and, as such, oversees the student conduct review process. Any question of interpretation regarding the Code of Conduct and/or conduct review procedures shall be referred to the Dean of Students or designee, or Associate/Assistant Dean of Students for final determination.

A. Academic Matters:

See the academic integrity policy online at <https://www.siena.edu/AcademicIntegrity> or refer to the Office of the Provost and Senior Vice President for additional information.

B. Non-Academic Matters:

1. **Definitions:**

- a. Complainant – person who filed the complaint/report and/or the administrative officer assigned to serve as complainant in those instances where the report was written by a University staff member in the performance of their duties.
 - b. Respondent – a person accused of a violation that has entered the University’s conduct process.
 - c. Administrative hearing officer – an individual hearing officer (Community Living professional staff, Associate/Assistant Dean of Students, or Dean of Students).
2. Reports of Violations: Any individual may report a violation of the Code of Conduct. Individuals who wish to file a report concerning the behavior of a student, student group or student guest may do so by contacting the offices of Community Living, Public Safety or Dean of Students. Reports made to other offices should be referred to one of the outlined offices/individuals for investigation. All reports alleging misconduct by a student or student group will be reviewed and investigated by the DOS or their designee.
 3. Review of Complaints: If there is reasonable information that indicates that the Code of Conduct may have been violated, the DOS or designee provides notice of the complaint to the accused (respondent). The DOS (or their designee) assigns the case to a hearing officer (administrative hearing process) or Student Conduct Review Board (Student Conduct Review Board hearing process). Single incidents may involve reported violations of Code of Conduct and reported violations of the Sexual Misconduct Policy and/or Siena University Discrimination and Harassment Policy. In these cases, violation(s) will be resolved concurrently or separately through the Student Conduct Review process and the Sexual Misconduct Policy and/or Siena University Discrimination and Harassment Policy. Violation(s) will be resolved through their stated process and procedures. Siena University does not permit legal counsel to participate in administrative, Student Conduct Review Board or their appellate hearings. Complaints regarding Bias Related Harassment that have been investigated by the Title XI/EEO office may be referred to the DOS for assignment to the Student Conduct Review Board.
 4. Authority — Chief Conduct Officer: The DOS, in accordance with University policies, controls the review and resolution of a reported Code of Conduct violation, including, but not limited to, the manner (mediation, administrative hearing or Student Conduct Review Board hearing) in which the matter will be addressed by the University. The DOS, or designee, may amend or reject the finding(s), sanction(s) or dispute resolution agreements of hearing officers or the Student Conduct Review Board. If the DOS, or designee, rejects the recommendations, the DOS, or designee, may reassign the case to a different hearing officer or Student Conduct Review Board for resolution.
 5. Accommodation Requests: If you are a student with a disability who feels there is a need for an accommodation so you can fully understand and participate in the conduct review process, the student will need to contact the Dean of Students Office, who will work with the Office of Accessibility to review the student's accommodation request on a case by case basis.
 6. Resolution of Complaints:

- a. Mediation/Dispute Resolution: The DOS or designee may deem it appropriate to offer the parties involved the opportunity to use mediation and/or a dispute resolution agreement. In the event mediation/dispute resolution is offered:
 - i. Both parties must agree to attempt mediation or a dispute resolution agreement.
 - ii. Either party may elect to end mediation or the dispute resolution process at any time.
 - iii. Either party may request to have the case reviewed by the University, in which case the DOS will assign the case to a hearing officer or the Student Conduct Review Board.
 - iv. The DOS or designee may suspend disciplinary action in lieu of mediation or dispute resolution.
 - v. If mediation or a dispute resolution is successful, all parties must sign a written agreement outlining the resolution agreement to be approved by the DOS.
 - vi. Copies of the written agreement will be given to all parties, DOS and any appropriate University officials.
 - vii. The signed document will set forth the consequences for either party who fails to meet the terms to which all parties agreed.

- b. Administrative Hearing Overview: When the case is assigned to a hearing officer (Community Living professional staff, Associate Dean of Students, or Dean Of Students):
 - i. The hearing officer may further investigate the incident.
 - ii. The hearing officer will provide a written notice of the charge of violation(s) of the Code of Conduct to the respondent.
 - iii. The hearing officer may enlist a member of the Student Conduct Review Board or another administrative hearing officer to assist during an administrative hearing to evaluate the information presented and determine a finding.
 - iv. The respondent may accept responsibility and/or has an opportunity to present any additional evidence deemed pertinent by the hearing officer. Should a student accept responsibility, the respondent and/or hearing officer may refer the case to the Student Conduct Review Board for a recommendation on sanctioning at the discretion of the DOS, or the hearing officer may determine the sanction.
 - v. If a student denies responsibility, the hearing officer will render a finding regarding responsibility based on the evidence using a “preponderance of the evidence” standard, which reviews whether it is more likely than not that a violation has or has not occurred. If a student fails to accept or deny responsibility, a plea of deny responsibility will be recorded and the hearing officer will render a finding regarding responsibility based on the evidence using a “preponderance of the evidence” standard, which reviews whether it is more likely than not that a violation has or has not occurred.
 - vi. Should a student fail to appear for a scheduled meeting with a hearing officer, a finding may be made in the student’s absence, based upon the evidence available and sanction(s) accordingly.

7. Student Conduct Review Board:

- a. The Student Conduct Review Board is composed of ten to fourteen students and three to five faculty members. Student appointments to the board are made through a selection process administered through the Dean of Students Office. Faculty members are selected through a process determined by the faculty. Student board members must:
 - i. be matriculated and full-time students for at least one semester
 - ii. be in good academic standing
 - iii. be available to meet the time requirements of the Board
 - iv. not be under any type of probation, deferred sanction or suspension
 - v. not be a community assistant
 - b. The Board shall select one member to serve as chair and one member to serve as associate chair. The chair and associate chair may also serve on committees related to the review of the Code of Conduct and conduct review procedures.
 - c. The Associate Dean of Students or designee will serve as the advisor to the Student Conduct Review Board. The Associate Dean will assist with selection, training, and scheduling of hearings. They will serve as a non-voting advisor to the Student Conduct Review Board.
 - d. Advocate – Any member of the immediate Siena community (currently enrolled students, faculty, staff or administrators) may serve as a student advocate during the Student Conduct Review Board process. Advocates assist the respondent or complainant in preparing for their hearing, and may be present, but not participate or represent in the hearing. Failure to obtain an advocate is not cause for postponement of a scheduled hearing.
 - e. The Student Conduct Review Board will hear cases related to the Siena University Code of Conduct and referred by the DOS. These may include the determining/recommending sanctions and adjudication of appeals. The Board will also hear cases related to Bias-related Harassment that have been investigated by the Title IX/EEO Office.
8. Student Conduct Review Board Process:
- a. Notice of the hearing date: The Dean of Students (DOS) or designee will provide the respondent and complainant with written notice of the hearing date, time and location. When the University is the complainant, the Dean of Students Office will appoint a member of the Community Living staff or the Assistant Dean of Students to serve this role. Hearings before the Board will normally occur within 10 business days after the notice of charges or submitted appeal. The DOS may make exceptions to this time frame.
 - b. A hearing or appellate board must comprise a minimum of three board members, student board members will constitute the majority of the panel. The hearing will proceed even if the respondent and/or complainant fail to appear, and a decision will be rendered based on the evidence presented.
 - c. Witnesses: Hearings are to occur in a manner that is as efficient as possible. Live witness testimony is preferred; however, written statements are acceptable, provided they have been notarized by a notary public or given as a formal statement to an Investigator from the Office of Public Safety. During the hearing, the chairperson may exclude irrelevant testimony and/or witnesses for reasons of conduct. Witnesses relevant to the actual incident are permitted; witnesses in support of

- character are not. Written character statements may be accepted, but may only be reviewed during the sanctioning portion of deliberation at the panel's discretion.
- d. Personal Bias: Hearing panel members are expected to excuse themselves from a hearing if personal bias or conflict of interest would prevent them from rendering an objective decision. Any party may challenge a member on the grounds of personal bias at the beginning of the hearing. It will be the decision by majority vote of the panel to determine if the challenged member should excuse themselves from the hearing.
 - e. Rules of Evidence: Hearings are intended to be informal in nature. Accordingly, formal rules of evidence do not apply. The chairperson is empowered to admit into evidence whatever is deemed as reasonably relevant and material to the issues of the case as well as deny overly redundant evidence.
 - f. Standard of Evidence: The hearing panel will render a finding regarding responsibility based on the evidence using a standard of "more likely than not."
 - g. Representation: Hearings are closed. Respondents and complainants have the right to have an advocate from the Siena community be present during the hearing.
9. Student Conduct Review Board Hearing Procedure:
- a. The chair of the hearing panel convenes the hearing and notes the date and time. The chair introduces themselves and asks the same of the board members, advocate(s), complainant(s), respondent(s), and any witness(es).
 - b. The chair reads the opening statement.
 - c. The chair asks the respondent(s) to respond to the following procedural question: "Do you have any questions regarding the procedure to be used during this hearing?" Any questions are answered at that time. Further questions may be asked at any time after being recognized by the chair.
 - d. The chair states the alleged violations or grounds for appeal in an abbreviated form. In non-appellate cases, the respondent is asked to either accept responsibility, deny responsibility, or accept responsibility with an explanation for the violation. For appellate cases, the respondent will be asked if they are appealing a decision based on new evidence, with disproportionate sanctioning or procedural error.
 - e. An opening statement from the complainant is entertained.
 - f. An opening statement from the respondent is entertained.
 - g. Complainant case presentation
 - i. Introduction of evidence
 - ii. Questioning of witnesses called by the complainant:
 - a. Complainant
 - b. Respondent
 - c. Hearing panel members (Note: Hearing panel members may ask questions at any time throughout the hearing after being recognized by the chair)
 - d. Again, each witness is retained until there are no further questions
 - h. Respondent case presentation
 - i. Introduction of evidence
 - ii. Questioning of witnesses called by respondent:

- a. Respondent
 - b. Complainant
 - c. Hearing panel members (Note: Hearing panel members may ask questions at any time throughout the hearing after being recognized by the chair)
 - d. Again, each witness is retained until there are no further questions.
- i. The chair will ask hearing panel members if they have any further questions for the respondent or complainant.
 - i. A closing statement from the respondent is entertained.
 - ii. A closing statement from the complainant is entertained.
 - iii. The hearing panel will then adjourn for deliberation. The complainant(s), respondent(s) and advocate(s) are excused.
 - j. The hearing panel then deliberates. Deliberations are held in private, with only the hearing panel members and advisor present. Generally, a finding of responsibility is to be made before the prior disciplinary record of the respondent is reviewed, unless the record is necessary to establish the offense. However, there may be exceptions, including, but not limited to, student self-disclosure of record, release of record establishes motive and alleged violations of sanction or restrictions. Final decisions of all hearings are determined by a majority vote of the hearing panel. The chair must write a detailed rationale for the recommended finding and proposed sanction(s). The finding and sanction(s) are then forwarded to the DOS or designee who may accept, amend or reject the recommendation.
 - k. The DOS or designee will normally inform the respondent(s) of the outcome in writing within ten business days of the conclusion of the hearing. This time frame may be adjusted by the University for unusual circumstances (such as, but not limited to: breaks, illness, weather, etc.)
 - l. Additional notes:
 - i. The hearing panel, at its discretion, reserves the right to reconvene for purposes of hearing from witnesses and/or reviewing additional information. When this occurs, the time frame may be adjusted
 - m. A hearing for purposes of sanction recommendations may be convened using an abbreviated form of the above procedure.
 - n. Cases involving bias-related harassment will be investigated by the TIX/EEO Office as described in the University's Discrimination and Harassment Policy. Upon completion of the final investigative report, the TIX/EEO Office will refer the case to the Student Conduct Review Board. The board will conduct a closed hearing to determine responsibility (if the student has not accepted responsibility) using the same standard of evidence, more likely than not. Final decisions of all hearings are determined by a majority vote of the hearing panel. The chair must write a detailed rationale for the recommended finding and proposed sanction(s). The finding and sanction(s) are then forwarded to the DOS or designee who may accept, amend or reject the recommendation.

VI. Sanctions: Unless noted otherwise in writing, sanctions are imposed and in effect, pending any appeal.

A. Individual: The following sanctions may be imposed upon any individual student found responsible for violating the Code of Conduct:

1. ¹Expulsion: Permanent separation of the student from the University. The student will be barred from University premises. Any student who is expelled from the University is required to leave campus within the time specified by the Dean of Students (DOS) or designee (usually within 24 hours or less). When a decision involving expulsion from the University is appealed, a student may make a request to the DOS for permission to leave only their belongings in the residence hall until the conclusion of the appeal. A student who is expelled will be barred from campus property and, if found, subject to arrest for trespassing. Students who are expelled from the University are responsible for the total University charges. The University's refund policies regarding early withdrawal do not apply to students expelled for disciplinary reasons.

2. ²Dismissal: Disciplinary dismissal is separation from the University with no promise that the student may return at any time. Disciplinary dismissal denies the privileges of registration, class attendance, activities, use of University facilities, and presence on University property. A student who has been dismissed is not eligible for readmission sooner than one year from the date of dismissal. Readmission shall be at the sole discretion of the Dean of Students.

Students who are dismissed must leave campus within 48 hours, or a period of time specified by the University, and may not return unless they have prior written permission from the DOS or designee. A student who is dismissed will be barred from campus property and, if found, subject to arrest for trespassing. Students who are dismissed from the University are responsible for the total University charges. The University's refund policies regarding early withdrawal do not apply to students dismissed for disciplinary reasons.

10. ³Suspension: Separation of the student from the University for a specified period of time. The student shall not participate in any University-sponsored activity and will be barred from University premises. Suspension denies the privileges of registration, class attendance, activities, use of University facilities and presence on University property. Conditions for readmission may be established at the time of separation. Any student who is suspended from the University is required to leave campus within the time specified by the VPSL, DOS or designee (usually within 24 hours or less). When a decision involving suspension from the University is appealed, a student may make a request to the DOS for permission to leave only their belongings in the residence hall until the conclusion of the appeal. A student who is suspended will be barred from campus property and, if found, subject to arrest for trespassing. Students who are suspended from the University are responsible for the total University charges. The University's refund policies regarding early withdrawal do not apply to students suspended for disciplinary reasons.

¹ See Conduct Related Official Transcript Notations: Sanction#21, P.41

² See Conduct Related Official Transcript Notations: Sanction#21, P.41

³ See Conduct Related Official Transcript Notations: Sanction#21, P.41

11. Withholding Degree: Siena University reserves the right to withhold awarding a degree pending the completion of the process set forth in this Code of Conduct, including the completion of all sanctions imposed, if any.
12. Revocation of Admission and/or Degree: Admission to or a degree awarded from Siena University may be revoked for fraud, misrepresentation, and/or criminal behavior that may place the University community at risk or other violations of the Siena Code of Conduct, or for other serious violations committed by a student.
13. Disciplinary Probation: A probationary status with the University that removes the student from a position of good standing. Further violations of policy and/or violations of the terms of the probation may subject the student to immediate suspension or expulsion from the University. Students placed on disciplinary probation are not eligible to return early to housing or stay over breaks during the term of their probation. While on disciplinary probation the student may also be barred from:
 - a. any or all extracurricular activities.
 - b. participation in academic programs, such as study-abroad trips.
 - c. areas on campus (including residential areas and facilities).
 - d. areas on University property except as required by their class schedule.
14. Suspension or Dismissal from Campus Housing: The student is required to remove himself/herself and all their belongings from the residence hall/townhouse. The student shall not reside in any residence facility. The student may also be restricted from visiting and/or attending any social/programming functions in any of the residence areas. This sanction may be temporary or permanent as specified at the time of adjudication. Any student who is suspended or dismissed from campus housing is required to leave the hall/townhouse and remove their belongings within the time specified. Students suspended or dismissed from campus housing are not eligible for any refund of the housing or meal plan fees for that contract period.
15. Social/Residence Hall Probation: A probationary period for students, during which any additional violations of policy may result in immediate suspension, dismissal and/or restriction from campus housing areas. Commuting students may be restricted from entering the residential areas during the term of probation. Students placed on Residence Hall Probation are not eligible to return early to housing or stay over breaks during the term of their probation.
16. Housing Relocation / Administrative Assignment: Administratively required relocation to another room and/or hall. Administrative assignment of room in lieu of Housing Selection participation.
17. Restriction from Privileges: Loss of specified privileges for a defined period of time (restriction from residence facilities, restriction from campus on weekends, co-curricular activities, athletics participation, use of computing services, representing the University, participation in housing lottery, etc.).

18. Student Reprimand: A formal written warning that a student has been in violation of a policy or regulation and that notice of such has been provided to the student.
19. Warning: Written documentation that a student may have been in violation of a policy or regulation and that notice of such has been provided to the student. Any further violations will be handled more stringently.
20. Substance Use Assessments: This includes, but is not limited to, substance use assessments or counseling through an off campus service provider. The student may be responsible for all costs of the assessment and/or counseling and must adhere to any treatment recommendations. Students must complete the assessment within the specified time frame.
21. Problematic Behavior Assessment: This includes, but is not limited to, behavioral assessment or counseling sessions related to inappropriate conduct or violations of the Code of Conduct through the Counseling Center. The student must adhere to treatment recommendations and complete the assessment within the specified time frame.
22. Alcohol and Other Drug Educational Sanctions: Alcohol and other drug assessment and educational dialogues designed to help students examine habits, behaviors and unhealthy coping strategies in an inclusive, supportive and affirming environment. This includes, but is not limited to, Alcohol Policy Review, online educational courses, BAC calculator activity, reflection papers, BASICS (Brief Alcohol Screening and Intervention for College Students), and Cannabis and Vaping Education.
23. Educational Sanction: Generally used to provide the student an opportunity to participate in restorative justice in a way that is proportionate for the violation. This includes but is not limited to: creating a bulletin board, helping staff with a program, writing a paper, sending an apology letter, meeting with a campus partner, and others.
24. Restitution: Compensation for loss or damage. This may take the form of appropriate service and/or monetary or material replacement.
25. Fine: Monetary fee. Generally used to provide programming and/or educational opportunities to the community affected by misconduct.
26. Parental Notification: The Office of the Dean of Students reserves the right to notify parents of students against whom disciplinary action has been taken, with a signed release from the student. In cases of alcohol and/or drug policy violations, the University reserves the right to notify (usually in writing) parents of students under 21 once the case has been adjudicated, regardless of whether the student signed a release form. The University reserves the right to contact parents and/or legal guardians without student consent in the case of health or safety emergencies. The University is allowed to notify parents without student consent in all instances permitted under the Family Educational Rights and Privacy Act (FERPA).

27. Dispute Resolution Agreement and/or Mediation: The University may offer students mediation or an alternative resolution agreement in cases where deemed appropriate by the designated University official.
28. Discretionary Sanctions: Other sanctions that bear a reasonable relation to the violation for which the student has been sanctioned may be imposed instead of or in addition to those specified above. Discretionary sanctions include, but are not limited to, volunteer services hours, educational reflection assignments and participation in alcohol or drug awareness programs. Discretionary sanctions are administered only with the approval of the Dean of Students and/or designee.
29. Conduct Related Official Transcript Notations: As required by New York State Law 129-B, a notation will be added to the official Siena University transcript of students found responsible for a violation of the University's Code of Conduct (Siena Life) that meets the definition of a crime of violence pursuant to the Federal Clery Act established in 20 U.S.C. 1092 (F) (1) (I)- (VII), **and** is sanctioned with suspension, dismissal or expulsion.
- Where the sanction is a suspension, the following notation will be listed: "Suspended after a finding of responsibility for a code of conduct violation"
- Where the sanction is a dismissal, the following notation will be listed: "Dismissed after a finding of responsibility for a code of conduct violation"
- Students with the sanction of suspension or dismissal seeking removal of a transcript notation may submit a written appeal to the Office of the Dean of Students one year after the conclusion of their sanction. The notation shall not be removed prior to one year after the conclusion of their sanction. The Dean, in consultation with other University officials, will review and accept or deny the appeal. The student will be notified in writing and, if the appeal is granted, the notation will be removed within ten business days upon receipt of the appeal.
- Where the sanction is an expulsion, the following notation will be listed: "Expelled after a finding of responsibility for a code of conduct violation". This notation is permanent and cannot be removed.
- For a student that withdraws from the University while such cases are pending and declines to complete the conduct process, the transcript will read: "Withdrew with conduct charges pending". This notation will stand until the conduct process is complete.
- In all cases, an administrative hold will be placed on the student's record. The hold will prevent future registrations, distribution of transcripts and/or diplomas and may only be removed with permission of the Office of the Dean of Students.
30. Third Party Notification: Specific on campus offices and programs have a need to know if a student member of that organization or program has been found responsible for a violation of the University's code of conduct. It will be the responsibility of the Dean of Students Office to share the case resolution with the appropriate

representatives of the program. These programs include: Athletics, HEOP, Bonner, ROTC, Community Living and Public Safety.

- B. Group Discipline and Sanctions: The following actions or sanctions may be imposed upon University-recognized, sponsored or sanctioned student groups, clubs, athletic teams, residence hall floors, wings or townhouses, or other groups consisting of two or more students operating as a collective body as determined by the University. Sanctions may be imposed for violations of the Code of Conduct, guidelines as outlined in the Siena University Club and Organization Manual and/or other University policy, including, but not limited to, violations of the Hazing and Discrimination and Harassment policies.
1. **Group Expulsion**: The expulsion of a student organization, club or team denotes the revocation of University recognition and all privileges thereof. An organization that is expelled is excluded from all University programs and services including, but not limited to: student government, funding, advertising the organization and/or displaying the organization name; the inability to participate in recruitment activities; or for organization members to hold positions related to their membership in the suspended organization (e.g., SEB, Student Senate, etc.).
 2. **Group Suspension**: The suspension of a student organization, club or team denotes the revocation of University recognition for a designated period of time and includes, but is not limited to, the loss of University recognition and all privileges thereof, including exclusion from all University programs and services, student government, funding, advertising the organization and/or displaying the organization name. Suspension also means that students are not allowed to participate in or sponsor any activities as an organization including recruitment activities. Organization members are not allowed to hold positions related to their membership in the suspended organization (e.g., Student Events Board, Student Senate, etc.). These conditions are in effect for the duration of the suspension. Any organization that violates its sanctions and/or conditions of suspension may be subject to the loss of University recognition.
 3. **Temporary Group Suspension**: The Vice President for Student Life, the Dean of Students or designee, Associate/Assistant Dean of Students, or other authorized University official as outlined by policy, guidelines, regulations, terms or conditions may impose an immediate temporary suspension of a student organization, club or team pending investigation and/or adjudication when the conduct of the group constitutes a possible threat to the safety, welfare and/or integrity of the University community.

Groups placed on temporary suspension may have all activities of the group canceled for the duration of the temporary suspension. During this time, funding may be frozen, the group may lose University recognition and all privileges thereof, including exclusion from all University programs and services, student government, funding, and advertising the organization and/or displaying the organization name. Exclusions also may include participating in or sponsoring any activities as an organization, including recruitment activities.
 4. **Group Disciplinary Action**: University-recognized, sponsored or sanctioned student groups, clubs, teams, residence hall wings or floors, or townhouses or other groups of students operating as a collective body as determined by the University are subject to the

disciplinary actions outlined in this Code and/or the club manual and may also be subject to the following or other penalties applied:

- a. Limitation of social and other organization privileges or programs
- b. Educational sanctions that include the removal or limitation of funding
- c. Probation
- d. Cancellation of housing license
- e. Suspension or expulsion if membership within the group is an element in the violations of the Code of Conduct, the penalty may also include a limitation on membership.

VII. The Appeal Process

Respondents have five business days from the date of the notice of finding(s) and sanction(s) to submit a request for appeal. Unless noted otherwise in writing, sanctions are imposed and in effect, pending any appeal. The Dean of Students Office will determine where the case will be appealed based on the following.

- A. Cases originally adjudicated by the Office of Community Living will be appealed to the Dean of Students Office, the Student Conduct Review Board or designee. The Student Conduct Review Board will make appeal recommendations to the Dean of Students Office.
- B. Cases originally adjudicated by the Associate/Assistant Dean of Students will be appealed to the Dean of Students or the Student Conduct Review Board. The Student Conduct Review Board will make appeal recommendations to the Dean of Students.
- C. All appeals must be in writing, written by the student, and must specify the grounds for the appeal. The University does not accept appeals submitted by others (including parents and attorneys on behalf of a student); the student must file their own appeal. Appeals are reviewed upon any of the following three grounds:
 1. New evidence is presented on appeal, which was not available at the time of the original adjudication, and such evidence is likely to have affected the original decision.
 2. The hearing officer, or Student Conduct Review Board, committed a procedural error in the original handling of the matter, which was prejudicial to the rights of the student as documented in the Student Code of Conduct.
 3. The severity of the sanction(s) is excessively harsh relative to the nature of the student's infraction.

The Dean of Students or designee will notify the student in writing of their decision within ten (10) business days. The appeal decision is final.

Hate Crimes and Bias-related Incidents

I. Overview

Bias-related crime does occur on college campuses. Siena University's commitment to diversity and respect, as two of our Franciscan values, shapes the University's expectation that members of our community will strive to eliminate hate crimes and bias-related incidents.

Hate crimes and bias-related incidents involve behaviors that are motivated by hostility to race, religion, sexual orientation, ethnicity, national origin, gender, age or disability. Bias-related incidents include those actions that are motivated by bias, but do not meet the necessary elements required to prove a crime. Acts of hate and bias may accompany crime through such actions as threats of violence, property damage, personal injury and other illegal conduct.

- A. **Bias-Related Incident:** A bias-related incident is defined as behavior that constitutes an expression of hostility against the person or property of another because of the targeted person's race, religion, sexual orientation, ethnicity, national origin, gender, age, or disability. Bias-related incidents include, but are not limited to, name calling and using degrading language or slurs directed toward a person because of their membership (or perceived membership) in a protected class.
- B. **Hate Crime:** A person commits a hate crime when they commit a specified criminal offense as defined by the New York State Penal Law and either:
 - a. intentionally selects the person against whom the offense is committed or is intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of the person, regardless of whether the belief or perception is correct
 - b. intentionally commits the act or acts constituting the offense in whole or in part because of a belief or perception regarding the race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.

Examples of hate crimes may include, but are not limited to, threatening telephone calls, hate mail (including electronic mail), physical assaults, vandalism, destruction of property, and fire bombings.

Applicable Laws, Ordinances and Regulations

New York State Penal Law specifically forbids hate and bias-related crimes and imposes strict sentences upon those convicted of them. Following is the hate crimes section of the New York State Penal Law.

C. Legislative Findings

The legislature finds and determines as follows: criminal acts involving violence, intimidation and destruction of property based upon bias and prejudice have become more prevalent in New York state in recent years. The intolerable truth is that in these crimes, commonly and justly referred to as "hate crimes", victims are intentionally selected, in whole or in part, because of their race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability or sexual orientation. Hate crimes do more than threaten the safety and welfare of all citizens. They inflict on victims incalculable physical and emotional damage and tear at the very fabric of free society. Crimes motivated by invidious hatred toward particular groups not only harm individual victims but send a powerful message of intolerance and discrimination to all members of the group to which the victim

belongs. Hate crimes can and do intimidate and disrupt entire communities and vitiate the civility that is essential to healthy democratic processes. In a democratic society, citizens cannot be required to approve of the beliefs and practices of others, but must never commit criminal acts on account of them. However, these criminal acts do occur and are occurring more and more frequently. Quite often, these crimes of hate are also acts of terror. The recent attacks in Monsey, New York as well as the shootings in El Paso, Texas; Pittsburgh, Pennsylvania; Sutherland Springs, Texas; Orlando, Florida; and Charleston, South Carolina illustrate that mass killings are often apolitical, motivated by the hatred of a specific group coupled with a desire to inflict mass casualties. The current law emphasizes the political motivation of an act over its catastrophic effect and does not adequately recognize the harm to public order and individual safety that hate crimes cause. Therefore, our laws must be strengthened to provide clear recognition of the gravity of hate crimes and the compelling importance of preventing their recurrence.

Accordingly, the legislature finds and declares that hate crimes should be prosecuted and punished with appropriate severity.

D. Hate Crimes

1. A person commits a hate crime when they commit a specified offense and either:
 - a. intentionally selects the person against whom the offense is committed or intended to be committed in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct, or
 - b. intentionally commits the act or acts constituting the offense in whole or in substantial part because of a belief or perception regarding the race, color, national origin, ancestry, gender, gender identity or expression, religion, religious practice, age, disability or sexual orientation of a person, regardless of whether the belief or perception is correct.
2. Proof of race, color, national origin, ancestry, gender, religion, religious practice, age, disability or sexual orientation of the defendant, the victim or of both the defendant and the victim does not, by itself, constitute legally sufficient evidence satisfying the people's burden under paragraph (a) or (b) of subdivision one of this section.
3. A "specified offense" is an offense defined by any of the following provisions of this chapter: section 120.00 (assault in the third degree); section 120.05 (assault in the second degree); section 120.10 (assault in the first degree); section 120.12 (aggravated assault upon a person less than eleven years old); section 120.13 (menacing in the first degree); section 120.14 (menacing in the second degree); section 120.15 (menacing in the third degree); section 120.20 (reckless endangerment in the second degree); section 120.25 (reckless endangerment in the first degree); section 121.12 (strangulation in the second degree); section 121.13 (strangulation in the first degree); subdivision one of section 125.15 (manslaughter in the second degree); subdivision one, two or four of section 125.20 (manslaughter in the first degree); section 125.25 (murder in the second degree); section 120.45 (stalking in the fourth degree); section 120.50 (stalking in the third degree); section 120.55 (stalking in the second degree); section 120.60 (stalking in the first degree); subdivision one of section 130.35 (rape in the first degree); subdivision one

of section 130.50 (criminal sexual act in the first degree); subdivision one of section 130.65 (sexual abuse in the first degree); paragraph (a) of subdivision one of section 130.67 (aggravated sexual abuse in the second degree); paragraph (a) of subdivision one of section 130.70 (aggravated sexual abuse in the first degree); section 135.05 (unlawful imprisonment in the second degree); section 135.10 (unlawful imprisonment in the first degree); section 135.20 (kidnapping in the second degree); section 135.25 (kidnapping in the first degree); section 135.60 (coercion in the second degree); section 135.65 (coercion in the first degree); section 140.10 (criminal trespass in the third degree); section 140.15 (criminal trespass in the second degree); section 140.17 (criminal trespass in the first degree); section 140.20 (burglary in the third degree); section 140.25 (burglary in the second degree); section 140.30 (burglary in the first degree); section 145.00 (criminal mischief in the fourth degree); section 145.05 (criminal mischief in the third degree); section 145.10 (criminal mischief in the second degree); section 145.12 (criminal mischief in the first degree); section 150.05 (arson in the fourth degree); section 150.10 (arson in the third degree); section 150.15 (arson in the second degree); section 150.20 (arson in the first degree); section 155.25 (petit larceny); section 155.30 (grand larceny in the fourth degree); section 155.35 (grand larceny in the third degree); section 155.40 (grand larceny in the second degree); section 155.42 (grand larceny in the first degree); section 160.05 (robbery in the third degree); section 160.10 (robbery in the second degree); section 160.15 (robbery in the first degree); section 240.25 (harassment in the first degree); subdivision one, two or four of section 240.30 (aggravated harassment in the second degree); or any attempt or conspiracy to commit any of the foregoing offenses.

4. For purposes of this section:
 - a. the term “age” means sixty years old or more
 - b. the term “disability” means a physical or mental impairment that substantially limits a major life activity
 - c. the term “gender identity or expression” means a person’s actual or perceived gender-related identity, appearance, behavior, expression, or other gender-related identity, appearance, behavior, expression, or other gender-related characteristic regardless of the sex assigned to that person at birth, including, but not limited to, the status of being transgender.

E. Sentencing

1. When a person is convicted of a hate crime pursuant to this article, and the specified offense is a violent felony offense, as defined in section 70.02 of this chapter, the hate crime shall be deemed a violent felony offense.
2. When a person is convicted of a hate crime pursuant to this article and the specified offense is a misdemeanor or a class C, D or E felony, the hate crime shall be deemed to be one category higher than the specified offense the defendant committed, or one category higher than the offense level applicable to the defendant’s conviction for an attempt or conspiracy to commit a specified offense, whichever is applicable.
3. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class B felony:

- a. the maximum term of the indeterminate sentence must be at least six years if the defendant is sentenced pursuant to section 70.00 of this chapter
 - b. the term of the determinate sentence must be at least eight years if the defendant is sentenced pursuant to section 70.02 of this chapter
 - c. the term of the determinate sentence must be at least twelve years if the defendant is sentenced pursuant to section 70.04 of this chapter
 - d. the maximum term of the indeterminate sentence must be at least four years if the defendant is sentenced pursuant to section 70.05 of this chapter
 - e. the maximum term of the indeterminate sentence or the term of the determinate sentence must be at least ten years if the defendant is sentenced pursuant to section 70.06 of this chapter
4. Notwithstanding any other provision of law, when a person is convicted of a hate crime pursuant to this article and the specified offense is a class A-1 felony, the minimum period of the indeterminate sentence shall be not less than twenty years.
 5. In addition to any of the dispositions authorized by this chapter, the court shall require as part of the sentence imposed upon a person convicted of a hate crime pursuant to this article, that the defendant complete a program, training session or counseling session directed at hate crime prevention and education, where the court determines such program, training session or counseling session is appropriate, available and was developed or authorized by the court or local agencies in cooperation with organizations serving the affected community.

F. Victims of Bias-related Incidents or Hate Crimes

1. What to Do if It Happens to You:

Hate crimes, bias-related incidents, or other emergencies may be reported by dialing Public Safety at extension 2376 or in an emergency by dialing 911, by using any of the emergency-call boxes located in strategic areas around campus, by means of the Public Safety Website www.siena.edu/publicsafety, where the Anonymous Tips page <http://www.siena.edu/anonymous> can be found and/or by using Siena’s Bias Related Incident report (<http://www.siena.edu/biasreport>). The emergency-call box locations are identifiable by blue lights hanging above the boxes. Following a call, the department will send a Public Safety officer immediately to assist the caller or victim. If required or requested, the town or state police will be contacted.

When a hate/bias-related criminal offense, a hate/bias-related incident or other emergency occurs on campus, anyone may report it. Incidents may be reported to Public Safety, the Office of the Dean of Students or Title IX Coordinator/Equal Opportunity Specialist or to any University official who will notify the Title IX Coordinator/Equal Opportunity Specialist. Students who report a bias related incident in which another student(s) is the respondent(s) may have their complaint reviewed through the student conduct review process if the reported behavior does not meet the definition of discrimination and harassment (i.e.; the reported behavior was offensive but not severe or pervasive) at the discretion of the Title IX/EOS coordinator.

2. Procedures:

Siena University has a prompt and effective procedure for all members of the University community who believe they have been subject to discrimination or harassment on the basis of race, religion, sexual orientation, ethnicity, national origin, gender, age, disability, or other basis identified in federal or state law. The University reserves the right to investigate and remediate all conduct contrary to Siena University's Discrimination and Harassment policy, even without receipt of a complaint.

In cases involving illegal or criminal behavior (e.g., rape or assault, hate crimes), the student or employee retains the right to go to the police and will be made aware of that right at the time the complaint is received. In all cases, the student or employee retains the right to pursue civil action. No pressure will be put on an individual to use this procedure instead of pursuing other means of redress.

Information regarding these procedures under the University's Discrimination and Harassment policy is provided in Siena Life; in the Office of the Dean of Students, Sarazen Student Union, room 310, 518-783-2328; by the Title IX Coordinator/Equal Opportunity Specialist, 518-782-5514; or on the Siena Website, <https://www.siena.edu/discriminationprevention>

3. Penalties:

Siena University considers hate crimes and bias-related incidents as serious. In addition to any criminal sanctions, individuals found responsible for hate crimes or bias-related incidents are subject to sanctioning in accordance with procedures outlined in the Discrimination and Harassment policy or Student Code of Conduct.

G. Support Services and Counseling:

All victims of, or witnesses to, bias-related crimes or incidents are encouraged to avail themselves of counseling resources. Counseling and support services are available at the Counseling Center, Foy Hall, room 110, 518-783-2342. Additionally, staff in the Dean of Students Office, Office of Accessibility Services, Damietta Cross Cultural Center, Community Living, Chaplain's Office, and the Title IX/Equal Opportunity Specialist are prepared to help and support students in this situation.

Health and Wellness

I. Health Requirements

- A. Health Insurance: All full-time students are required to have health insurance. Information about the student health insurance plan offered at Siena is available through the Office of Health Services on their website. Students who are already enrolled in a health insurance and/or prescription plan must complete the waiver process on-line.
- B. Statement of Intent: The Siena University Health Services will comply with, uphold and enforce relevant provisions of the New York State Public Health law, Article 21, Title VI, and Section 2165 and 2167, as it pertains to this University. Siena University is committed to providing a safe and healthy environment for its students with regard to communicable diseases, including measles, mumps, rubella, tuberculosis, pertussis (whooping cough), and meningitis. The University recognizes and accepts its responsibility under applicable state law and considers recommendations from the American College Health Association and U.S. Centers for Disease Control and Prevention.
- C. Health Services Definition of Full/Part-Time Students:
1. A part-time student is any person enrolled in a minimum of six but fewer than 12 credit hours per semester.
 2. A full-time student is any person enrolled in 12 or more credit hours per semester and a graduate student enrolled in 9 or more credit hours.
- D. Specific Requirements:
1. All full-time undergraduate students are required to complete the Siena Health History form with upload of their physical exam in their health portal. The physical exam must be performed within 2 years of admission for new students and students that have been readmitted to the University after an absence of two years or more.
 2. Full-time and part-time students born after January 1, 1957 are required to complete the Immunization form in the health portal and upload proof of immunity to measles, mumps, rubella, meningitis, tetanus/diphtheria/pertussis in their health portal. All students regardless of age are required to complete the Tuberculosis screening form in their health portal. Please Note: Nursing students will need to comply with both Siena University and clinical agency health requirements.
 - a. Measles (rubeola): Proof of immunity shall consist of one of the following: two immunizations given after 1967, at least 30 days apart, on or after the first birthday; evidence of the disease documented by a physician (MD or DO); or documentation of an adequate immune titer.
 - b. Mumps (infectious parotitis): Proof of immunity shall consist of one of the following: one immunization given after 1967, on or after the first birthday; evidence of the disease documented by a physician (MD or DO); or documentation of an adequate immune titer.
 - c. Rubella (German measles): Proof of immunity shall consist of one of the following: one immunization given after 1967, on or after the first birthday; evidence of the disease documented by a physician (MD or DO); or documentation of an adequate immune titer.

- d. Meningitis (Menactra or Menveo): Proof of one vaccination at age 16 years or older and within the last 5 years. Graduate students must complete the Graduate Student Meningitis Response Form.
 - e. Tetanus/Diphtheria/Pertussis: Proof of recent vaccination with combined tetanus/diphtheria/pertussis toxoid within 10 years.
 - f. Tuberculosis: Proof of tuberculosis screening performed within the past six months or a chest x-ray ruling out active tuberculosis. Positive skin tests or positive IGRA tests will require a referral to the chest clinic of the local county Public Health Department (see section on enforcement within this policy).
3. Students seeking religious exemption from these requirements must comply with applicable state regulations. Students under 18 years of age must submit a written statement signed by their parents or guardian stating that they hold genuine and sincere religious beliefs contrary to the practice of immunization. Students 18 years or older must submit a statement themselves to qualify for religious exemption. This statement must describe the beliefs in sufficient detail to permit the University to determine that the beliefs are religious in nature (not philosophical) and sincerely and genuinely held and that the student was counseled about the risks/benefits of vaccination by a clinician. Students that qualify for religious exemption will be required to leave the campus in the event of an outbreak of one or more of these diseases and will remain away from campus until 21 days after the outbreak is over.
 4. Students seeking medical exemptions from this requirement must submit medical documentation indicating the reasons for exemption and signed by a licensed medical provider. Medical exemptions from this requirement may be granted at the discretion of the Health Service Director for reasons such as pregnancy, history of anaphylaxis, immune-compromised conditions, or other relevant disease states. Non-immunized students will, at the discretion of the Health Service Director, be required to leave the university in the event of an outbreak of one or more of these diseases and will remain away until 21 days after the outbreak is over.
 5. All students (as defined above) must complete the appropriate form in their student health portal including upload of the requested documents. Health Services will maintain the records while the student is in continuous attendance at the University.
 6. Any individual enrolled in 5 credit hours per semester or less, or any part-time student at Siena who enrolls full-time in the future must, at that time, submit a completed Siena University Health Record and meet all other requirements of a full-time student as set forth in this policy. Any individual enrolled in 5 credit hours per semester or less at Siena who enrolls part-time in the future must, at that time, meet all the requirements of a part-time students as set forth in this policy.
- E. Enforcement of Policy:
1. Students who fail to comply with this policy, including but not limited to any failure to supply complete health or immunization records to the University by the established dates are subject to fines, cancellation of registration and/or a “health hold” for future registrations.
 2. Students who fail to comply with this policy within 30 days of the beginning of the first term for which they register will not be permitted to attend class and will have their registration put on hold for subsequent semesters. Students living in the residence halls

will be removed from housing until all required health record requirements are met. They may be reinstated upon full compliance and taken off registration “hold”.

3. Students with positive tuberculin tests, including those who have had BCG vaccination, are required to report to the Albany County Health Department Chest Clinic or the Health Department in their county of residence. Failure to comply with health department directives will result in the penalties listed in the preceding paragraph.

F. Compliance and Reporting:

1. Siena University complies with the requirement to submit yearly reports of immunization statistics including reports of diagnosis of communicable disease, as they occur, as required by NYS Department of Health regulations.
2. Student immunization records contain medical information and will be maintained in a confidential manner. Access to these records will be limited to personnel whose job duties require information from these records. No records can be released without the student’s written consent or for a student under the age of eighteen, the consent of a parent or guardian. All medical records will be stored for seven years.

II. **Counseling Center: Scope of Care**

A. Overview of Services:

Siena University Counseling Center services are free and confidential.* The Counseling Center also provides consultations for students to faculty, staff, and families regarding the mental health of Siena students.

*The information shared in a psychotherapy relationship is treated with the deepest respect. The Counseling Center is committed to keeping records and information that is shared confidential. Only in situations where safety is a concern and there is imminent risk of harm can information be shared, and in these situations only for the purpose of insuring safety; or in situations where the University must comply with a judicial order, or lawfully issued subpoena or is related to legal action involving the University and the student.

B. Reasons Students Visit the Counseling Center:

The most common reasons for visiting the Counseling Center include:

- a. Anxiety
- b. Depressed mood
- c. Grief
- d. Relationship problems with family, peers, or romantic partners
- e. Substance Use Concerns
- f. Suicidal thoughts
- g. Traumatic experiences

C. Goals for Visiting the Counseling Center:

Common goals include:

- a. Symptom reduction
- b. Learning coping strategies or developing healthy habits
- c. Changing problematic behaviors
- d. Receive support
- e. Assessment

- D. Short-term Counseling:
The Siena University Counseling Center offers short-term, solution-focused counseling to matriculated full-time and part-time students to reduce emotional distress, learn coping skills, foster resilience, and receive support. Students who visit the Counseling Center average six visits. The annual maximum for visits to the Counseling Center is ten sessions. Beginning at the first session, the clinician and student will work together to determine if the student's needs can be met in our model. For example, students with a history of multiple hospitalizations, severe eating disorders, or active psychoses will likely be referred to the community, given the need for more than 10 sessions of counseling. For students who require or wish to have more than 10 sessions annually, we can assist you in finding a community provider. Attending a group counseling session or a skills group offered by the Counseling Center does not count toward the 10 session limit.
- E. Frequency and Length of Appointments:
The intake appointment (i.e., first appointment) will be approximately 60 minutes in length, excluding time for paperwork. The follow-up biweekly sessions will be approximately 45 minutes in length. Missed appointments without 24 hour notice are counted toward the annual 10 session limit. Students with repeated missed appointments without 24-hours-notice may be referred to the community.
- F. Assessment of Treatment Progress:
Students will be asked to complete a brief computerized system-tracking assessment before each appointment. This assessment will track how you are doing on your most pressing concerns on an appointment by appointment basis. Your therapist will review this assessment with you at every meeting and will also ask you how you feel you are doing in counseling.
- G. Psychiatric Services:
Siena University contracts with external providers to provide medication management. These providers are available free of charge. The cost to purchase medications will vary depending on the student's insurance plan. Stipulations for seeing the psychiatry providers include:
a. No prescriptions for ADHD / ADD medications or benzodiazepines.
b. Student must be engaged in concurrent counseling at the Counseling Center to be eligible for psychiatric services.
c. Students with repeated missed psychiatric appointments may be referred to the community.
- H. Services Not Provided:
The Counseling Center is not able to provide some services. We can refer students to community providers for these services, if requested. These services include:
a. ADD / ADHD Evaluations
b. Autism spectrum evaluations
c. Learning disability assessments
d. Disability evaluations for housing
- I. Other Beneficial Resources:
Please refer to the resources below for questions on any of the following questions:
a. Housing Accommodations <https://www.siena.edu/policies-procedures/special-accommodations-policy/>

- b. Lab / Bloodwork <https://www.siena.edu/offices/health-services/>
- c. Learning or other disability accommodations <https://www.siena.edu/offices/accessibility/>
- d. Meal Plan <https://www.aviserves.com/sienafresh/meal-plans-and-dining.html>

III. Refusing Medical Treatment

Should a student refuse care or present a plan of care/treatment, and such refusal or plan may, as determined by the University, constitute a threat of harm to self, to others, to property or to the orderly operation of the University, Siena reserves the right to place the student on medical leave, or to take other action(s) as deemed necessary including, but not limited to, relocation, restriction(s) and/or suspension from housing. This includes following isolation and quarantine requirements and/or University required COVID 19 related testing and/or other public health directives. The University may reconsider the medical leave or other action taken, if in the opinion of the University, the student has adequately and appropriately demonstrated to the University that such refusal or plan may no longer constitute a threat to self, to others, to property or to the orderly operation of the University.

IV. Medical Leave of Absence Policy

Medical Leave is an authorized absence from the University for medical or psychological reasons. During medical leave, students cannot attend classes and are required to stay off campus. Students on medical leave are expected to focus on the evaluation, treatment and/or management of the illness or condition which necessitated the leave. Siena University Health Services coordinates all medical leaves for students under their care/purview and for any physical health related conditions. Siena University Counseling Center coordinates medical leaves for students who will be absent for mental health/psychological reasons. The two offices (Health Services or Counseling Center) will submit a recommendation to the Dean of Students Office and a medical leave will be initiated if the student will be absent for five (5) or more days. The Dean's Office will inform required faculty and administrators via email. Details of the absence are not released to faculty members or administrators in order to maintain confidentiality of the student's private medical information. Students are expected to contact their professors regarding any missed assignments.

This policy is intended to provide supportive intervention for students experiencing medical or psychological related issues. To the extent that a student's safety is at risk, efforts to safeguard the student takes precedence over maintaining the student's confidentiality during the event of an acute psychological or medical emergency. In these situations, information deemed relevant to a student's safety may be released to those who have a compelling reason to have the information because of the role they are playing in safeguarding the student. The response to student crises should be proportional to the risks posed to or by the individual. This may require a high-risk student to be evaluated at Samaritan Hospital (voluntary evaluations), the Capital District Psychiatric Center (CDPC) Crisis Unit (involuntary evaluations) or another medical/psychiatric facility when appropriate. In such cases, Siena University will work with the student, their family and provider to best support the student. Siena reserves the right to place the student on involuntary medical leave, or to take other action(s) as deemed necessary including, but not limited to, relocation, restriction(s) and/or suspension from housing.

A. Voluntary Medical Leave:

1. A student may request voluntary medical leave if the student has a medical or psychological condition that necessitates their absence from the University for 5 or more days.
2. The student must submit documentation of the nature of the medical condition to the health care professionals at Health Services or Counseling Center for review. Students may be required to sign a Release of Information Form to allow the appropriate University officials to speak to the treating physician or licensed mental health professional.
3. The case will be reviewed by the Director of Health Services or Director of the Counseling Center or designee and they will forward their recommendation for medical leave to the Dean of Students office.
4. The Dean of Students office will place the student on medical leave and notify the student's instructors, the Director of Community Living (if a residential student) and Academic Affairs that the student is on medical leave.
5. Students on medical leave may not attend any classes during the term of the medical leave. In addition, students on medical leave must leave campus and remain off-campus until they are cleared to return by the Dean of Students, or their designee, in consultation with Siena University Health Services or Siena University Counseling Center.
6. If the student chooses not to return to the University, the Dean of Students or designee will inform the student of the withdrawal process for medical reasons and review the potential return requirements and timelines, with the student and/or family. Depending on the circumstances, the Dean's office may have to initiate the withdrawal process after discussions with the student and/or family.

B. Involuntary Medical Leave:

1. A determination of involuntary medical leave will be based upon an individualized assessment of safety or public health reasons, including communicable disease or when the student is at risk to self or to the community. The Director of Health Services or Director of the Counseling Center will determine if a student should be placed on involuntary medical leave and provide a recommendation to the Dean of Students office. The Dean of Students, or designee, will place a student on medical leave and notify the student's instructors, the Director of Community Living (if a residential student) and Academic Affairs that the student is on medical leave. A student may be placed on involuntary medical leave, including but not limited to, the following situations:
 - a. It has been determined by Health Services clinician (MD, PA or NP) that the student requires more intensive medical care than can be provided in an ambulatory setting.
 - b. The student has a medical condition that requires isolation from the University community for safety or public health reasons, such as a communicable disease or if the student is at risk to self or others.
 - c. The student refuses care or to follow reasonable guidelines for self-care, such that failure to do so places the student's life or others at risk.
 - d. The Director of the Counseling Center determines the student poses a risk of harm to themselves or others and/or is not able to care for themselves at the present time.
 - e. The student is admitted to a medical or psychiatric treatment facility. (see note below)

2. Siena University will place the student on medical leave, effective immediately, and the student's parent(s), guardian, or emergency contact will be notified of the student's situation.
3. Students on involuntary medical leave may not attend any classes or return to campus housing during the term of the medical leave.
 - a. Requirement to leave campus for medical reasons of health and safety: Students are required to comply with University policy to vacate their assigned on campus residential space on a temporary or permanent basis due to communicable illness or public health directive. In the instance of a medical situation requiring self-quarantine or self-isolation due to a communicable disease or in a medical situation where care cannot be managed safely within the University environment the student is required to leave campus. The student may not be permitted to continue to reside in their residential space or will be required to self-isolate at home or make alternative housing arrangements off campus for the period of time determined by the Health Services. All students will be required to be cleared for return to campus by the Health Services in order to return to campus.
 - b. Students on involuntary medical leave must leave campus and remain off campus until they are cleared to return by the Dean of Students, or their designee, in consultation with Siena University Health Services or Siena University Counseling Center. The student is advised to contact their parents/guardians to arrange safe transportation home. If the student cannot get themselves home or if the parents or guardians themselves are unable to come to campus within a specified period, the student must make housing arrangements off campus in coordination with the Dean of Students Office. The student will be required to leave campus within a specified time frame that provides for the safety of the student in order to make transportation arrangements to travel to the location where they will complete the medical leave. The student must be cleared by Health Services and the Dean of Students Office for return.
4. If the student chooses not to return to the University, the Dean of Students or designee will withdraw the student for medical reasons and review this process, as well as potential return timelines, with the student and their family.

Note: A student, who is assessed at Samaritan Hospital, the CDC Crisis Intervention Unit or other medical/psychiatric facility due to a mental health crisis and released without hospitalization, will be placed on a medical leave effective immediately and parents/emergency contact will be responsible for taking them home. As part of the follow-up process, the student/family will be in communication with the Dean of Students or designee following the crisis to develop a continuity of care/support plan. During that meeting or communication, the student will be provided with recommendations aimed at best supporting the student and address any behaviors associated with the event that may have violated the student Code of Conduct. A common component for support includes a referral to the Counseling Center. Students are strongly encouraged to sign a release of information form with their treatment facility and the Counseling Center to facilitate continuity of care.

C. Process for Return/Readmission from Medical Leave:

When the leave is for medical reasons:

1. The Dean of Students or designee, in consultation with Health Services, will make the final decision as to whether the student will be permitted to return from medical leave.
2. The student may be required to submit documentation from their provider to Health Services in which the provider recommends that the student resume college studies and stating any other pertinent medical information, including specifying any accommodation requested of the University. If the student was admitted for inpatient treatment, they may be asked to submit to Health Services a copy of the discharge plan, as well as a signed release of information form to allow the appropriate University officials to speak to the primary provider.
3. The University will review the recommendations of the primary provider and determine if the recommendations regarding further care can be accommodated.
4. Under certain circumstances (e.g. an extended voluntary absence or any involuntary leave), a student may be required to meet with the Dean of Students or designee prior to being permitted to return to the University to discuss the terms of the students return, and, if appropriate, discuss continuing treatment plan for the student. The Dean of Students or designee may also address any behaviors associated with related incidents that may have violated the Student Code of Conduct.
5. It is the student's responsibility to contact their instructors to make arrangements for any missed class assignments or exams. Additionally, the student is highly encouraged to contact the Academic Success Center (ASC) so they can assist with academic support and coordination.
6. Students who fail to comply with this medical leave of absence policy, which includes leaving campus and not returning until their return is approved, may be subject to disciplinary action, up to and including dismissal from the University.

When the leave is for psychological reasons:

1. The Dean of Students or designee, in consultation with Counseling Center professionals, will make the final decision as to whether the student will be permitted to return from medical leave.
2. The student may be required to submit documentation from their provider in which the provider recommends that the student resume college studies and stating any other pertinent medical information, including specifying any accommodation requested of the University. If the student was admitted for inpatient treatment, they may be asked to submit to the Counseling Center a copy of the discharge plan, as well as a signed release of information form to allow the appropriate University officials to speak to the primary provider.
3. The University will review the recommendations of the primary provider and determine if the recommendations regarding further care can be accommodated.
4. The student will be required to meet with the Dean of Students or designee prior to being permitted to return to the University to discuss the terms of the student's return, and if appropriate, discuss continuing treatment plan for the student (e.g. a student admitted for inpatient treatment at medical or psychiatric treatment facility). The Dean of Students or designee may also address any behaviors associated with related incidents that may have violated the Student Code of Conduct.

5. It is the student's responsibility to contact their instructors to make arrangements for any missed class assignments or exams. Additionally, the student is highly encouraged to contact the Academic Success Center (ASC) so they can assist with academic support and coordination.
6. Students who fail to comply with this medical leave of absence policy, which includes leaving campus and not returning until their return is approved, may be subject to disciplinary action, up to and including dismissal from the University.

Student Health Services and Counseling Center *do not* notify professors or University offices regarding absences of four (4) days or less. Students will be expected to contact their professors directly about these brief periods of missed coursework.

V. Death in the Family

Students or parents reporting a death in a student's family should be referred to the Office of Provost and Academic Affairs (academicaffairs@siena.edu) who will notify the student's faculty of the dates of the absences(s).

The Office of Provost and Academic Affairs will also copy Community Living, Academic Success Center, Counseling Center, and SKIPs plus the student on the email.

VI. Reasonable Accommodations Due to a Disability

- A. The Office of Accessibility is devoted to ensuring equal educational opportunities and a responsive campus environment. The office ensures that students with disabilities receive reasonable accommodations that allow them equal access to all Siena University programs and the opportunity to realize and develop self-advocacy skills.
- B. Academic accommodations will be granted to students who have registered and provided documentation of their disability to the Office of Accessibility. Each student is met with an interactive individualized registration process. Although we encourage students to register early, they may register at any time. Accommodations, however, are not retroactive. To register, students must complete registration and release forms and submit proper documentation of their disability. To ensure appropriate accommodations, documentation should be current (normally within three years) and demonstrate how the disability limits participation in courses, programs, services and activities. Documentation, forwarded from the student's high school, certified psychologist, licensed or otherwise properly credentialed professional, should provide information for both establishing a disability and identifying possible accommodations. Students will meet with the Director to discuss an individualized accommodation plan. Students will request their accommodation letter each semester. This letter will be sent to the student and the instructors of their enrolled courses at the beginning of each semester. Students will be responsible for providing letters to any instructor that they add after the first day of classes. All documentation and personal information are held in strict confidence unless authorized for release by the student in writing.
- C. Accommodations are determined by an individual interactive process so that each student can participate in and benefit from the University's programs, services, and activities, provided that such accommodations would not:

1. Fundamentally alter the nature or operation of the University's academic programs, services, or activities
 2. Cause undue burden to the University
 3. Pose a direct threat to the health or safety of others
- D. Students may contact the Title IX Coordinator/Equal Opportunity if they wish to discuss or file a complaint about any aspect of Siena's operations/policies/procedures or about the actions of any student, visitor or employee of the University. The Title IX Coordinator/EOS also serves as the individual to contact should a student wish to appeal a decision by Health Services, the Counseling Center or the Office of Accessibility related to an accommodation.
- E. Special Accommodations Request:
1. As per the American the American Disabilities Act, a student with a physical or mental impairment that substantially limits a major life activity may request accommodations through the University. Medically related accommodations for housing, meals, air conditioning, parking, etc. are coordinated through Siena University's Health Services Office. The Office of Accessibility also coordinates accommodation requests for service animals and emotional support animals.
 2. To be considered for a housing accommodation, students must complete the appropriate accommodation request form and submit it to Health Services. Health Services and The Office of Accessibility reviews each request to determine eligibility and will allocate reasonable accommodations in University Housing. These forms can be found at <http://www.siena.edu/healthservices> or by contacting these offices. Students with requests due to a medical condition are strongly encouraged to make the University aware of these needs as early as possible. For housing accommodations, new students should provide all required documentation by June 30th for fall semester and by December 1st for spring semester requests. Returning students should provide all required documentation by February 1st for fall semester requests and by December 1st for spring semester requests. Please be aware that after the posted deadlines, certain types of accommodations may no longer be available for the upcoming semester.
 3. Important Contact Information:
 - a. Director of Health Services (518) 783-2554
 - b. Director of Accessibility (518) 783-4239
 - c. Director of the Counseling Center (518) 783 -2342
 - d. Title IX Coordinator/Equal Opportunity Specialist (518) 782-5514

VII. Food Allergy Policy and Accommodations for Students

- A. Introduction:
 The purpose of this policy is to alert the Siena community to the existence of food allergies and safety precautions; notify students of the measures available to accommodate food allergies; and promote safety by increasing awareness of personal responsibilities to manage food allergies.

If an individual has been diagnosed by a physician with a life threatening food allergy, this may constitute a disability under the Americans with Disabilities Act. Siena University complies with Title III of the American with Disabilities Act. Siena University will make reasonable accommodations for all students with disabilities, including food allergies.

Siena University has developed a standardized process to assist individuals with food allergies. The process takes into account each individual's particular dietary requirements. Our goal is to provide individuals with food allergies the resources they need to be active in the management of their allergy.

B. Procedures:

Students with special requests due to a food allergy are strongly encouraged to make the University aware of these needs as early as possible when they begin their studies. The following procedure must be followed.

1. Students must contact the Director of Health Services to request the following form: Meal Plan Modification Due to Medical Circumstances.
2. Students must provide current and appropriate medical documentation to support their request for a meal plan accommodation that is completed by the student's physician.
3. Students will be required to meet with the Director of Dining Services and Registered Dietitian to discuss their needs and learn of the food options available to them. At this meeting the following will be discussed:
 - a. Diet history of foods that can and cannot be tolerated
 - b. All of the food options and allergy-alternative food products
 - c. Introduction to the dining hall staff that will be working with student
4. The students request for a meal plan accommodation and the information from the students meeting with the Director of Dining Service/Registered Dietician will be reviewed by the University Accommodation Committee for a determination and individualized care plan for the student.
5. Students with food allergies must update any changes in their medical condition with the Director of Health Services in a timely manner. The Director of Health Services will also notify the Director of Office of Accessibility and the Director of Dining Services of the modifications in medical conditions.

C. Responsibilities of Dining Services:

1. Provide students with food allergies with allergy free food alternatives along with the nutritional and product information needed to be active in the management of their allergy.
2. Provide individual counseling with a registered dietitian and/or the Director of dining services.
3. Facilitate regular training for dining services staff on food allergies and take precautions to prevent cross- contamination.
4. Post signs at point-of-sale alerting students to foods containing major food allergens and at specific serving locations.
5. Offer allergen free foods for catered events at the University upon request.

D. Responsibilities of Students with Food Allergies Students will:

1. Carry with them and use an Epi-Pen in an event of an allergic reaction. Students are responsible for ensuring their Epi-Pens have not expired.
2. Recognize symptoms of an allergic reaction, know how and when to tell someone and how to access emergency services at the University.
3. Notify roommates about their food allergies.

4. Adhere to the procedures outlined in this policy regarding notification to the University, including meeting with the Director of Dining Services and the Registered Dietitian.
 5. Ask managers rather than servers of dining facilities about food contents, ingredients and nutrition facts or any general dietary need.
 6. Avoid unsafe foods or any food item for which the content is unknown.
 7. Familiarize themselves with the daily menus and signs posted regarding allergens.
 8. Students may contact the Title IX Coordinator/Equal Opportunity Specialist should they wish to discuss or file a complaint about any aspect of Siena's operations/policies/procedures or about the actions of any student, visitor or employee of the University. The Title IX Coordinator/EOS also serves as the individual to contact should a student wish to appeal a decision by Health Services, the Counseling Center or the Office of Accessibility related to an accommodation.
- E. Important Contact Information:
1. Director of Health Services (518) 783-2554
 2. Director of Dining Services (518) 783-2523
 3. Director of Accessibility (518) 783-4239
 4. Registered Dietitian (518) 783.-2513
 5. Dean of Students (518) 783-2328
 6. Title IX Coordinator/Equal Opportunity Specialist (518) 782-5514

VIII. Service and Emotional Support Animal Policy

- A. Siena University is committed to compliance with applicable state and federal laws relating to individuals with disabilities. With respect to a request for a service or Emotional Support Animal (ESA) animal, the University will determine, on a case-by-case basis, and in accordance with applicable laws and regulations, whether such an animal is a reasonable accommodation on campus. In doing so, the University must balance the needs of the individual with the impact of animals on other campus community members. The rules governing service or ESA animals in the campus facilities, including classrooms and offices, and in the residence halls, are different. Only service animals, defined below and generally restricted to dogs, are allowed in the general campus facilities. Emotional support animals will not be allowed in non-residence campus facilities.

Requests for Emotional support animals, which are not restricted to dogs, will be considered only in the residence hall rooms and will be subject to the applicable law and University policy relating to reasonable accommodation of persons with documented disability. Further information regarding assistance animals may be obtained from the Office of Accessibility.

Definitions:

Accommodation: A modification or adjustment in policies, procedures, or work/housing/school environment to enable a student to partake in equal opportunities and access to University benefits and services based on a documented disability.

Assistance Animal: This is the umbrella term that encompasses service animals and emotional support animals. Service animals and emotional support animals are not pets; they are animals that provide assistance, perform tasks for the benefit of a person with a disability, or provide emotional support that alleviates one or more identified symptom or effects of a person's disability.

Service Animal: An animal that is individually trained (or in the process of being trained) to do work or perform specific tasks for the benefit of a person with a disability. The work or tasks performed by the service animal must be directly related to the person's disability.

Emotional Support Animal (ESA): An animal that provides emotional support to alleviate one or more identified symptoms or effects of a person's disability. Some, but not all, animals that assist persons with disabilities are professionally trained.

Individual with a Disability: For the purpose of this policy, an individual with a disability is defined as a person who has a physical or mental impairment that substantially limits one or more major life activities.

IX. Service Animal Policy

Siena University is committed to compliance with applicable state and federal laws relating to individuals with disabilities. Only service animals, as defined by the Americans with Disabilities Act and the Fair Housing Act are allowed in the general campus facilities. Siena University recognizes and supports the assistance that a trained service animal can provide a student or an employee with a disability.

A. Definitions:

Accommodation: A modification or adjustment in policies, procedures, or work/housing/school environment to enable a student to partake in equal opportunities and access to University benefits and services based on a documented disability.

Assistance Animal: This is the umbrella term that encompasses service animals and emotional support animals. Service animals and emotional support animals are not pets; they are animals that provide assistance, perform tasks for the benefit of a person with a disability, or provide emotional support that alleviates one or more identified symptom(s) or effects of a person's disability.

Service Animal: An animal that is individually trained (or in the process of being trained) to do work or perform specific tasks for the benefit of a person with a disability. The work or tasks performed by the service animal must be directly related to the person's disability. Examples of a Service Animal includes but is not limited to:

- A dog that is trained to serve as a travel tool for individuals who are blind or have impaired vision.
- A dog that has been trained to alert deaf persons or those with significant hearing loss, to sounds such as knocks on doors, fire alarms, phone ringing, etc.
- A dog that has been trained to assist a person with a mobility or health impairment. Duties include carrying, fetching, opening doors, ringing doorbells, activating elevator buttons, steadying a person while walking, assisting a person to get up after a fall, etc.
- A dog trained to assist persons with seizure disorders. Some dogs are trained to predict seizures and provide advance warning.

Emotional Support Animal (ESA): An animal that provides emotional support to alleviate one or more identified symptoms or effects of a person's disability. Some, but not all, animals that assist persons with disabilities are professionally trained.

Individual with a disability: For the purpose of this policy, an individual with a disability is defined as a person who has a physical or mental impairment that substantially limits one or more major life activities.

The care and supervision of the service animal is the responsibility of the handler. The University will identify safe areas to allow for basic needs of the animal. The animal must have a harness, leash, or other tether unless the handler is unable to use such equipment or it would interfere with the animal's safe, effective performance of work or tasks, in which case the animal must be otherwise supervised (e.g., voice control, signals, etc.). The service animal will be viewed by the campus as an extension of the individual student or employee and therefore subject to the code of conduct of the University in the case of the student and the applicable governing policies in the case of an employee.

B. Service Animal Accommodation Request Process:

1. The Office of Accessibility should be informed of any individual, student or employee, if an individual plans to or has a service animal on campus and recommends registering with the Office of Accessibility.
2. If the animal is residing on campus it is the owners/handlers responsibility to comply with the Town of Colonie's licensing policy. Requirements include current vaccination against rabies at the time of application. Students will be expected to apply for a license with the Town of Colonie even if the animal is registered with another municipality. There is no fee associated with this process for a service animal.
3. The animal should be in good health, well-groomed and care should be taken for flea and odor control. Consideration of others should be taken when providing maintenance and hygiene of the animal.
4. A student may generally only request one (1) service animal for accompaniment. If you need more than one service animal, please contact the Office of Accessibility.
5. The service animal must have all appropriate vaccinations (i.e. rabies shots) and provide documentation of the vaccinations. Updated vaccinations are required to be submitted upon expiration.
6. Requests for a service animal must be made each academic year. Prior approval does not guarantee future approval. For disabilities that are obvious and/or visible, it is not necessary for you to request approval. However, it is advised that you register your service animal with the Office of Disability Services to avoid mis-identification or other problems.
7. While not required, the service animal may wear a vest identifying they are working animal. However, an animal that is not a service animal may not wear a vest, collar or similar accessory identifying it as a service animal.

C. Steps to Request a Service Animal:

1. Register with the Office of Accessibility. Please see our How to Register Guide: <https://www.siena.edu/files/resources/how-to-register-guide.pdf>.
2. Student may choose to submit documentation to help The Office of Accessibility to better understand the student's needs.
3. Veterinarian confirmation that all appropriate vaccinations, including rabies and distemper, have been administered and are up-to-date. Appropriate animal licensure is also required.

4. The Service Animal Emergency Contact Agreement must be signed and submitted to the Office of Accessibility.
5. Once the request and documentation are submitted, the Office of Accessibility will reach out to the student to schedule a meeting to discuss the request, the Service Animal Policy, and the Service Animal Agreement.

The Office of Accessibility will approve or deny the request for a service animal and notify the appropriate parties of the decision within five business days.

An animal will be approved if the student provides sufficient response to the questions below.

Is the animal required because of a disability?

What work or task has the animal been trained to perform?

Reasons that a request for a service animal may be denied include, but are not limited to:

The service animal would cause substantial physical damage to the property of others.

The service animal is disruptive (e.g. excessive or uncontrolled barking).

D. Student Responsibilities:

I agree to the following:

1. By my signature below, I verify that I have read, understand and will abide by the requirements outlined here and in the University's Service Animal Policy.
2. I am aware that it is my responsibility to notify the residents of my room, wing, floor or townhouse that an exception to the Community Living Guidelines has been granted and a Service Animal has been approved to live in their community. I give Siena University permission to disclose to others impacted by the presence of my Service Animal (e.g., Community Living staff, potential and/or actual roommate(s)/neighbor(s)) that I will be living with a Service Animal as an accommodation. I understand that this information will be shared with the intent of preparing for the presence of the Service Animal and/or resolving any potential issues associated with its presence. I further recognize that the presence of the Service Animal may be noticed by others visiting or residing in University housing and agree that University staff may acknowledge the presence of my Service Animal, and explain that under certain circumstances, individuals with disabilities are permitted to Service Animal in residence halls. I will hold Siena University harmless from any liability for disclosing such information.
3. I acknowledge that there will be an "Animal Working" marker on the door of my specific room/ suite/ house letting the Community Living staff and community members know there is a working animal inside the room.
4. I acknowledge that if I require service by the Facilities Department in my room, suite or house, I must arrange a time when I can be present for the service to occur.
5. I will maintain appropriate documentation of vaccinations for the animal as required by law, and will provide documentation of same to the University. Once my animal's vaccinations expire I understand it is my responsibility to provide the Office of Accessibility with updated vaccination records.
6. The animal must be fully housebroken. I will be responsible for cleaning up after the animal outside and inside. It is expected that the Service Animal will be walked outside to relieve themselves. All waste will be disposed of immediately, if outside, or daily, if inside, in the dumpster outside the building.

7. When I take the ESA out of my room, it must be under my physical control at all times.
8. The health and safety of the animal is my responsibility. I will provide appropriate food, water and waste handling.
9. I am responsible for instructing others on appropriate interactions with my Service Animal and setting clear expectations of behavior. If I encounter resistance of others to comply with my provided instructions, I will notify the Office of Accessibility and seek assistance resolving this concern.
10. The animal will not create a nuisance or disturb other community members including, but not limited to, noise, such as excessive barking and odors.
11. I am responsible for any damage or injuries the animal may (intentionally or unintentionally) cause. Any excessive damage or cleaning in the room due to the animal will be treated under our “damage billing” procedure.
12. I understand that my animal must be on a continuous flea and tick prevention. If a flea and/or tick outbreak is detected in my room, wing, floor or townhouse, I will be responsible for the cost of eradication.
13. The animal may not remain in the room during breaks and other times when the University is closed. I am responsible for finding suitable housing off campus for the animal during these times if I am not approved to be on campus.
14. I may not leave the animal unattended in my room for more than a reasonable number of hours (12 hours). Additionally if I am going to be away from campus overnight I am responsible for finding care for the animal off-campus. I understand that I cannot leave my animal with my roommate or friend.
15. I understand that if I am unable to take care of my animal (hospitalization, etc.) my emergency contact will be notified to come remove the animal until I am back on campus. My emergency contact has signed and submitted the Service Animal Emergency Contact Agreement.
16. The University is not responsible for the illness, injury or death of my Service Animal while the Service Animal is on campus.
17. I understand that my faculty will be notified via my accommodation letter of my Service Animal.
18. I will notify Accessibility if there are any issues regarding classroom behavior and Accessibility will promptly handle the situation.

E. Violations of the Service Animal Policy and Service Housing Agreement

Out-of-control Behavior: A student may be directed to remove a Service Animal that is unruly or disruptive (e.g. barking excessively, running around, jumping onto people, exhibiting aggressive behavior, damaging property, etc.) and the student is unable to take effective action to control the ESA. Repeated instances of such behavior may result in exclusion from University facilities until the student is able to demonstrate effective control of the Service Animal.

Unkempt Animal: A student must also ensure that the Service Animal is kept clean and well-groomed. Although a Service Animal may become ill unexpectedly, the University recommends that a sick Service Animal should not be brought into housing.

Misrepresented documentation: If it is determined that documentation provided by the student misrepresented any material facts, the Service Animal may be barred from University housing.

Violating Agreement: If any provision of this policy or the related Service Animal Agreement is violated, the student may be required to immediately remove the Service Animal from University housing.

F. Complaints:

Any reports of noise, odor, or behavioral issues will be given to the Office of Accessibility. The office will work with the student in conjunction with Community Living to rectify the situation. If it is deemed that the Service Animal Policy or Service Animal Housing Agreement was violated the student will receive a warning letter and will be required to meet with the Office of Accessibility. On the second report of a violation of the Service Animal Policy or Service Animal Housing Agreement the Office of Accessibility in conjunction with Community Living will determine if the removal of the animal is necessary.

Should the animal be removed from University Housing the student has the right to appeal this decision. The student must submit a written notice of appeal to Dr. Bill Boerner (titleix@siena.edu/ 518-782-5514) within 5 days of being required to remove the ESA.

X. Emotional Support Animal Policy

It is the intent of Siena University to provide an environment that fosters respect and dignity towards all students. For students with documented disabilities, Siena strives to provide reasonable accommodations, including an Emotional Support Animal (ESA). Eligible students should review this ESA Policy and request this accommodation through the Office of Accessibility.

A. Definitions:

Accommodation: A modification or adjustment in policies, procedures, or work/housing/school environment to enable a student to partake in equal opportunities and access to University benefits and services based on a documented disability.

Assistance Animal: This is the umbrella term that encompasses service animals and emotional support animals. Service animals and emotional support animals are not pets; they are animals that provide assistance, perform tasks for the benefit of a person with a disability, or provide emotional support that alleviates one or more identified symptom or effects of a person's disability.

Service Animal: An animal that is individually trained (or in the process of being trained) to do work or perform specific tasks for the benefit of a person with a disability. The work or tasks performed by the service animal must be directly related to the person's disability.

Emotional Support Animal (ESA): An animal that provides emotional support to alleviate one or more identified symptoms or effects of a person's disability. Some, but not all, animals that assist persons with disabilities are professionally trained.

Individual with a Disability: For the purpose of this policy, an individual with a disability is defined as a person who has a physical or mental impairment that substantially limits one or more major life activities.

B. Introduction:

Based on the Americans with Disabilities Act (ADA) and the Fair Housing Act (FHA), ESAs, unlike service animals, have limited access to public places. The FHA considers an

ESA a reasonable accommodation in residences with a “No Pet Policy.” ESA’s can be approved to accompany a student in their room, suite or house at Siena.

Note: No animals may be moved into residential spaces until the student has received permission for the ESA in writing. Should an animal be moved in prior to approval, the student risks their request being denied for failure to honor the ESA Policy.

C. ESA Requirements:

1. A student requesting an ESA must provide documentation of their disability-related need for the accommodation from a medical professional.
2. A student may only request one (1) ESA for accompaniment in the Residential spaces. If you need more than one ESA, please contact the Office of Accessibility.
3. The ESA must have all appropriate vaccinations (i.e. rabies shots) and provide documentation of the vaccinations. Updated vaccinations are required to be submitted upon expiration.
4. Requests for ESAs must be made each academic year. Prior approval does not guarantee future approval.
5. While not required, the ESA may wear a vest identifying they are a working animal.

D. Steps to Request an ESA:

1. Register with the Office of Accessibility. Please see our How to Register Guide:
<https://www.siena.edu/files/resources/how-to-register-guide.pdf>
 - a. Registration Form: <https://www.siena.edu/studentreg>
 - b. Release Form: <https://www.siena.edu/studentrelease>
2. Student will submit documentation supporting the ESA Documentation Form:
<https://www.siena.edu/files/resources/esa-documentation-form.pdf>
3. Veterinarian confirmation that all appropriate vaccinations, including rabies and distemper, have been administered and are up-to-date.
4. The student must provide a physical description of the animal including height and weight and confirmation that the animal is housebroken or confined such that housebreaking is not necessary (e.g., cat uses litter box). Also include any equipment that will be needed for the care of the animal.
5. Emergency Contact Agreement must be signed and submitted.
<https://www.siena.edu/files/resources/emotional-support-animal-emergency-contact-agreeme.pdf>
6. Student will attend an intake meeting with Director of Accessibility or designee.
7. Once the request and documentation are submitted, the request will be reviewed by a committee that is composed of representatives from Community Living, Dean of Student Office, Office of Accessibility and University Counsel (if necessary).
8. The Office of Accessibility will reach out to the student to schedule a meeting to discuss the request, the ESA Policy, and the ESA Housing Agreement.

The Office of Accessibility will approve or deny the request for an ESA and notify the appropriate parties of the decision within five business days. Reasons that a request for an ESA may be denied include, but are not limited to:

1. The presence of the ESA poses an undue financial and administrative burden on Siena;

2. The presence of the ESA fundamentally alters the nature of Siena's housing services or the animal is not reasonable for the Siena Community;
3. The specific ESA poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation;
4. The specific ESA in question would cause substantial physical damage to the property of others, or is disruptive to the housing environment (e.g. excessive or uncontrolled barking);
5. The specific ESA's equipment or needs is not permitted as per University Policy.
6. Failure to provide appropriate verification that the ESA provides assistance directly related to the student's disability.
7. Failure of the ESA's handler to maintain appropriate control of the ESA.

E. Student Agreements and Responsibilities:

I agree to the following:

1. By my signature below, I verify that I have read, understand and will abide by the requirements outlined here and in the University's Emotional Assistance Animal Policy. I understand that if I fail to meet such requirements, the University has the right to remove the ESA, and I will nonetheless be required to fulfill my housing, academic, and all other obligations for the remainder of my Housing License Agreement with the University.
2. I am aware that it is my responsibility to notify the residents of my room, wing, floor or townhouse that an exception to the Community Living Guidelines has been granted and an ESA has been approved to live in their community. I give Siena University permission to disclose to others impacted by the presence of my ESA (e.g., Community Living staff, potential and/or actual roommate(s)/neighbor(s)) that I will be living with an ESA as an accommodation. I understand that this information will be shared with the intent of preparing for the presence of the ESA and/or resolving any potential issues associated with its presence. I further recognize that the presence of the ESA may be noticed by others visiting or residing in University housing and agree that University staff may acknowledge the presence of my ESA, and explain that under certain circumstances, individuals with disabilities are permitted to have emotional support animals in residence halls. I will hold Siena University harmless from any liability for disclosing such information.
3. I acknowledge that there will be an "Animal Working" marker on the door of my specific room/ suite/ house letting the Community Living staff and community members know there is a working animal inside the room.
4. I acknowledge that if I require service by the Facilities Department in my room, suite or house, I must arrange a time when I can be present for the service to occur.
5. I will maintain appropriate documentation of vaccinations for the animal as required by law, and will provide documentation of same to the University. Once my animal's vaccinations expire I understand it is my responsibility to provide the Office of Accessibility with updated vaccination records.
6. The animal must be fully housebroken. I will be responsible for cleaning up after the animal outside and inside. It is expected that the ESA will be walked outside to relieve themselves. In instances where the ESA is not walked outside, the expectation is that the cage/litter box/pad/bedding will be thoroughly cleaned on a daily basis. All waste will be

disposed of immediately, if outside, or daily, if inside, in the dumpster outside the building.

7. The ESA must remain within my residence hall room unless being transported on or off campus or outside to urinate or defecate (dogs only). This animal shall not be permitted to roam freely within your suite or townhouse.
8. When I take the ESA out of my room, it must be under my physical control at all times. This includes, but is not limited to, by use of a leash or cage. Animals are not permitted to be unleashed or out a carrier in University housing hallways nor are permitted in other resident's rooms, suites, or townhouses.
9. The animal is not permitted in any areas of my residence hall where food is being prepared or served for hygienic reasons.
10. The health and safety of the animal is my responsibility. I will provide appropriate food, water and waste handling.
11. I am responsible for instructing others on appropriate interactions with my ESA and setting clear expectations of behavior. If I encounter resistance of others to comply with my provided instructions, I will notify the Office of Accessibility and seek assistance resolving this concern.
12. The animal will not create a nuisance or disturb other community members including, but not limited to, noise, such as excessive barking and odors.
13. I am responsible for any damage or injuries the animal may (intentionally or unintentionally) cause. Any excessive damage or cleaning in the room due to the animal will be treated under our "damage billing" procedure.
14. I understand that my animal must be on a continuous flea and tick prevention. If a flea and/or tick outbreak is detected in my room, wing, floor or townhouse, I will be responsible for the cost of eradication.
15. The animal may not remain in the room during breaks and other times when the University is closed. I am responsible for finding suitable housing off campus for the animal during these times if I am not approved to be on campus.
16. I may not leave the animal unattended in my room for more than a reasonable number of hours (12 hours). Additionally if I am going to be away from campus overnight I am responsible for finding care for the animal off-campus. I understand that I cannot leave my animal with my roommate or friend.
17. I understand that if I am unable to take care of my animal (hospitalization, etc.) my emergency contact will be notified to come remove the animal until I am back on campus. My emergency contact has signed and submitted the ESA Emergency Contact Agreement.
18. I understand that there may be health and safety checks during the academic year. If I fail these checks due to my animal I understand that I am at risk for my animal to be removed due to violating the ESA Policy and Agreement. The University has the right to check my room if there is an odor or complaint.
19. The student must meet with the Director of Accessibility (or their designee) monthly to ensure the policy is being followed and accommodations are appropriately in place.
20. The University is not responsible for the illness, injury or death of my ESA while the ESA is on campus.
21. I will notify the University's Office of Accessibility if the ESA is no longer needed because of a disability or is no longer in residence, and will follow the procedures

outlined in the Emotional Support Animal Policy if I wish to replace one ESA with another.

22. I acknowledge that requests for ESAs must be made each academic year. Prior approval does not guarantee future approval.

F. Violations of the ESA Policy and ESA Housing Agreement:

Out-of-control Behavior: A student may be directed to remove an ESA that is unruly or disruptive (e.g. barking excessively, running around, jumping onto people, exhibiting aggressive behavior, damaging property, etc.) and the student is unable to take effective action to control the ESA. Repeated instances of such behavior may result in exclusion from University facilities until the student is able to demonstrate effective control of the ESA.

Unkempt Animal: An ESA must be housebroken. The presence of the ESA may not pose a direct threat to the health and safety of others. A student must also ensure that the ESA is kept clean and well-groomed. An ESA that is excessively unclean (e.g. repeated soiling of facilities, flea-infested, foul-smelling and/or shedding excessively) may be excluded from the residence hall. Although an ESA may become ill unexpectedly, the University recommends that a sick ESA should not be brought into housing.

Misrepresented documentation: If it is determined that documentation provided by the student misrepresented any material facts, the ESA may be barred from University housing.

Violating Agreement: If any provision of this policy or the related ESA Agreement is violated, the student may be required to immediately remove the ESA from University housing.

G. Complaints:

Any reports of noise, odor, or behavioral issues will be given to the Office of Accessibility. The office will work with the student in conjunction with Community Living to rectify the situation. If it is deemed that the ESA Policy or ESA Housing Agreement was violated the student will receive a warning letter and will be required to meet with the Office of Accessibility. On the second report of a violation of the ESA Policy or ESA Housing Agreement the Office of Accessibility in conjunction with Community Living will determine if the removal of the animal is necessary. The University reserves the right to remove the ESA after one incident if the behavior is egregious.

Should the animal be removed from University Housing the student has the right to appeal this decision. The student must submit a written notice of appeal to Dr. Bill Boerner (titleix@siena.edu/ 518-782-5514) within 5 days of being required to remove the ESA.

XI. Philosophy on Sexual Intimacy

A. Introduction:

As a community guided by our Franciscan and Catholic teachings, the University seeks to encourage and support a diverse community of belonging that is characterized by respectful relationships. Our traditions hold that sexual intimacy is most properly expressed as part of an all-encompassing union of life and love within the covenant of marriage. The University's philosophy is guided by reverence for human dignity, understanding that sexual activity profoundly impacts an individual on a biological, psychological and spiritual level and the

value of the fundamental goodness and sanctity of human sexuality. Acts of sexual intimacy outside of marriage are an incomplete expression of love and are contrary to the values and mission of the University.

Because of the values of the University as a Franciscan and Catholic institution, Siena does not provide materials, dispense or distribute contraceptive methods or items that encourage termination of pregnancy. The University maintains programming and services related to healthy relationships, sexual health and education. We are committed to educating students and facilitating discussions around these issues to promote health and safety.

B. Centers and Service:

The following centers and services are available on campus for further information and support regarding healthy relationships, sexual activity and the University's philosophy on sexual intimacy:

1. Siena University Health Services (an affiliate of St. Peter's Health Partners) – Our staff of nurse practitioners, nurses, physician assistants and a physician provide confidential conversations and services related to a broad range of health related concerns. These services include gynecologic exams, evaluation and treatment of sexually transmitted infections and pregnancy testing. Referral services are available to a variety of physician specialists on an as needed basis.
2. Counseling Center – the center provides confidential counseling services free of charge to support the personal, emotional and physiological management of relationships, sexual health and sexual intimacy. Health Promotion, a part of the Counseling Center, provides education, outreach, and support for students to promote holistic health and well-being. Services include providing education and outreach around substance use behaviors, promoting physical and mental health, and advancing suicide prevention.
3. Campus Ministry – the Office of the University Chaplain and Friars-in-Residence are available for confidential discussions related to matters such as sexual health, healthy relationships and sexual intimacy.
4. Office of Student Life & Dean of Students – available for conversations about policy, education or other concerns related to the University's approach to promoting healthy choices, self-respect, and respect for others.

Residential Facilities, Living Guidelines and Procedures

I. Facilities

A. Furnishings:

1. University owned furnishings are to remain in the room/suite/townhouse at all times and cannot be placed or used outside.
2. Students are not allowed to bring personal furniture to campus unless it is clearly manufactured and labeled as being flame retardant.
3. Furniture cannot be removed from any of the University's residence halls.
4. Students who use University furniture or fixtures placed in their rooms for other than the intended use assume responsibility should an accident or injury occur.
5. For safety reasons, students may not bring their own loft kits.
6. Students are unable to use a personal (non-University issued) mattress unless approved by the Health Services office for documented medical needs.
7. Students who bring personal outdoor furniture (lawn chairs, etc.) cannot leave these items unattended. Unattended furniture will be removed and discarded by University staff.
8. For Townhouse residents, outdoor furniture can be left on the townhouse stoop provided it does not block entry/exits.
9. Please reference the section on Residence Hall/Townhouse Safety and Security for additional information on acceptable and prohibited furnishings relating to safety issues.)

B. Facility Concerns/Repairs:

1. All requests for standard repairs to residence hall rooms/townhouses or routine work orders must be made by emailing facilities management at fwr@siena.edu. Students can also notify their Community Assistant (CA) or Residence Director (RD) via email to request a work order be submitted on their behalf. For urgent items, the Service Desk can be reached by phone at 518-783-2371 during normal hours of operation 7:30 a.m. - 4:30 p.m., Monday-Friday.
2. For emergency situations or urgent items outside of normal hours of operation, please contact Public Safety at 518-783-2376.
3. Once a work request is placed, an email confirmation will be sent. Students should review this information for accuracy. When the work request is complete, the individual who submitted the request will receive a confirmation of its closure and what services were rendered.
4. There are no associated costs for normal maintenance and repair.
5. If there are to be charges associated with the repair, the work request will be labeled "chargeable" or "vandalism." In this case, the appropriate parties will be charged through the Office of Community Living.
6. Please note that all furniture repairs and key requests must always go through the Residence Director.
7. In order to facilitate a timely repair, a student understands that when placing a work order or requesting a work order be placed for their room, the facilities staff has permission to enter the room, suite, or townhouse to complete the work order without a resident present. It is assumed that when a student submits a work order or requests a work order be submitted that they are speaking as a representative for all the residents with that particular space. Generally, repairs will begin after 9:00 am unless an emergency dictates otherwise.

- C. Individual Room/Suite/Townhouse Upkeep:
1. Students are responsible for cleaning their rooms and townhouses and for keeping them in good order. All students are expected to check out properly and thoroughly clean their rooms/townhouses prior to departure, including bathrooms and the kitchen (which includes appliances).
 2. Students may not paint or perform damage repairs in their room/suite/townhouse.
 3. Charges will be assessed by professional staff members for cleaning, painting, and any other additional work needed to restore the room to its original condition. Examples of common chargeable damages include but are not limited to tack and nail holes, paint chips from command hooks or similar adhesives, unremoved adhesives, rips in upholstery and chairs, and damaged screens and blinds. These charges are at the discretion of Community Living & Facilities Management professional staff members.
 4. Students will have the opportunity to review an individual room condition report/individual townhouse report upon move-in to document the condition of the room/furnishings upon move-in. It is the resident's responsibility to review this document in their online housing portal within the first two weeks of the semester.
 5. Students who fail to complete their individual room condition report will be held accountable for all damages found upon move-out inspection by Community Living and facilities staff and are not able to appeal damages.
- D. Residence Hall Damage Billing Assessment:
1. As members of the residential community, all students take responsibility for their living environment, both their immediate room/suite/townhouse, as well as the entire building/area.
 2. Student accounts will be billed directly for individual and community damage (this includes areas outside specific residential facilities and identified clusters of townhouses). Students will be able to view their overall damage charges via the student Banner portal. If a student requests to see an itemized receipt of damages from their room, they will need to reach out to housing@siena.edu and/or complete the housing form requesting a receipt. Students may appeal individual damages, as directed on instructions included with their damage bill.
 3. Damage assessments will be considered in the review of housing assignments for the subsequent term and may result in a cancellation of the housing license for either the responsible party and/or entire floors/wings of where the damage occurred.
 4. The University reserves the right to relocate or assign students to housing of the University's choice and/or place students on conditional/probationary housing status for a defined period of time.
 5. Students with billable damage (individual and/or communal) in excess of \$100 may be reassigned to other housing or have their license canceled immediately (i.e.: subject to more frequent Health/Safety inspections).
- E. Communal-Area Damage:
1. Students are responsible for preserving the condition of their wing, floor and building or townhouse, as well as the surrounding area.
 2. Students with information about who is responsible for acts of vandalism/damage are expected to report these actions to Community Living, Public Safety and/or the Dean of

Students. Students may report information anonymously through Public Safety's Anonymous Tip/Complaint Form located at <http://www.siena.edu/anonymous>.

3. When the University is unable to determine who is responsible for communal-area-damage, the costs will be equally distributed among all residents living on the wing/floor/building/area. These charges may not be appealed.

F. Snow Removal:

Shovels are available in all residence hall offices and in Public Safety for student's personal use. Townhouse residents are responsible for snow removal from the entranceway, steps (where applicable), and the pathway leading to a primary pathway. All residents of the MacClosky Square and Cushing Village Townhouses are provided with a shovel that is to be used for clearing stoops and entrances.

G. Recycling:

Siena University is committed to preserving its environment through recycling. Students are expected to support recycling initiatives in their residence hall or townhouse by utilizing the recycling bin/single-stream recycling located in each hall. Please make sure all glass, tin, and aluminum items are empty and rinsed clean.

H. Technology:

All student housing includes computer networking and Internet connections, which are provided by the University's Information Technology office. Basic cable television service is available to students residing in townhouses and the residence halls from a contracted vendor. Students should contact the vendor directly for inquiries related to purchasing additional packages and/or connectivity issues by calling their customer service center and identifying yourself as a student at Siena University.

I. Mail/Post Office Box Information:

Resident students are assigned a Student Post Office Box (SPOB). Students may be required to share their mailbox with another student. Mailboxes, except for the residents of Snyder Hall, are located in the Sarazen Student Union. Residents living in Snyder Hall will be assigned a Post Office Box located in Snyder Hall. A \$20.00 replacement fee will be charged to any student who loses or does not return their SPOB key upon graduation or leaving the University (withdrawal, transfer, etc.).

II. Housing Policies and Procedures

Students or groups of students who fail to adhere to residence hall and townhouse safety policies and procedures may be held accountable through fines, damage billing and/or disciplinary referrals.

A. Housing License Agreement:

1. All full-time undergraduate students, with the exception of commuters (as defined at the time of admission) are required to live in University residence facilities, to the extent that space is available, and purchase a food-service plan. The University has a four year residency requirement for all residential students.
2. Student participation in the housing selection process or signing of the housing license at any time acknowledges student understanding of the University's residency requirement as outlined in Siena Life. Continuing students who fail to reserve space for the next

academic year during housing selection will be assigned to any available space (after new and transfer students are housed) and will be billed for room and food service.

B. Closing Periods:

1. Designated closing periods, Thanksgiving, Christmas/Winter break, Spring break, Easter, Senior Week, and summer are not included in the Housing License Agreement. Students may leave personal belongings in assigned accommodations during periods of break, except during summer break, at their own risk. Information on break closings and openings will be posted on the website and sent via email reminders during the academic year.
2. Students must submit a vacation housing request form online, provide written verification when requested, and be approved for occupancy during times when the campus and residence halls are closed. During these break periods, there will be no student staff members on duty.
3. Support services customarily provided by these staff members will not be available to students. Food service may have limited hours/availability depending on the vacation period.
4. Students who are currently on residence hall or disciplinary probation are not eligible for housing during breaks. Early arrivals for the fall and spring semesters are not permitted except for extraordinary circumstances and upon advanced approval from the Office of Community Living.
5. Students authorized to reside in campus housing during non-license periods (e.g. prior to and following the license period or during breaks) may be charged an additional fee and are not permitted to host guests. Anyone who arrives prior to the posted opening times in the housing agreement will not be admitted to the residence facility and/or will be charged a \$60 per-night unauthorized occupancy charge and/or face disciplinary action.
6. If damage occurs in a residential area during the break period, the students staying in that area may be held responsible.
7. Emergency Closing Periods may emerge based on a number of factors (pandemic situation, long-term emergency, etc.) In events such as this, students may be required to vacate campus quickly. If a return to campus date is not known, the Office of Community Living reserves the right to enter student spaces to remove and discard food-related items left in rooms and/or in refrigerators/freezers to prevent spoiling and health/safety concerns. In addition, the University reserves the right to adjust normal operations or procedures to maintain public order and/or the health, safety and welfare of the University community (see Public Order/Health, Safety, and Welfare of the Community)

C. Winter Recess:

Residential facilities will be completely closed during a portion of the winter break. Students authorized to return early during the winter break must be approved through the Office of Community Living.

D. Summer Housing:

Students are not required to live on campus during the summer. Summer housing is only available for a specific, defined period. Information regarding summer housing availability changes from year to year. For the most up to date information, please visit the Community Living website or email housing@siena.edu

E. Housing Assignments:

1. The Office of Community Living coordinates the housing assignments for all new and returning students. All housing assignments are based on single-sex housing per residence hall room, suite, and townhouse.
2. Transgender Student Housing Policy
 - a. Siena University strives to maintain a safe and inclusive community where individuals are respected and differences are celebrated.
 - b. Students who identify as transgender are asked to discuss their housing options, room assignments and/or the living environment at Siena University with the Director of Community Living or designee. Typically, we assign students within the University's same sex housing practice. We will assist transgender students with their residential placements on a case by case basis, including access to housing consistent with their gender identity. We encourage students to discuss housing options as soon as possible while the widest range of options is still available.
3. New Residential Students
 - a. New resident students will complete their housing application, which includes the Housing License Agreement, meal plan selection, and lifestyle and roommate preferences before arriving on campus.
 - b. Specific deadlines and processes are communicated to the student's Siena email account.
4. Returning Residential Students
 - a. Returning resident students may select from available housing for the upcoming academic year through the selection process held in the spring semester. Specific information regarding the lottery process will be available online in the spring semester prior to room selection. Students are encouraged to thoroughly review the online information to familiarize themselves with the timeline, roommate and room-filling process, and application deadlines.
 - b. Students must be registered for a minimum of 12 credits in order to maintain a housing assignment unless approved by the Director of Community Living
 - c. Any student not at the minimum credit level by July and January may jeopardize their housing space for the upcoming semester.
 - d. The order for determining priority is via random assignment based on the student's housing cohort status. Current students are not able to hold/reserve spaces for potential incoming students (future transfer or first-year students.) Only students currently registered at Siena can participate in the returning student housing selection process.
5. Open Spaces
 - a. The University reserves the right to assign, relocate, and/or consolidate students into open/vacant spaces as needed.
6. Study Abroad Students

Student residents who are studying abroad or enrolled in off campus, short term study programs during the housing selection process will receive a housing selection time based on criteria noted above and may designate a proxy for the selection if the student is concerned about internet connectivity while abroad.

7. Living with Others

- a. For some, living with one or more roommates is a new experience. Sharing a room/suite/townhouse with another person or persons requires communication, cooperation, and compromise.
- b. Students should discuss these expectations to form a starting point for communicating concerns and general agreements.
- c. To a large extent, the relationship between roommates is dependent upon mutual consideration of the feelings and needs of the other person. This mutual consideration affords all roommates the expectation:
 - i. to be able to live, study and sleep free from undue interference in a room
 - ii. that roommates will respect each other's personal belongings
 - iii. to be able to live in a clean environment
 - iv. to have free access to one's room and facilities without pressure from a roommate
 - v. of being respectful of another person's privacy
 - vi. to be able to host guests in compliance with University policies at agreed-upon times, and with the expectation that guests are to respect the rights of the host's roommate(s) and other resident students
 - vii. of being free from fear or intimidation, physical and/or emotional harm of being able to refuse requests without having to feel guilty or selfish
 - viii. that any and all disagreements will be discussed with openness and mutual respect, and that it is acceptable to involve a Community Living staff member when necessary

8. Students are encouraged to see their Community Assistant or Residence Director if they feel their roommate is infringing upon their rights and attempts to resolve the situation are not working.

9. Room Change

Students may request a room change from their Residence Director or Area Coordinator. Room changes will be considered provided space is available. Any room changes occurring without the prior approval of the Community Living Professional Staff may result in the room change being canceled and the student relocated back to their original assignment.

III. Residence Hall and Townhouse Safety

- A. Student ID/Saint Card:
Students are expected to carry their Saint Card ID at all times for access and identification. For security and safety reasons, ID cards must not be lent or given to other parties.
- B. Access System:

1. Each residence hall is equipped with an access control system, which utilizes the Siena University Saint Card to gain access.
2. The outside doors to each residence hall are locked 24 hours a day.
3. Residents have access via their Saint Card to the main entrance and other designated doors of their residence hall 24 hours a day during the periods that the housing license is in effect.
4. The Saint Card enables students (commuters and residents) to visit friends in residence halls 9 a.m. – 1 a.m., Sunday – Thursday, 9a.m. – 2 a.m. on Friday and Saturday.
5. Residents have 24-hour access to their own residence hall.
6. Unauthorized entry to or use of residence facilities is not permitted.
7. Propping open and/or opening any residence hall exterior door without proper use of an ID card compromises the safety of the residential community and may result in disciplinary action.
8. Non-matriculated students do not have access to residence facilities and must be registered as a “guest.”

C. Keys:

1. Each student is issued a room/townhouse key exclusively for their personal use. Students must immediately report any damaged or non-working locks to their Residence Director or to Public Safety.
2. Lost, stolen, or missing keys should be reported immediately to Community Living staff for safety purposes. A core change will be required for lost, stolen, or missing keys, and the student will be responsible for the costs.
3. For reasons of safety and security, keys may not be duplicated or shared.
4. All students must return their room keys to their hall/area office before they withdraw, change rooms, study abroad, or leave for summer vacation.

D. Emergency Exits:

Doors labeled Emergency Exit Only are not to be used except in the event of an emergency (fire alarm, etc.).

E. Windows/Screens:

1. Screens and glass window panes may not be removed from the windows.
2. Broken or damaged windows and/or screens should be reported to the Residence Director or Facilities immediately.
3. Using windows to exit or enter a building (other than in emergency situations) or passing items through windows is prohibited.
4. Screens should remain securely in windows at all times and should not be removed or allowed to hang by the security wire.
5. No objects may be placed on window ledges. Placing stereo speakers in student room/townhouse windows is prohibited.
6. Individuals may not sit or walk on window ledges.
7. Nothing may be thrown from windows or from the ground up to a window because these objects may cause injury and are a health/safety risk. Students are subject to University disciplinary action, including a cancellation of the housing license or removal from housing, for throwing items to or from windows.

8. Townhouse residents are responsible for the cleaning and/or cost of cleaning townhouse windows. All students are responsible for broken windows in their residences unless the responsible party can be identified and charged accordingly.
- F. Lost/Damaged/Stolen Property:
The University is not liable for lost, damaged, or stolen personal property. Students are responsible for keeping their rooms/townhouses (including windows) locked at all times. The University urges all students to invest in adequate personal property insurance. Losses should be reported immediately to the Residence Director and to the Department of Public Safety.
- G. Acceptable Furnishings:
When used properly, the following appliances (U.L. approved only) can be used in the residence halls and townhouses:
- U.L. approved power strips
 - Portable hair dryers/curlers with automatic shutoff
 - Lamps (except halogen)
 - Electric kettles, water heaters, and hot pots with automatic shutoff
 - Coffee/tea makers with automatic shutoff
 - Irons with automatic shutoff
 - Refrigerators (maximum size of 4 cu. ft.) or Microfridge — as approved by the University vendor
 - Microwave ovens (limit of one per room with maximum wattage of 900 watts)
 - Fish (in five-gallon aquariums or smaller)
 - Interior battery-operated string lights (plug-in string lights are prohibited)
 - Battery operated **LED string lights** can be used for decorative purposes
 - LED plug-in neon sign (cannot be larger than 20% of the given wall where it is hanging)
 - Small, well-maintained living houseplants
 - Plug-in air fresheners and diffusers
- H. Prohibited Items: Décor, Furnishings and Appliances:
- Personal Furniture - No personal furniture (couches, futons, chairs, etc.) is allowed in University housing unless manufactured and clearly labeled by the manufacturer as being flame retardant
 - Hot plates, slow cookers, air fryers, rice cookers, heating coils, personal sandwich makers, grills (George Foreman, etc.), waffle makers and any other cooking/heating device with exposed heating element/surface (except in the townhouses)
 - Toasters and toaster ovens (except in Townhouses)
 - Space heaters
 - Plug-in decorative string lights are prohibited
 - **LED strip/string lights with adhesive backing**
 - Appliances with exposed heating elements
 - Deep fryers (grease)
 - Commercial-type popcorn makers

- Air conditioners (unless authorized by Health Services for a medical condition and installed by Facilities)
- Irons without automatic shutoff
- Curling irons without automatic shutoff
- Smoke/fog machines
- Multi plug adaptors, non-U.L. approved power strips, extension cords or any type and/or power strips plugged into another power strip
- Motorized exercise equipment, such as treadmills
- Curtains/window treatments cannot be used in any way in the residence halls, covering windows, closets, as dividers, etc. (the University has installed blinds in all residential spaces to ensure privacy)
- Personal bed lofts, (only University installed lofts are permitted)
- Waterbeds or other liquid-filled furniture
- Personal (non-University issued) mattresses
- Halogen lamps (floor or desk)
- Candles (with or without wicks) and incense (used and unused). If discovered, candles are confiscated by University officials and disposed of immediately.
- Bed or furnishings placed in such a way as to require residents to stand on the furnishings to open or close the window or impede emergency access/egress
- Any live greens (decorations, Christmas trees, cut greens, wreaths, potted trees, etc.) other than small well-maintained, live houseplants
- Large or bulky paper or fabric decorations (wallpaper, tapestries, large flags, sheets, etc.) hanging from ceiling, walls or windows are not permitted nor are items, other than those originally provided by the University, that divide a room or take up a significant amount of space (such as room dividers, bars, etc.)
- Animals (other than fish in five-gallon aquariums or smaller)
- Items placed on or over smoke/heat detectors, sprinkler piping or heads. No item may obstruct airflow or water disbursement for fire safety equipment.
- Items too close to sprinkler heads (18" minimum clearance required) no item may obstruct airflow or water disbursement for fire safety equipment
- Multiple electrical connectors (other than breaker-equipped outlet strips)
- Splicing electrical extension cords into lighting or other fixtures
- Hookahs
- Fireworks
- Flammable liquids (gasoline, kerosene, charcoal lighter fluid, etc.) and machines that use them
- Propane and gas grills
- Butane and butane torches
- Inflatable or plastic pools or any other object used to hold large quantities of sand or liquids
- Toy guns including, but not limited to, Nerf guns, gel blasters, Orbeez guns, or similar toys

When used properly, the following additional items may be used in the townhouses only:

- Toaster ovens
- Personal sandwich makers and grills (e.g., George Foreman grills)

- Charcoal grills, provided they are operated at least 10 feet from combustible construction and balconies and only charcoal is burned (no open fires).

This list of prohibited items is not all-inclusive. Should items be found that are unsafe in the judgment of University officials, Siena reserves the right to confiscate them or require them to be removed.

I. Residential Fire Safety Precautions:

1. Fire safety inspections will be conducted periodically. Residence Directors and/or the University safety officer, will inspect student rooms and townhouses at least once each semester. The inspection will look for fire, health, life safety hazards, proper waste disposal, and prohibited items. In the townhouses, more frequent inspections occur and the University-supplied fire extinguishers and emergency lighting will also be inspected.
2. In the interest of safety and protection of property, Siena students are urged to exercise caution in the use of all electrical appliances and, in the townhouses, the heating system. Residents may not tamper with the heat meters and/or thermostats. Each residence hall room and townhouse is equipped with a smoke detector and sprinkler system. These early-warning devices are not to be covered and/or tampered with under any circumstances. Each townhouse is provided a fire extinguisher, and students should become familiar with its proper use. Townhouse residents must immediately report discharged fire extinguishers to Public Safety. During regularly scheduled safety inspections, fire extinguishers in each townhouse will be checked to make sure they are in operating order. All fires must be reported to Public Safety.
3. Access to the room must be kept unobstructed for emergency first responders. No furniture may block hallways, corridors, walkways, fire lanes and/or stoops. In addition, no furnishings will be allowed to reduce the normal height and width of the door opening. This includes, but is not limited to the following: doormats, decorations, shoes/cleats, athletic equipment, etc. The University may require students to remove any item blocking any area or any items considered safety hazards that may impede access by emergency services personnel. This includes residence hall and townhouse areas, interior and exterior.
4. Procedures for Responding to a Fire Alarm:
The building must be evacuated immediately any time a fire alarm is sounded. This is defined as exiting the building completely and remaining at least 50 feet from the perimeter of the building until an announcement is made that it is safe to re-enter. If a student is found in their residence hall or townhouse during a fire alarm, they will be subject to documentation and disciplinary action. Familiarize yourself with the University's Emergency Response Guide, and the evacuation map for your building.
5. Open Flames & Fire Pits:
Students are not allowed to have or use fire pits of any kind or produce any open flame outdoors

IV. Residence Hall Policies

A. Responsibility:

Students are responsible for what occurs in their room/suite/townhouse, whether or not they are present, if the responsible parties cannot be identified.

- B. Solicitation in the Residential Facilities:
Soliciting or canvassing, political or otherwise, by outside agencies other than those approved by the Director of Community Living and / or the Director of Student Activities and Leadership Development or designee is prohibited. (See Solicitation Policy for further information).
- C. Student Fundraisers/Drives:
Students or student groups wishing to conduct a fundraiser/drive in the residential areas must get advance permission from the Director of Community Living. To respect the privacy of resident students, students/groups may not go door to door in residence areas and must operate out of the lobby/lounge area. Furthermore, students/groups must follow all University/Community Living guidelines while fundraising.
- D. Bicycles:
Bicycles must be kept in student rooms, outside in bicycle racks, or in designated bicycle storage rooms. Fire and safety regulations prohibit bicycles in stairwells, corridors, entrances and exits. Bicycles stored in unauthorized locations will be removed by the Public Safety Department.
- E. Roofs/Attics:
Students, visitors, and guests are not permitted on any roof or attic of any university building.
- F. Hall Sports:
No sports may be played in residence hall hallways because of potential injury or damage to fire safety systems, lights, etc., and the noise associated with such activities.
- G. Littering and Trash:
 1. Students are responsible for taking their trash to the appropriate trash room/bin for their residential building/area.
 2. Trash bins located in public bathrooms are not the appropriate disposal area for room trash.
 3. Removal of garbage found on stoops and in hallways will be billed to the residents of that particular area.
 4. Broken glass around residential areas poses a significant safety risk. The cleanup cost for glass removal will be billed to residents of that area.
- H. Sprinkler System/Fire Safety Equipment:
Hanging from or leaning on the sprinkler system piping and/or tampering with any fire safety equipment (e.g. pull boxes, Stopper II covers, smoke or heat detectors, fire-alarm speakers in suites, fire extinguishers, exit signs, etc.) is strictly prohibited. Students who trigger the activation of the fire alarm system (purposely or accidentally) will be referred through the student conduct system.

Public Safety Emergency Information/ /Parking

I. Department of Public Safety

- A. The Public Safety Department is open 365 days per year, 24 hours a day. If calling from a cellular phone or from an off-campus location, the department may be reached by calling 518-783-2376. In the event of an emergency, Public Safety can be contacted in the following ways:
1. The department operates an internal 911 emergency telephone system on campus. This number may be called from any landline telephone on campus,
 2. If using a cellular phone during an emergency, students should call 518-783-2999. This number rings in on the campus 911 emergency telephone line. Students are strongly encouraged to program this number into their cell phone address book.
 3. Emergency call boxes are located throughout campus. These boxes are highly visible and all have a blue light to mark their locations.
 4. Several direct-dial telephones also are located throughout campus. These phones automatically dial the Public Safety office when the receiver is lifted.
 5. Emergency (blue) buttons have been installed in the Morrell Science Center and the 24-hour computer lab in the library. These buttons are connected to the building alarm system and send an alarm to the security dispatcher, who will then dispatch an officer to that location.
- B. Emergency Preparedness: Siena University's Emergency Operations Plan has been established to provide advance planning for emergencies that affect the overall operation of the campus. The University tests the emergency communication and notification systems each semester. Please familiarize yourself with the emergency information page at www.siena.edu/emergencyinfo, which provides basic what-to-do information in case of an emergency. The following is a list of the systems in place for emergency notifications to faculty, staff and students.
1. Siena Alert: This notification system enables University officials to send urgent text alerts to cell phones with text message capability, email accounts and pagers. Students are responsible for individually subscribing to the Siena Alert system and for any charges their service providers may impose for delivering the text messages. Students are strongly encouraged to register for Siena Alert at www.siena.edu/sienaalert.
 2. Emergency Call Boxes: There are 37 emergency call boxes with a constant blue light located throughout the University property. Each call box is equipped with a yellow strobe light and siren/speaker. In the event of an emergency, the siren and strobe will activate. A message will follow to alert the campus that there is an emergency and detail what action should be taken by the listener.
 3. Siena Website: In the event of a major emergency, the University home page (www.siena.edu) will provide critical information and updates to the community. In the event of an emergency that does not interfere with the overall operation of the University, information and updates will be posted in the campus alerts box located on the emergency information Web page (www.siena.edu/emergencyinfo).
 4. Public Address Systems: PA systems are located in all residence halls and the majority of buildings.
 5. Campus Gates: In the event of an emergency that requires limited access to campus as instructed by the law enforcement agency in charge, the gates to the campus will be

closed and the Welcome Booth will be staffed with Public Safety personnel to provide direction.

6. Welcome Booth/Gates: The Public Safety Department operates the Welcome Booth, located at the main entrance to the University off Route 9. The Welcome Booth provides a centralized entrance and visitor reception point. The Main entrance, where the welcome booth is located, remains open on a 24/7 basis. Other campus gates are open from 6:00 a.m. to 9:00 p.m. The only exceptions are the gates off Fiddlers Lane (Middlefield and St. Francis), which must close at 6:00 p.m. on Friday and remain closed until Monday morning due to town agreements. On Thursday, Friday and Saturday nights from 9:00 p.m. to 4:00 a.m. Public Safety personnel require persons entering at the Welcome Booth to verify their status as a community member or registered guest. When all campus gates are closed, entry to the main campus will be through the main entrance to the University on Route 9 (Welcome Booth.) Welcome Booth and gate hours are subject to change based on events and programs on campus. Whenever possible, the Public Safety Department will notify the community of substantial changes in normal operations. For additional information regarding the operation of the Welcome Booth, please contact Public Safety at 518-783-2376.

II. Crime Reporting /Confidential Crime/Incident Reports

A. Reporting a Crime:

Community members, students, faculty, staff, and guests are strongly encouraged to accurately and promptly report all crimes and Public Safety related incidents to the Siena University Department of Public Safety as soon as possible. In addition, they are also encouraged to accurately and promptly report all crimes to the appropriate law enforcement agencies. Reporting crimes to the Department of Public Safety and local law enforcement agencies is encouraged when the victim of such crime elects to, or is unable to, make such a report.

- B. The Department of Public Safety, along with the University, will make every effort to safeguard any personally identifiable information. However, the University may be required to share information, but will only do so, when it is necessary or as required by law; therefore, we cannot guarantee confidentiality and/or your anonymity in all cases, but will take extra measures to protect your privacy. A report allows the University to investigate the incident, conduct any follow up actions, and help reduce risk and improve your safety as well as the safety of others. With this information, Siena can also keep an accurate record of the number of incidents, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner which occurred within college geography are counted and disclosed in the annual crimes statistics for the University.

C. To report a crime or an emergency on the campus of Siena University:

1. Call Public Safety at extension 911 from any phone on campus, from a cell phone or network outside the Siena phone system, call 518-783-2999.
2. To report a non-emergency security or Public Safety related matter, call Public Safety at extension 2376, or from a cell phone or network outside the Siena phone system, 518-783-2376.

3. In response to a reported crime or emergency, dispatchers are available at these respective telephone numbers 24 hours a day to answer your call. In response to a call, Siena Public Safety will take the required action, dispatching an officer or asking the victim or witness to report to Public Safety to file an incident report.
 4. If assistance is required from the Town of Colonie Police Department or Colonie Fire/EMS, Public Safety will contact the appropriate unit.
 5. Incidents may also be reported directly to the Colonie Police by calling 518-783-2811 for non-emergency calls. Call 911 from a cell phone or a non-campus phone line for emergencies. Please note, direct 911 calls to Colonie police from on-campus will generally result in the police department calling Public Safety to meet them and guide them onto campus to the correct location.
 6. Any community member may also report a crime by using any of the emergency call (blue light) boxes located in strategic areas around campus. The emergency call box locations are identifiable by blue lights displayed above the boxes.
 7. Crimes may also be reported anonymously to Public Safety. Use the anonymous tip page on the Public Safety website or go directly to www.siena.edu/anonymous.
 8. Crimes may be also reported confidentially as outlined in Section III of this document.
 9. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around Residential Halls should be reported to Public Safety.
- D. When a crime is reported, the victim will be provided information about reporting options: including their right to notify police, to have a staff member assist them with notifying the police if they so desire and an explanation that the victim has the right not to inform the police. Public Safety incident reports and any related investigatory reports will be forwarded to the appropriate University officials.
- E. Information about on-campus and off campus resources is provided later in this document. The information is made available to provide Siena community members with specific contact information in the event they become the victim of a crime. Even though victims may reach out to various resources, individuals should still report crimes to the Department of Public Safety to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate.
- F. Campus Security Authorities:
1. The Clery Act identifies Campus Security Authorities as an official of the institution who has significant responsibility for student and campus activities. This individual has the authority and the duty to take action or respond to particular issues on behalf of the institution. Examples of individuals who meet the criteria of a CSA include but are not limited to, Dean of Students, Director of Athletics, team coaches and faculty advisors to a student group/organization.
 2. Campus Security Authorities (CSA) are required to report crime statistics. Under the Clery Act, a crime is “reported” when it is brought to the attention of a Campus Security Authority (CSA) or local law enforcement personnel by a victim, witness, other third party or the offender regardless of one’s involvement with the crime or affiliation with the institution. If a CSA receives the crime information and believes it was provided in good faith, they should document it as a crime report. In “good faith” means there is a reasonable basis for believing that the information is not simply rumor or hearsay. That is, there is little or no reason to doubt the validity of the information.

3. CSA's must report Clery Act crimes as soon as possible, to Public Safety (even if they've informed others) and tell Public Safety what happened, when it happened, and where it happened. Reporting may be done by phone or in person to Siena University Public Safety, Hines Hall, East Wing or calling 518-783-2376.
4. Campus Security Authorities are not required to share the identities of those involved unless the report involves the crimes of sexual assault, domestic violence, dating violence and stalking which require all information to be shared with the Title IX Coordinator.

III. Voluntary Confidential Reporting

- A. At Siena, there are three categories of staff, who are not campus security authorities as defined and explained below
 1. Pastoral counselors: A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling and is functioning within the scope of that recognition as a pastoral counselor. At Siena this would be the Office of the University Chaplain and the Friars.
 2. Professional Counselors: a person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of their license or certification. This definition applies even to professional counselors who are not employees of the institution but are under contract to provide counseling at the institution. At Siena this would be the staff of the Counseling Center.
 3. Siena University Health Services medical providers, including the Director, who is a practicing Nurse Practitioner, are not considered CSA's by the University. These medical providers are encouraged to report crimes with non-identifying information to Public Safety for the purposes of anonymous statistical reporting under the Clery Act.
 4. Campus Security Authorities are required to complete training annually

IV. Voluntary Private Reporting

If you are the victim of a crime and do not want to pursue action within the Siena University Student Conduct System or the Criminal Justice System, we strongly encourage you to make a report. The Department of Public Safety, along with the University, will make every effort to safeguard the privacy of a report. However, the University may be required to share information, but will only do so, when it is completely necessary; therefore, we cannot guarantee total privacy and your anonymity, but will take extra measures to protect them. A report allows the Department of Public Safety and other responding University officials to protect your safety as well as the safety of others. With such information, Siena University can keep an accurate record of the number of incidents, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner which occurred within college geography are counted and disclosed in the annual crimes statistics for the University.

V. Disclosure of Crime Statistics

- A. In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (formerly The Student Right to Know and Campus Security Act of 1990), Siena University's Public Safety Department compiles annual crime statistics for the

University. The department is also responsible for timely warning notifications of crime on campus to the campus community.

- B. Notice of crime on campus is made in several ways. Daily crime reports are received by the Public Safety Department. These reports can be received either through direct reporting from a crime victim, crimes observed while on patrol by Public Safety staff, through mandated reporters (as specified by the Clery Act), or from police departments that may respond to incidents on or adjacent to campus. On a daily basis, the reports received are evaluated. In instances where a specific threat may still exist to the community or where an ongoing course of conduct may be observed, an immediate notice to the community may be called for. Such notices are called “security alerts” or “public safety community advisory/alerts.” When called for, these notices are made in many ways, including via email, text message, and in some instances, printed flyers. A daily crime report also is prepared based on the previous day’s events. The daily crime report is posted on the Public Safety Website (www.siena.edu/crime-report) and also is available for viewing at the Public Safety office.
- C. The Associate Vice President for Student Life/Director of Public Safety also prepares a statistical annual crime report. This report is based on all the University’s reported crimes as defined in the Clery Act. The report is available in a printed format, is located on the department’s Website (<https://www.siena.edu/offices/public-safety/campus-crime-statistics/>), and may be found on the U.S. Department of Education’s Website. Notice of the report is sent to all students, faculty and staff of the University. The printed report also is available upon request.
- D. It is important to note that a Public Safety report is not necessary for crimes to be included in the University’s annual crime statistics. Statistics for the annual report are also compiled from anonymous reports to the Dean of Students Office, the Title IX Coordinator, Residence Directors and community assistants’ incident reports, information from mandated reporters, and anonymous crime report forms. Whenever possible, crime statistics from local police departments for crimes committed adjacent to campus are also included. The Public Safety anonymous crime reporting form is anonymous and designed to encourage victims or witnesses to report crimes on a voluntary, anonymous basis.

VI. Campus Public Safety Advisory Committee

- A. In compliance with Article 129-a of the New York State Education Law, Siena University’s Public Safety Advisory Committee is comprised of faculty, professional staff and students. Chaired by the Assistant Vice President for Student Life/Director of Public Safety, the committee meets at least twice a semester to review current campus security policies and procedures and make recommendations for their improvement. It shall specifically review current policies and procedures for:
 - 1. Educating the campus community, including security personnel and those persons who advise or supervise students, about sexual assault pursuant to section sixty-four hundred thirty-two of this article; b. educating the campus community about personal safety and crime prevention;
 - 2. Reporting sexual assaults and working with victims during investigations;
 - 3. Referring complaints to appropriate authorities;
 - 4. Counseling victims; and
 - 5. Responding to inquiries from concerned persons.

VII. Emergency Information/Emergency University Closing

In the case of an emergency, such as a pandemic, flu outbreak, natural disaster or similar circumstances beyond the University's control in which the campus is forced to close, the University reserves the right to continue delivery of services through alternative means, including, but not limited to, remote instruction or changes in the weeks of a normal semester, in order to meet academic requirements. The University also reserves the right to invoke a different refund policy that will take into consideration the University's efforts to continue the delivery of academic services. (See Weather Emergencies.)

VIII. Inclement Weather and Snow Policy

- A. When inclement weather approaches, students need to use their best judgment when traveling to and from campus. If students are unable to make it to class, email your Professor as soon as possible.
 - 1. Before the storm: Siena personnel will monitor weather reports about the approaching storm and how it might affect various classes, campus events and any changes to parking on campus. A "pre-storm message" from the "WeatherAlert" email address can be expected.
 - 2. During the storm: Siena personnel will continue to assess campus conditions and external roads and then make a decision for "closure" or "late opening."
 - 3. Public notification: Information about classes and campus status will be sent/posted to the following no later than 6 a.m., if possible:
 - a. School Closing Network (Local TV/Radio)
 - b. Siena University website, www.siena.edu
 - c. Outgoing phone message on 518-783-4299
 - d. Email to campus personnel, including students
 - e. If a text message is required to be sent via the SienaAlert System, Public Safety sends that text message.
- B. If the storm occurs during work/class day, items 1 through 3 will be followed, with a decision to "close early" or "cancel evening classes/other events" no later than 2 p.m., if possible. The order for posting that decision is:
 - 1. Email to campus personnel, including students School Closings Network (Local TV/Radio)
 - 2. Siena University website, www.siena.edu
 - 3. After the storm: Facilities Management or Public Safety may send out information on rotation parking requirements and/or lot closures.

IX. Missing Student Notification Policy and Procedures

- A. If a member of the Siena community has reason to believe that a student who resides in on-campus housing is missing, they should immediately notify Public Safety at 518-783-2999. Siena University Public Safety will generate a report and initiate an investigation.
- B. Special Note for Students Living on Campus: In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by Siena University in the event the student is determined to be missing for a full 24 hours or as soon as it is determined that a student is missing. If a student has identified such an individual, Siena will notify that individual no later than 24 hours after the student is determined to be missing. A student who wishes to identify a confidential emergency contact can do so through the Banner Self-Service system. A student's

confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of an investigation.

- C. After investigating a missing person report, should Public Safety determine that the student has been missing for 24 hours, Siena University will notify Colonie Police and the student's emergency contact no later than 24 hours after the student is determined to be missing. If the missing student is under the age of 18 and not an emancipated individual, Siena University will notify the student's parent(s) or legal guardian immediately after Public Safety has determined that the student has been missing for 24 hours.

X. Threat Assessment Policy

- A. Working diligently in an effort to protect the safety and security of Siena's students, employees and community is a priority of the University, but it is a shared responsibility- of the University, staff, students, and their parents(s), guardian, and/or emergency contact. Each individual is held responsible and accountable for their behavior and choices and is expected to bring behaviors that are in conflict with this effort to the attention of the University.
- B. Siena's commitment to sustaining a safe environment is based on the belief that no member of our community should have to pursue their educational or vocational goals in an intimidating or fearful environment. This means that the University will use its best efforts to respond appropriately to each threat of violence or act of violence brought to its attention no matter the status of the person making the report. All threats by any member of our community, or an outsider who makes a threat against someone in our community, should be reported immediately to Public Safety.
- C. Siena's Threat Assessment Team (TAT) is responsible for responding to threatening behavior and potential and/or actual threats made by and/or towards students and employees

XI. Traffic/Parking Rules and Regulations

- A. General Information:
Siena University Parking Rules and Regulations are established in the interest of the entire University community to provide all persons with reasonable access to carry out University functions. Any questions relating to parking on campus should be directed to the Siena University Department of Public Safety.

POLICY CHANGES AND AUTHORIZATION

Siena University reserves the right to make changes and/or revisions to regulations at any time, without prior notice.

AUTHORITY AND ENFORCEMENT

The Siena University Department of Public Safety must ensure that members of the University community comply with University parking and traffic regulations and New York State motor vehicle laws. Siena Public Safety Officers enforce the driving and parking rules and regulations by their enforcement efforts which may include issuing warnings and citations. Vehicles may also be booted or towed depending on the severity and number of violations.

LIABILITY

Siena University assumes no liability or responsibility for damages or losses to any vehicle driven or parked in University parking areas or facilities. Please keep your vehicle locked to protect its contents.

B. Motor Vehicle Registration:

All persons parking a vehicle on campus must register their vehicle with the Siena University Department of Public Safety. Students and employees must pre-register their vehicle using the online permit system and then go to the Public Safety office to obtain a permit sticker or hang tag. (See section titled, "Permit System Instructions"). Visitors/Guests must also obtain a permit while parking on campus.

Applying for Vehicle Registration: PREREQUISITES FOR REGISTRATION

The following prerequisites must be met before an individual may register a vehicle through the Department of Public Safety:

1. The applicant must be authorized by Siena University to have a vehicle on campus.
2. The applicant and the vehicle to be registered must meet all legal requirements for operations within the state of New York.
3. The applicant must agree to abide by the Siena University Traffic Rules and Regulations.

FACULTY/STAFF PERMITS

Faculty/Staff will be issued one hangtag parking permit. This permit is transferable and may be used for any vehicle utilized by the faculty/staff member, as long as the vehicle is registered with the Department of Public Safety. The hangtag must be displayed from the vehicle's rear-view mirror at all times while parked on campus. If the mirror will not accommodate the hangtag, the permit must be placed on the driver side dashboard in clear sight. In the event the hangtag is lost or stolen, a new tag must be obtained from Public Safety. In the event the hangtag is left in another vehicle, the faculty/staff member may obtain a temporary permit for the day by visiting Public Safety.

Faculty/Staff Online Permit System Instructions

To complete the online permit form, please visit the Public Safety website and click the "Employee vehicle permit registration" tab or use this link [Parking Permit Survey](#).

Once the survey is completed, print the response summary email, which must be brought to Public Safety to complete the vehicle registration.

Note – Applicants must allow 24 hours between the time they receive their survey response and visiting public safety for their permit sticker or hangtag

A campus parking permit/hangtag will be issued upon presentation of the following:

- a) A current, valid State Department of Motor Vehicle Registration
- b) Saint Card
- c) The completed print-out of the online Permit System registration form

EMPLOYEE GUEST/VISITOR PERMITS

Employees may obtain Temporary Guest/Visitor permits by submitting a request by visiting the Public Safety web page and/or the following link: <https://www.siena.edu/offices/public-safety/parking-and-traffic-regulations/fsa-parking-pass/>. After filling out the appropriate form and processing is completed, a Temporary Permit will be sent via email to the Visitor and/or Host. The visitor must display the temporary permit on the dashboard of the vehicle while on campus. The visitors may park in any authorized parking spot. If there are questions regarding the process or more information is required, the employee may contact Public Safety.

STUDENT PERMITS

An eligible student purchasing a Siena University Parking Permit will be issued a “Student” parking permit decal. Vehicles bearing “Student” parking permits may park in any student lot as indicated in the “Parking by Lot” designations section of this booklet. Students may only park between white lines. Each student who qualifies for a parking permit will be issued one permit per vehicle, which is non- transferrable.

Note - students who have registered an electric vehicle may park in and use EV charging spaces (green lines) for the purposes of charging their vehicle. The vehicle must be moved after four hours or once the vehicle has been fully charged whichever occurs first.

Student Permit System Instructions

To complete the online permit form, please visit the Public Safety website and click the “Student parking permits” tab or use this link [Parking Permit Survey](#).

Once the survey is completed, print the response summary email, which must be brought to Public Safety to complete the vehicle registration

Note – Applicants must allow 24 hours between the time they receive their survey response and visiting public safety for their permit sticker or hangtag

A campus parking permit/decal will be issued upon presentation of the following:

- a) A current, valid State Department of Motor Vehicle Registration
- b) Saint Card
- c) The completed print-out of the online Permit System registration form

Billing for the selected permit type will not occur until after the permit has been obtained and processed through the Department of Public Safety.

DISPLAY OF DECALS and PERMITS

1. All registered vehicles must display a valid decal or parking permit. In order to avoid confusion, expired decals should be removed before new decals are affixed.
2. The decal must be properly affixed as directed; other means of affixing the decal are not acceptable. Failure to properly display the decal may result in a citation being issued.

3. Parking decals are not transferable to another party or (student) vehicle.
4. Lost, stolen or damaged decals should be reported immediately to the Department of Public Safety.

SPECIAL PERMITS:

RESIDENT FRESHMAN

Due to the limited amount of parking space on campus, First Year Resident Freshman students are prohibited from having a vehicle on campus. All Resident Freshman Students must obtain prior authorization from the Director of Public Safety to have a vehicle on campus even if it is for a limited time. Failure to receive permission will result in a \$200 (+tax) fine and may subject the student to denial of his/her request. Any parking tickets received during the time period that the car was on campus without approval may not be appealed. Exceptions to this policy may be requested in writing to the Director of Public Safety.

Note - A Resident Freshman student is defined as any student living on campus who is attending their first year of college. Students elevated to sophomore status or beyond during their first year are still considered freshman for the purpose of parking.

EXCEPTIONS TO THE POLICY

A first-year resident freshman may request an exception to the policy if they meet certain Medical and/or Employment criteria. The request must be submitted in writing with the necessary supporting documents to the Director of Public Safety for consideration. The student is not authorized to bring a vehicle to campus without prior approval.

Medical Exception Requirements: Students with a current or pre-existing medical condition that are under the treatment of a physician must complete a Medical Parking Permit Request form. The form may be obtained from the Public Safety Office or Siena Health Services Website. This form must be completed by the attending physician and returned to Health Services for review. The general criteria for a medical exception requires a minimum of six appointments per month to a medical professional.

The Director of Health Services will review the documentation and forward a recommendation to the Director of Public Safety. If the request is approved, the Director of Public Safety will notify the student by email of the decision. Upon obtaining an exception, the student will be required to present a receipt of treatment from the medical practitioner on a monthly basis.

Employment Exception Requirements: First year Resident Freshman students requesting the employment exception must work a minimum of 20 hours per week of regularly scheduled employment within 25 miles of the campus. The university does not accept sporadic or under the table employment as sufficient for an exception. This includes contract work where hourly commitments cannot be verified by pay stubs.

Resident freshman students requesting this exception must submit the following to the Director of Public Safety in writing. A letter requesting the exception to policy, which includes the reason for the request, and the specific days and hours the student will work. A

letter from the employer on company letter- head stationary indicating the students employment status and the specific hours and days scheduled.

If the exception is approved, the student must provide proof of continued employment on a monthly basis. The student must submit copies of pay stubs from company paychecks by the fifth of each month. Failure to submit documentation on the fifth of the month will result in the loss of the exception and forfeiture of the parking permit.

If canceled, the permit must be promptly surrendered to the Public Safety Department or a \$200 (+tax) fine will be imposed and levied on the student's account.

NOTE: Freshmen permits may be denied or revoked by the Director of Public Safety if the student is in violation of the Siena Code of Conduct. Freshman permits may be suspended for the remainder of the semester for any freshman student who has received three tickets for violations of the University's Traffic Rules and Regulations.

Freshman granted an exception will be directed to park in Lot "B" only

Note - students who have registered an electric vehicle may park in and use EV charging spaces (green lines) for the purposes of charging their vehicle. The vehicle must be moved after four hours or once the vehicle has been fully charged whichever occurs first.

TEMPORARY PERMITS FOR UPPERCLASS STUDENTS (2nd Year and Beyond)

Temporary parking permits for upper class students may be obtained from the Department of Public Safety, 24 hours a day 7 days a week. There is a charge for the temporary permit. The student must first complete the PERMIT SYSTEM pre-registration form and bring the printed form along with a current valid State Department of Motor registration and their Siena University Saint Card to the Public Safety Office. The permit must be displayed on the rearview mirror with the printed information facing out so the permit is visible for viewing. If your mirror will not accommodate the permit, it must be placed on the driver side dashboard in clear sight.

ACCESSIBILITY PARKING PERMITS

All persons possessing a State Accessibility Permit or License Plate must also obtain a Siena accessibility Parking Permit from the Department of Public Safety. Requests for accessibility parking permits must be accompanied by documentation from the registered physician who authorized the permit. Vehicles bearing a proper accessibility permit issued by the university and State, may park in a designated ADA parking space. These spaces are marked with blue lines. In some cases, a discharge area may be visible. Diagonal blue lines indicate discharge areas.

NOTE: The discharge area is not a parking space. Vehicles found parked in discharge areas or in accessibility Parking Spaces without displaying an accessibility permit may be issued a citation and towed from campus at the owner's expense.

STUDENT GUEST/VISITOR PERMITS

Temporary Guest/Visitor permits may be obtained by visiting the Public Safety. The office is open 24/7. The host must register the guest vehicle through the Permit System prior to

requesting the guest permit at the Department of Public Safety. A valid State Department of Motor Vehicle Registration, the host's Siena Saint Card, the completed printout of the online registration form from Permit System, and the Siena University guest must be brought to the Department of Public Safety by the host to complete the vehicle registration process. The vehicle owner must display the temporary permit on the rearview mirror with the printed information facing out so the permit is visible. The visitor/guest must park between white lines in student lots only.

ONLINE STUDENT GUEST PERMITS

Online guest temporary parking permits are valid from Friday at 6:00pm until Sunday at 9:00pm. These permits are not valid at any other time. The visitor/guest must display the permit on the driver's side of the dashboard. All guest vehicles must park between white lines in student lots only.

Any student who has registered a guest either through the Department of Public Safety or online will be responsible for any charges accrued on the vehicle during the guest's stay.

MAC MEMBER PARKING PERMITS

All MAC members must register their vehicles and obtain a parking permit. They may park in Lots F or U only.

LIBRARY PARKING

Siena community members may park in Lot F or Lot U to access the library during normal hours. Library guests must obtain a Temporary Parking Permit from the Department of Public Safety.

LONG TERM PARKING

Any student, faculty or staff member, or any other person leaving campus for an extended period of time (i.e. sports team trip, a family emergency, winter recess, a long weekend, vacation, etc.) who intends to leave their vehicle on campus should be aware of our emergency vehicle removal procedures. When leaving campus, vehicles left behind must be moved to:

- Lot "B" – The lot in the rear of Cushing Village
- Lot "F" – The lot adjacent to the baseball field
- Trustco Bank Building Lot – Across Rt. 9

C. Additional Lot Restrictions:

Parking spaces are designated by color. White lined spaces are for Students and Visitors. Yellow lined spaces are for faculty and staff. Students and employees must park between the proper colored lines for their designation. Spaces lined in Blue are for vehicles bearing valid Siena Accessibility Permits and/or Accessibility plates. Parking citations may be issued based on the line color of the parking location, even if a designation sign is not visible.

- Parking Lot "L" located on the west side of Foy Hall is reserved for Faculty and Staff parking. However, from 5:00 p.m. until Midnight students may park in this lot for evening classes and events.

- Parking Lot “M” located in front of Siena Hall is reserved for Faculty and Staff parking. However, from 5:00 p.m. until Midnight students may park in this lot for evening classes and events.
- Parking Lot “C” located in front of Snyder Hall has a number of spaces reserved for Faculty and Staff parking. However, from 5:00 p.m. until Midnight students may park in this lot for dining and events.
- Lots “O”, “P”, are subject to restrictions, Public Safety, Employees and Accessibility permit holders. Service Rd. and the parking area adjacent to Lonnstrom Dining Hall are fire lanes and parking is prohibited in that area. Three 15-minute parking spaces on Padua Rd. may be used by those visiting the SSU for a short period of time.

D.

Violations:

Each violation may result in a warning or citation of the vehicle. Violators are responsible for any associated fines for each citation received.

Abandoned/Inoperable Vehicles – All motor vehicles on campus must be in running order and bear a valid state license plate issued to that vehicle. Vehicles in violation of this regulation will be considered abandoned and may be towed from campus at the owner’s expense.

Driving Under the Influence of Alcohol and Drugs

- No person shall operate a motor vehicle on Siena University property while the person’s ability to operate such motor vehicle is impaired by the consumption of alcohol or drugs.
- If in the judgment of a member of the University’s Public Safety Staff, an operator of a motor vehicle being operated on campus has consumed alcohol or drugs, the operator will be documented, and a report will be forwarded to the Dean of Students.
- If the operator of a vehicle is involved in an accident, and the Public Safety Staff suspects the driver may be under the influence of drugs or alcohol, the Police may be contacted to further investigate the incident.

Parked in a Faculty/Staff Area – Parking a vehicle in a parking space (yellow lines) when not authorized by the parking permit issued to that vehicle.

Electric Charging Station Violation – A person will be deemed in violation if a vehicle is parked while not actively charging. This violation also applies to non EVs

Failure to Display a Hangtag / Permit

Failure to Move Vehicle from Closed Lot – Failure to move a vehicle from a lot which has been closed for a special event.

Failure to Yield the Right of Way – Failure to yield the right of way at a yield sign.

Fire Lane / Tow Zone – Parked in a Fire Lane or designated Tow Zone

Unauthorized Parking in an Accessibility (ADA) Parking Space – Accessibility parking areas are for vehicles bearing a Siena Accessibility Vehicle Registration. Unauthorized vehicles found parked in these areas will be ticketed and towed at the owner’s expense.

Improper Display – Not affixing the parking permit to one’s vehicle, placing the permit in the wrong location.

Improper Lot – Parking a vehicle in a parking lot, space or area not authorized by the parking permit issued to that vehicle.

Forged Permit/Improper Use of a Permit –No person shall affix a permit to their vehicle that is either forged or is not the permit assigned to that vehicle.

Parking in more than one space - Vehicles not parked within the designated parking space lines, that is when the vehicle is extended into another parking space surrounding their intended space, causing their vehicle to be in more than one space, will be issued a parking ticket for using more than one space.

Parking in a space designated for a Special Permit or a Reserved Parking Area

Parking in a Restricted Area – Any area that is marked as a restricted area by painted hash marks on the pavement.

Parked in the Roadway – Parking is not permitted on campus roadways. In addition to its normal definition, roadway includes any area designated as a safety island. A safety island is an area with diagonal lines painted on the pavement to indicate it is not a parking area. All roadways are considered Fire Lanes.

Parked/Driving on the Lawn and Pathways - (Pathways, lawn, non-paved area, dirt and grassy areas) Pathways are for pedestrian traffic only with the exception of Security, Maintenance and Emergency Vehicles. Vehicles may not park or drive on lawn areas, non-paved areas, or any area not designated for vehicular traffic. Vehicles parked in these areas, in addition to being ticketed, may be towed from campus.

Parked/Driving on Town House Pathways - Based on the seriousness and potential harm to pedestrians, a separate violation for this action has been written. This violation carries a larger fine.

Driving through a Stop Sign – Failure to come to a complete stop at a stop sign.

Reckless Driving – Reckless driving on campus is defined as operation of a motor vehicle in a manner presenting an unjustifiable risk to a person’s safety and or damage of property of another.

Restricted Area / Safety Zone – Any area which is designated by painted lines on the ground.

Speeding – The maximum speed permitted on campus is 15 M.P.H.

Unregistered Vehicle – All vehicles parked on campus are required to be registered with the Department of Public Safety.

One Way/Wrong way on one way – On roadways marked for one-way traffic, vehicles shall be driven only in the direction designated.

Overtime Parking – Violations apply to those parked longer than the time designated/ allowed.

Blocking a Fire Hydrant – No person shall stop, stand or park a vehicle within 15 feet of a fire hydrant except when the vehicle is attended by a licensed operator who is seated in the front seat and who can immediately move the vehicle in case of an emergency, unless a different distance is indicated by official signs, markings.

E. Enforcement Protocol:
TRAFFIC ENFORCEMENT

Public Safety personnel continuously patrol the campus and issue tickets/citations for violations of the Siena University Parking and Traffic Regulations.

A traffic ticket will indicate the violation and the amount of the fine. Fines will be charged to the person's Siena University account. Fines may only be paid at the Business Affairs Office. New York State requires the University to charge tax on all fines.

COMPLIANCE WITH PUBLIC SAFETY PERSONNEL

Community members and visitors/guests must comply with authorized directives issued by Public Safety personnel or any other person empowered to enforce the University's Traffic Rules and Regulations. Refusal to comply with such requests or directives may result in disciplinary action and or the loss of vehicle privileges on campus. It may also cause the vehicle to be ticketed and towed immediately at the owner's expense.

TICKET APPEAL PROCEDURE

Community members who have received tickets may appeal the violation to the Traffic Appeals Committee. The committee is comprised of Faculty, Staff and Students.

Appeals must be appealed online within 30 days of the citations issue date.

To complete the online ticket appeal form, please visit the Public Safety webpage and click the "ticket appeal procedure" tab or use the link: [Ticket Appeal Form](#)

Upon completion of the appeal request form you will:

- a. Receive confirmation that your appeal was recorded
- b. After the committee meets, you will receive an email notification from Public Safety regarding the outcome of the appeal (Approved, Denied, or Adjusted.)

All decisions of the Committee are final.

The following reasons are not valid grounds for an appeal and will not be considered by the committee:

- * Late to class, late for a meeting, arrived back on campus late at night*
- * Lack of parking spaces on campus*
- * Everyone parks there*
- * I was only there for a few minutes*
- * I parked there previously without getting a fine.*
- * I wanted to park next to my dorm*
- * Not having the means to pay*
- * Lacking knowledge of parking regulations*

Appeals must be submitted to the Committee within 30 calendar days from the date of the cited violation. Appeals received after the 30 days will not be considered by the Committee.

F. Important Notices:

EMERGENCY VEHICLE REMOVAL

Any student, faculty or staff member, or any other person leaving campus for an extended period of time (i.e. sports team trip, a family emergency, winter recess, a long weekend, vacation, etc.) who intends to leave their vehicle on campus should be aware of our emergency vehicle removal procedures. These procedures dictate that at times we must clear certain areas, such as but not limited to parking lots and roadways. Abandoned vehicles, vehicles left behind by those leaving campus, disabled vehicles and even legally parked vehicles may need to be removed under circumstances beyond our control. Snow removal, construction needs, parking lot closures, repair problems and emergencies will dictate the removal of these vehicles. In all cases, an attempt to notify the vehicle owners will be made. This may include e-mail, public announcements, flyers and telephone messages when practical.

When leaving campus, vehicles left behind must be moved to the "Long Term Parking Areas, these areas are designated as Lot B (rear of Cushing Village), Lot F (next to the baseball field) or the Trustco Bank Center which is located across the street from the main campus. Vehicles left in any other lot may be towed when necessary for snow removal or any other emergency that may arise. The owner will be responsible for the tow charges.

SUMMER PARKING

Students enrolled in summer courses or employed by the university are authorized to have their vehicle on campus. However, if a student is not enrolled in classes/employed by the university, their vehicle must be removed at the end of the academic year. At no time can anyone leave their vehicle parked on campus for the entire summer without special permission. Unauthorized vehicles parked on may be removed at the owner's expense. The University is not responsible for fees charged by towing companies for vehicle removal. Siena University assumes no liability or responsibility for damages or losses to any vehicle driven or parked in University parking areas or facilities.

MOTOR VEHICLE ACCIDENTS

All motor vehicle accidents occurring on the Siena University campus should be reported to the Public Safety Department. The New York State Vehicle and Traffic Law requires that accidents causing personal injury or damage in excess of \$1,000.00 to the property of another person must be reported to the Department of Motor Vehicles within 10 days. State Motor Vehicle Accident Reports (MV104A) is available at most police departments and DMV offices.

INSURANCE

Personal vehicles are not covered by Siena's Insurance policies. The university cannot assume responsibility for loss, damage or theft of property from the personal vehicles that are parked on campus.

PERSISTENT VIOLATORS

Individuals, whose vehicle has been ticketed six times, will be declared a Persistent Violator. Persistent Violators receiving a seventh ticket or subsequent tickets, in addition to the ticket, will have their vehicle booted and/or towed from campus. Any vehicle that obtains three or more tickets for being unregistered will be booted. The fines and tow charges for their vehicle will be the responsibility of the operator/owner of the vehicle. People who have been declared Persistent Violators will remain such for the remainder of the current Academic Year regardless of the status of their parking fines (paid or unpaid). When the next Academic Year commences all former Persistent Violators will have their Persistent Violator status removed and will start the year without carrying forward that designation.

TOWING

The University reserves the right to boot or remove any vehicle from campus when that vehicle is found in violation of the Siena University Traffic Rules and Regulations.

G. Parking by Lot Designation:

FACULTY / STAFF PARKING – Yellow Lines

Lot “A” – Located to the rear of the St. Francis House on Malloy Circle

Lot “C” – Located in front of Snyder Hall (NOTE: After 5:00p.m. students may use the lot until Midnight)

Lot “D” – located on the north side of Snyder Hall

Lot “E” – The spaces outside the Clare Center and on Francis Drive

Lot “F” – The spaces located to the rear of the Morrell Science Center. Near Baseball Field

Lot “G” – Located to the rear of Roger Bacon, in spaces designated by yellow lines

Lot “I” – Located off of Middlefield Road next to Rosetti Hall

Lot “K” – Located in the vicinity of the Haas Maintenance Building

Lot “L” – Located on the west side of Foy Hall. (NOTE: After 5:00pm students may use the lot until Midnight)

Lot “M” – Located at the front of Siena Hall (NOTE: After 5:00p.m. students may use the lot until Midnight)

Lot “O” – Located at the rear of Hines Hall at the Accessibility Entrance

Lot “P” – Located at the rear of Hines Hall south of the East Wing

Lot “T” – Located at Patricia Gioia Hall, has east and west areas designated for visitors and ADA permit holders

Lot “U” – Located on the east side of the Turchi Road Entrance to the University

Lot "V" – Located on the south side of the MAC
Chapel Road – The spaces north of the Chapel

STUDENT PARKING – White Lines

Malloy Circle – The parallel parking spaces to the rear of Cushing Village

Lot "B" – The lot in the rear of Cushing Village

Lot "C" - Located at Snyder Hall

Clare Circle – The parking area surrounding MacClosky Square

Chapel Road – Spaces south of the Chapel

Lot "F" – The lot adjacent to the baseball field

Lot "G" – Located on the north side of the Morrell Science Center. Excludes faculty and staff spaces (Yellow Lines)

Lot "H" – Located on the north side of Foy Hall

Lot "N" – Located at the immediate front of Hines Hall

Lot "Q" – Located on the west side of Padua road.

Lot "R" – Located on the south side of Padua Hall

Lot "S" – Located on the south side of Hennepin and Ryan Halls

Lot "U" - Located on the east side of Turchi Road across from McGuire Hall

Lot "W" – Located to the rear of Plassmann Hall in front of the MAC

Lot "X" - Located at the rear North end of the MAC

General Policies

The following link contains many policies here at Siena for all departments.

<https://www.siena.edu/Policies>

I. Student Government Association and Student Body Constitution Siena University

Preamble:

We, the students of Siena University, in order to provide leadership, promote campus and civic participation, improve the academic and residential communities on campus, and inform the students of their rights, hereby establish this constitution and adopt it as the supreme governing document for all students and establish the bylaws of the Student Government Association.

Article I: Definitions

Section One: Student Body: All fully matriculated students shall be known collectively as the Siena University Student Body.

Section Two: Student Government Association: The Joint Committee on Student Government Association and all of its constituent organizations and their advisors shall be collectively known as the Siena University Student Government Association.

Section Three: Student Government Organizations: All organizations within the Student Government Association included within Article II of this Constitution shall be known as Student Government Organizations.

Article II: Student Government Organizations

Section One: The Student Senate

A) Authority: The chief legislative authority for the Student Body shall rest in the Student Senate, who shall be elected and duly convened in order to serve as the voice of the Student Body, in communications with Staff, Faculty, Administrators, and the President and Board of Trustees of Siena University.

B) Composition: The membership of the Student Senate shall consist of an Executive Board and a General Board.

a. The Executive Board: shall consist of the Senate President, Vice President, Treasurer, Secretary, and all other appointed members of the Executive Board, outlined in the Student Senate Constitution.

b. The General Board: shall consist of the Presidents of each Class Council, Representatives from the Commuter Student Association, the Student Events Board, three Senators-at-Large, all Standing Committee Chairpersons, The Student Senate Advisor and the Dean of Students.

c. The Student Senate shall be governed by its own independent constitution which shall always be made public and available to the Student Body. Should any conflicts arise between the Student Senate Constitution and the Constitution of the Student Body, the Constitution of the Student Government Association and the Student Body shall supersede, and all conflicting sections shall be nullified. The extent of nullification and other determinations on that ground shall be made by the Dean of Students whose review shall be final.

Section Two: The Student Events Board

A) Authority: The Student Events Board shall be the primary student programming board for Siena University, and shall endeavor to produce programs for the enjoyment and benefit of the Student Body.

B) Composition: The Student Events Board will be composed of an Executive Board and a General Board.

a. The Executive Board: shall consist of The President, Vice President, Secretary, Treasurer, and all appointed members of the Executive Board appointed by the elected members.

b. The General Board: shall consist of the Co-Chairs and Chairs of all Committees of the Student Events Board, representatives of Student Senate and the Commuter Student Association, and the Student Events Board Advisor.

c. Events Committee: The Student Events Board shall establish committees dedicated to the planning of events, and shall include information regarding the aforementioned committees within their own constitution.

d. The Student Events Board shall be governed by its own independent constitution which shall always be made public and available to the Student Body. Should any conflicts arise between the Student Events Board Constitution and the Constitution of the Student Government Association and Student Body, the Constitution of the Student Government Association and Student Body shall supersede, and all conflicting sections shall be nullified. The extent of nullification and other determinations on that ground shall be made by the Dean of Students whose review shall be final.

Section Three: The Commuter Student Association

A) Authority: The Commuter Student Association shall have the power to represent the interests of all commuter students of Siena University, as well as provide programming and advocacy for the commuter student population.

B) Composition: The Composition of the Commuter Student Association shall be contained within the Constitution of the Commuter Student Association.

a. The Executive Board: shall consist of The President, Vice President, Treasurer, and Secretary and all other appointed members of the Executive Board, outlined in the Commuter Student Association Constitution.

b. The General Board: shall consist of four Event Coordinators, the Marketing Coordinator, two Commuter at Larges, Representatives from the Student Senate and the Student Events Board, the Assistant Dean of Students and the Commuter Student Association Advisor and all other members of the General Board appointed by the Executive Board, outlined in the Commuter Student Association Constitution.

c. The Commuter Student Association shall be governed by its own independent constitution which shall always be made public and available to the Student Body. Should any conflicts arise between the Commuter Student Association Constitution and the Constitution of the Student Government Association and the Student Body, the Constitution of the Student Government Association and Student Body shall supersede, and all conflicting sections shall be nullified. The extent of nullification and other determinations on that ground shall be made by the Dean of Students whose review shall be final.

Section Four: Organizational Funding

A) The Student Senate is to receive exactly eight percent (8%) of the total Student Activity Fee amount for the fiscal year, unless that figure exceeds \$27,500 which will then be the amount allocated to the Student Senate.

B) Funding for the Student Events Board shall be determined by review of the Associate Director for Student Activities and Leadership Development, Director of the Office of Student Activities and Leadership Development, and The Student Senate Treasurer, and shall include a formal and in depth proposal, from the Student Events Board Treasurer, for each of the events to be planned by the committees of the Student Events Board. An audit of the previous fiscal year may be requested by the Associate Director and Director during the course of this review process, and the review process must be completed no less than ten business days in advance of the Budget Allocation Committee's Annual Allocations Meeting.

C) Funding for the Commuter Student Association shall be determined by the Director of the Office of Student Activities and Leadership Development, and The Student Senate Treasurer. The budget proposal, from the Commuter Student Association Treasurer, shall include a complete explanation for each of the events to be planned by the Commuter Student Board of the Commuter Student Association. An analysis of previous year expenses may be requested by the Director and The Student Senate Treasurer during the proposal review process.

Article III: Joint Committee of the Student Government Association

Section One: Composition: The Joint Committee of the Student Government Association shall consist of three voting members:

- A) The Student Senate President
- B) The Student Events Board President
- C) The Commuter Student Association President

Section Two: Authority: The Executive power of the Student Body shall lie in the Joint Committee of the Student Government Association. The Committee shall have the power to:

- A) Manage all Committees which shall fall under it;
- B) Direct the creation of new committees whether they be permanent or Ad Hoc;

- C) Make suggestions to its constituent organizations on matters of policy and decision making
- D) Assist in the facilitation of collaboration between its constituent organizations, the office of Student Activities and Leadership Development, and the members of the Division of Student Life.
- E) Plan and facilitate any coordination, such as training and programming between the three Student Government Association boards.
- F) Address the concerns of the Student Body and facilitate conversation between the Joint Committee, the Student Body and members of the faculty, staff and administration.

Section Three: Meetings: Meetings of the Joint Committee of the Student Government Association shall be held at least once a month when school is in session in order to facilitate productive communication between organizations. Meetings may be called in addition to those at the request of any member.

Section Four: Organization: The Joint Committee of the Student Government Association shall be organized as an entity under the Department of Student Life. The Student Senate, Student Events Board, and The Commuter Student Association will serve as constituent organizations concurrently under the Joint Committee of the Student Government Association and the Office of Student Activities and Leadership Development.

Section Five: Voting Structure: The Student Senate, The Student Events Board, and The Commuter Student Association will each have one vote on matters brought before the Joint Committee of the Student Government Association. The representatives of The Student Senate, The Student Events Board, and The Commuter Student Association on the Joint Committee of the Student Government Association will vote in adherence to their respective boards on any matter brought before the Committee.

Article IV: Class Councils

Section One: Authority: The Class Councils shall have the authority to represent all of the members of their respective class years. Class years shall be determined by the expected date of graduation.

Section Two: Composition: The Class Councils of the respective classes shall be the President, Vice President, Secretary, and Treasurer. The Class President shall have the power to appoint additional, non-voting members, to the class council, with the approval of 3/4ths of the elected council members.

Section Three: Senior Class Council: The Senior Class Council shall be an expanded Council, including all positions that the Senior Class President sees fit to appoint in order to assist in preparations for Senior year events with the consent of the Class Council. The Senior Class Council shall be elected in the winter elections prior to the start of the Senior Year and shall serve for the entirety of the academic year.

Article V: Student Conduct Review Board

Section One: Authority: The Judicial power of the Student Body shall lie in the Student Conduct Review Board. The Board shall have the ability to hear appeals of violations of Siena Life, The Student Government Association and Student Body Constitution, or any of the Constitutions for the Constituent Organizations included herein.

Section Two: Composition: The Student Conduct Review Board shall strive to consist of nine members, generally two of Senior status, two of Junior status, two of Sophomore status, and three at-large members based on the composition of the applicant pool for the given year, one of which shall be designated Chairperson and two designated Associate Chairpersons.

Section Three: Selection: The process for the selection of members of the Student Conduct Review Board shall be supervised by the office of the Dean of Students. The Student Senate President shall always be invited to serve on the Selection Committee, and nominations made by the Selection Committee shall be approved by the Student Senate.

Section Four: Procedures: The procedures and processes for the Student Conduct Review Board shall be contained in Siena Life and shall always be made available to the Student Body.

Article VI: Elections of Officers of All Organizations and Councils

Section One: Elections shall be held at regular intervals to select officers for the aforementioned Organizations and Councils. These elections shall be organized and regulated by the Commission of the Student Government Association Elections.

Section Two: Elections shall be held once a year, before the conclusion of the fall semester in order to elect officers of the Student Senate, Student Events Board, Commuter Student Associations, and Class Councils for the following calendar year's terms.

Section Three: The timing of the aforementioned elections are to be determined by the Commission on Student Government Elections, in accordance with the Commission's bylaws.

Section Four: Elections of Officers for all aforementioned organizations will have its own independent by-laws which shall always be made public and available to the Student Body. Should any conflicts arise within the Commission of the Student Government Association Elections, the Election bylaws, the Student Government Association, and the Student Body Constitution, the Dean of Students will facilitate the resolution of said conflict. The Dean of Students review of any matter shall be final.

Article VII: Committees of the Student Government Association

Section One: All joint committees established by the constituent organizations shall fall under the jurisdiction of the Joint Committee of the Student Government Association. All committees shall have at least one and no more than four representatives from each of the constituent organizations, except when the Joint Committee of the Student Government Association shall prescribe otherwise. Each organization shall have one vote on all joint committees, regardless of the number of representatives on the committee.

Section Two: Commission of the Student Government Association Elections: The Commission on Student Government Association Elections shall be composed of three Co-Chairpersons.

A) For the purpose of the Winter elections, the Co-Chairpersons shall be the President of the Student Senate, President of the Student Events Board, and President of the Commuter Student Association.

B) If one of the Presidents of the Student Senate, Student Events Board, or the Commuter Student Association is actively participating in the Winter Elections process, they will not be permitted to be on the Election Commission. The President of the board will go down the line of succession to find a member of their board that is not participating in the Winter Election process and is able to serve on this committee. If there are no members eligible to serve on this committee, the advisor of their respective board will choose the representative.

Section Three: Ad Hoc Committees: The Joint Committee of the Student Government Association shall have the power to establish and regulate committees other than those formal standing committees established under Article VIII. Each Ad Hoc committee created under this framework shall sit until such a time its stated goals are completed, and for that purpose, upon creating, every ad hoc committee must list its stated goals, and shall not be disbanded until either those goals are met or a two thirds majority of the Joint Committee on the Student Government Association shall vote to disband the committee.

Article VIII: Amendments

Section One: Amendments By Joint Committee on Student Government Association: Any amendments proposed to this constitution by the Joint Committee on Student Government Association shall abide by the following procedures:

A) When an amendment is proposed during a session of the Joint Committee of The Student Government Association, the sitting Chairperson shall ask the member who proposed the amendment to draft a formal amendment, to be discussed at the following meeting of the Committee. Once discussion on the amendment has been had, the committee will vote on whether or not to send the proposed amendment to the three constituent organizations for approval. A simple majority is required to send an amendment to the student government organizations. Each organization will then review the amendment and either approve it or deny the amendment and return it to the Committee with its comments. Once all three organizations consent to the amendment, a special election of the entire Student Body must then be held within ten class days, or at another interval determined by the Commission on Student Government elections and approved by the Joint Committee for the Student Government Association. Approval by a two-thirds majority of the voting student body is necessary for the proposed amendment to take effect as part of this Constitution. The amendment will take effect immediately upon the verification of the results of the election.

Section Two: Amendments By Organizations: Any amendments proposed to this constitution by any of the constituent organizations of this constitution shall abide by the following procedures:

A) A proposed amendment may originate in any of the three major organizations, The Student Senate, The Student Events Board, and the Commuter Student Association. Approval by a two-thirds majority vote of the entire organization shall cause the proposed amendment to be submitted to the Joint Committee on the Student Government Association. Upon receiving the amendment request from the organization, the Joint Committee on the Student Government Association shall submit it for the consideration of the other two organizations, both of which would have to pass it by a vote of two-thirds. Should the amendment pass with two-thirds in all three organizations, a special election of the entire Student Body must then be held within ten class days, or at another interval determined by the Commission on Student Government Elections and approved by the Joint Committee for Student Government Association. Approval by a two-thirds majority of the voting student body is necessary for the proposed amendment to take effect as part of this Constitution. The amendment will take effect immediately upon the verification of the results of the election.

Section Three: Amendments by Student Body: Any amendments proposed to this constitution originating from the student body shall abide by the following procedures:

A) A proposed amendment to this constitution may originate in the student body. In order to propose an amendment, a petition with the signatures of no less than 500 signatures must be submitted to the Joint Committee on Student Government Association, with the proposed amendment attached. Following receipt and verification of the petition, the Joint Committee on Student Government Association will consider the amendment and then with its comments, submit the document for the review of the Student Senate, Student Events Board and The Commuter Student Association, who will then have ten class days to review the document and submit comments to the Joint Committee on Student Government Association. At this point, the Joint Committee on Student Government Association will schedule a meeting within five class days, to meet with the petitioner(s) in order to establish a final amendment proposal. A special election of the entire Student Body must then be held within ten class days or at another interval determined by the Commission on Student Government Elections and approved by the Joint Committee for Student Government Association. Approval by a two-thirds majority of the voting student body is necessary for the proposed amendment to take effect as part of this Constitution. The amendment will take effect immediately upon the verification of the results of the election.

Section Four: Amendments to Organizational Constitutions: Any amendments proposed in any form to the constitutions of bylaws of those constituent organizations shall follow procedures expressly stated within their own constitutions, and following the passage of any amendment, notification will be given to the Joint Committee on Student Government Association within five class days.

Article IX: Ratification

Ratification of this document requires a simple majority vote of each of the constituent organizations, following which a referendum shall be laid before the Student Body, with no less than two-thirds of the votes cast being in the affirmative required to pass. Once the vote has been passed by the Student Body, the constitution shall be immediately adopted.

Article X: Effective Date

Finalized in Committee on October 2nd, 2023 and forwarded to relevant Organizations

Approved by Student Senate on November 14, 2023

Approved by Student Events Board on November 13, 2023

Approved by the Commuter Student Association on November 15, 2023

Ratified by the Student Body in General Elections and adopted on November 16, 2023

Constitutional Committee Members

Luke Keith, President, Student Senate

Madeleine Sloan, President, Student Events Board

Lillian Kronau, President, Commuter Student Association

Maggie Cross, Advisor, Student Senate

Bella Zacardi, Advisor, Student Events Board

Thomas Schlinck, Advisor, Commuter Student Association

II. Computing-Use Policy

Please refer to the following link for the most up to date computing and ITS policies.

<https://www.siena.edu/ITSPolicies>

III. Electric Scooters, Bicycles, Skateboards, and Similar Transportation Devices Policy

Due to associated fire risks as well as concerns for the health and safety of riders, Siena University prohibits the use, storage and charging of electric scooters, bicycles, skateboards and similar transportation devices on all campus roadways, pathways, parking lots, green spaces and campus buildings including residence halls.

IV. Copyright Infringement Policy

- A. Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context often referred to as peer-to-peer (P2P) file sharing, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.
- B. Copyright infringement carries civil and criminal penalties. In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or “statutory” damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For “willful” infringement, a court may award up to \$150,000 per work infringed. A court can, at its discretion, also assess costs and attorney fees. For details, see Title 17, United States Code, Sections 504, 505. Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense.
- C. Members of the Siena community will be subject to disciplinary action for unauthorized P2P file sharing. Students will be sanctioned in accordance with the Student Code of Conduct in Siena Life. Faculty, administrators and staff found in violation will be subject to varying sanctions, up to and including, termination of employment from the University. To ensure permissible downloading of music and the like, contact ITS or visit

<https://www.siena.edu/offices/its/file-sharing-and-copyright/>. For more information on copyright laws in general, please see the Website of the U.S. Copyright Office at www.copyright.gov, especially their FAQs at www.copyright.gov/help/faq.

IV. Disorderly or Disruptive Classroom Behavior Policy

- A. Disorderly or disruptive classroom behavior violates the Siena University Student Code of Conduct. Faculty members have the discretion to require disorderly or disruptive students to leave the classroom, or any other academic space including academic offices, hallways, the library, and off-campus experiential learning sites. Failure of a student to abide by the faculty member's request to leave the academic space may result in the summoning of Public Safety. If a student is requested to leave the academic space, the faculty member will report the conduct violation to the appropriate School Dean or Office of Academic Affairs, the Dean of Students Office, and file a report with Public Safety. Egregious violations may result in removal from the course and the student receiving the final grade of "F."
- B. Faculty may report lesser conduct violations, not resulting in being removed from the class, to the appropriate School Dean/Office of Academic Affairs, the Dean of Students Office, or file a report with Public Safety.
- C. Following the report of a conduct violation, whether or not the student may return to the academic space will depend upon further discussion, investigation, or resolution of concerns with the faculty member and the School Dean/Office of Academic Affairs. The Dean of Students may be consulted. If it is determined that the student may return to the academic space, the student will be required to submit a statement to the faculty member and the School Dean/Office of Academic Affairs acknowledging the conduct violation and an understanding that a second violation will result in the student's removal from the course and a final grade of F. A student may appeal the final grade of F using the Appeal of Assigned Grades policy. The final determination of the appeal rests with the Provost.
<https://www.siena.edu/offices/academics/academic-policies-and-procedures/appeal-of-assigned-grades/>
- D. Disorderly or disruptive classroom behaviors include, but are not limited to: violence, abusive and/or threatening behavior, using abusive or obscene language, making an obscene or lewd gestures, harassment, disrespectful behavior, refusal to abide by the faculty member's and University policies, including violations of the COVID protocols or policies.

V. Official Communication of University Business

- A. Siena University recognizes many forms of communication for official University business. Administrators and faculty may use written documentation, telephone conversations, email and Web documents as formal forms of communication. Official University business includes all actions of the University including, but not limited to, providing general information, course information, disciplinary notice and general administrative functions of the University.
- B. Email accounts to all students and campus mailboxes to resident students; these are recognized as official document and notification addresses for University communications, as well as local or permanent addresses for commuting students.

VI. Posting Policy

- A. Except as expressly permitted in this section, no printed material may be on, attached to, or written on any structure or natural feature of the University facility, such as the sides, doors, windows of buildings, the surface of light posts, monuments, sculptures, waste receptacles, trees, rocks, benches, free-standing signs or statues. No printed materials may be placed on vehicles except by members of the Siena Public Safety staff for official notices.
- B. Student organizations must submit their material for approval via the Flyer Approval Form on Saints Connect. Once approved, the flyer will be placed into the digital marketing slideshow. Next steps for hard copy flyers are described in D and E.
- C. Sites available to members of the campus community include all departmental bulletin boards located in office and classroom areas. Posting is only allowed on bulletin boards, not on walls or other areas. Permission from the department or administrative unit is required. Chalking is prohibited.
- D. Residence halls and townhouses: Prior permission/approval of the Director of Community Living is required. Materials to be approved are to be left with the Office of Community Living a minimum of three business days prior to the requested posting date. If approved, Community Living will coordinate the distribution.
- E. Sarazen Student Union: Prior permission/approval of the Student Activities and Leadership Development Office is required. Materials to be approved must be dropped off in Sarazen Student Union Room 302 at least seven business days prior to the requested posting date. Student Activities and Leadership Development will post two copies in the Sarazen Student Union for you and can bring up to 35 copies to Community Living to have them distributed amongst the residence halls.
- F. Material authorized for posting will be limited to that which complements the mission of the University, reflects a responsible expression of an opinion or idea, and will not result in a disruption or interference with the orderly operation of the University. Material that is threatening, harassing or sexually explicit is prohibited. In cases where there is some question of whether material meets these guidelines, the Director of Student Activities in consultation with the Dean of Students or designee, may request the individual or group to modify their content before approval for posting is authorized.
- G. Non-University Organizations:
 - 1. Non-university organizations may not post or distribute materials on campus without the express permission of the Student Activities and Leadership Development office.
 - 2. Upon approval, all materials will be stamped as such and will include the date materials must be removed. Posting is not allowed on painted surfaces, wood or glass.
 - 3. Non-university organizations will be limited to a maximum of 10 flyers posted on campus per event.
 - 4. Only those requests that complement the mission of the University will be approved.
 - 5. Program planners are responsible for removing posters at the conclusion of the event.
 - 6. Sites available for posting to the general public include Sarazen Student Union, Marcella Athletic Complex and Lonnstrom Dining Hall.
 - 7. Non-university organizations are prohibited from posting in campus academic buildings. Postings approved by the Director of Student Activities and Leadership Development may be submitted to the Director of Community Living for permission to distribute in the residence halls and townhouses. If approved, Community Living will coordinate the distribution of the materials.

VII. Preferred Name Policy

- A. At Siena, diversity is an invitation to celebrate the uniqueness of each individual, as well as the cultural differences that enrich us all. Siena strives to ensure that individuals from all backgrounds and perspectives are served equitably. The diversity that students, staff and faculty bring to the University are viewed as a resource, strength and benefit to the University as a whole.
- B. Siena recognizes that some students prefer to identify themselves by a first name other than their legal name. Last names can be changed only with a legal name change. Under Siena's Preferred Name policy, any student may choose to identify a preferred first name, in addition to their legal name. The University acknowledges that a preferred name should be used whenever possible in the course of University related systems and documents, except where the use of the legal name is required by university business or legal need.
- C. Legal Names:
 Students should note that use of a preferred name does not constitute a legal name change. Please note that some records may require the use of legal names only. The legal name will continue to be used in connection with certain official documents, including but not limited to, academic transcripts, health records, Public Safety records, account statement and billing, financial aid forms, tax forms and payroll documentation. Students who are utilizing a preferred name should always be prepared to reference their legal name, as necessary. In order to change the name on certain official university records, you must legally change your name. A legal name change is recognized by submitting a social security card, passport, and/or government issued visa with the new legal name.

Preferred Name Will Appear:	Legal Name Will Appear:
<ul style="list-style-type: none"> • Online directory 	<ul style="list-style-type: none"> • Financial Aid and Billing Records and Communication
<ul style="list-style-type: none"> • Class rosters 	<ul style="list-style-type: none"> • Official and Unofficial Transcripts
<ul style="list-style-type: none"> • Blackboard 	<ul style="list-style-type: none"> • Paychecks and Paystubs
<ul style="list-style-type: none"> • Faculty Advisee Lists 	<ul style="list-style-type: none"> • Public Safety Records
<ul style="list-style-type: none"> • Degree Audit 	<ul style="list-style-type: none"> • Registrar's Office Records (i.e. permanent student file records)
<ul style="list-style-type: none"> • Housing License Contracts 	<ul style="list-style-type: none"> • Student Health Services
<ul style="list-style-type: none"> • Library Records 	<ul style="list-style-type: none"> • Study Abroad and Study Away (i.e. travel documents, signature documents)
<ul style="list-style-type: none"> • Diploma 	<ul style="list-style-type: none"> • Some official forms or correspondence from the University
<ul style="list-style-type: none"> • Community Living Rosters 	<ul style="list-style-type: none"> • Other official documentation which requires the use of an individual's legal name
<ul style="list-style-type: none"> • Saint ID card 	
<ul style="list-style-type: none"> • Email display name 	

- D. Procedures to Request Preferred Name:
1. Students who choose to use a preferred name may add their preferred name in the "Personal Information" section of their Banner Student Self Service page. Changes may take up to 24-48 hours to update in various University systems. Approved students can obtain a new SAINT ID card with the preferred name after this processing period by request at the Business Services counter in the Sarazen Student Union, Room 229.
 2. The Office of the Dean of Students has the authority to deny any request for a preferred name or remove a preferred name, especially in cases where the preferred name was created for the purpose of avoiding legal obligation or misrepresentation; names which are not administratively possible to implement (such as symbols or images); or names deemed inappropriate, offensive or derogatory. Preferred name requests may also be denied due to multiple requests from the same person.
 3. In the rare circumstance when a denial is made, the student may appeal the decision in writing within five business days to the Dean of Students. The Dean of Students will convene an appeal committee comprising the following representatives or their designee: Associate/Assistant Dean of Students, Associate Vice President of Academic Affairs, Title IX Coordinator/EOS, and Director of the Damietta Cross-Cultural Center to consider the appeal. The committee will make a formal recommendation to the Dean of Students regarding approval of the preferred name request.
- E. Student Privacy Considerations:
Consistent with the Family Educational Rights and Privacy Act (FERPA), Siena University allows for the release of directory information, which includes a student's preferred name. If a student does not want disclosure of the preferred name to external organizations or persons, students may suppress the release of the directory information by making a written request to the Registrar's Office. Students who do so will have a confidentiality hold on all of their records. If a student has a confidentiality hold on their records, not only will this information not appear in any University directories, but the University will also be unable to place the student's name in the commencement program at the time of graduation, or verify the student's degree, major or enrollment for possible employment, credit-card applications, or insurance or mortgage-qualifying purposes. A student who has a confidentiality hold on their records may rescind a "no release clause" at any time in writing to the Registrar's Office.
- F. Additional Information:
For additional questions regarding the Preferred Name policy, please contact the Office of the Dean of Students.

VIII. Smoking / Tobacco Free Campus Policy

- A. Purpose:
To ensure that all Siena University facilities and properties are tobacco-free in an effort to provide Siena University's faculty, staff, administrators, students and visitors with a healthy, respectful working and learning environment. This policy applies to all: students, employees, including faculty, administrators and staff; volunteers, visitors and other individuals in or on any University facilities or outdoor area.
- B. Definitions:

1. Tobacco Use: The act of using any tobacco product in any University facility or outdoor area, including, chewing tobacco, and the act of smoking or carrying a lighted cigar, cigarette, pipe or any other smoking material or device (i.e. e-cigarette, vaporizer (vape), hookah, THC oils).
2. Tobacco Free: The prohibited use of any tobacco product in any University facility or outdoor area, including, chewing tobacco, and the act of smoking or carrying a lighted cigar, cigarette, pipe or any other smoking material or device (i.e. e-cigarette, vaporizer (vape), hookah, THC oils).
3. Personal Owned Vehicle: Personal owned and rented vehicles for personal, non-University use only.
4. University Facilities: Any facility or property that is owned, leased, used or occupied by Siena University including but not limited to: private offices, lounges, dining areas, recreational facilities, residence halls, storage areas, service shops, garages, tunnels, sidewalks, facilities operations areas, athletic facilities, all University vehicles (owned or leased), and personal owned and rented vehicles when used to transport Siena University faculty, staff or students on any University-related business, academic or student life activities.
5. Outdoor Areas: All Siena University owned property to include owned and leased property; outdoor areas consisting of all roads, parking lots, sidewalks, athletic fields, lawn areas and any University facility entrance or egress.

C. Policy:

1. The evidence and the trends reflect that tobacco use, smoking and exposure to secondhand tobacco smoke are significant health hazards. Under the Environmental Protection Agency (EPA) Guidelines, tobacco is a Group A carcinogen (cancer-causing agent), known to cause heart disease, cancer, respiratory issues and irritation to the eyes and nose.
2. Siena University desires to protect the health, comfort, and safe working environment for its faculty, staff, administrators, students, visitors, and vendors. It is Siena University's policy to provide a tobacco-free environment in all University facilities and outdoor areas in full conformance with applicable statutes including the New York State Clean Indoor Air Act (Public Health Law Article 13-E).
3. It is also the policy of Siena University to prohibit the sale of tobacco products on campus. The possession of tobacco products are not prohibited and not covered under this policy unless the products are in the act of being used.

D. Procedure:

1. Tobacco use is prohibited in all of Siena University's facilities and outdoor areas. Organizers of public events on campus are responsible for communicating this policy to attendees.
2. Responsibilities/Enforcement: Enforcement should not be punitive, but rather consist of policy reminders and guidance for minor offenders. Faculty, staff, administrators and students are expected to remind individuals who they see violate the policy, in a professional and courteous manner, that Siena University is a tobacco-free campus. The University reserves the right to initiate disciplinary actions, which may include counseling, verbal and written warnings and education or other appropriate disciplinary actions in accordance with the student handbook, Siena Life, for students and the faculty,

staff and administrator handbooks. If an individual is a member of the Siena community and refuses to comply, they should be reported to the following:

- a. Human Resources (for Faculty, Administrators, Staff)
 - b. Dean of Students Office (for students)
3. If an individual is a visitor on campus and refuses to comply, a report should be made to the event organizer and/or Public Safety.
 4. While the University recognizes the difficulty this policy may cause for some of the community, it is incumbent on the University to enforce the policy as stated. This will be done in a reasonable and equitable manner.

IX. Solicitation and Vendor Policy

- A. Commercial solicitation (any solicitation involving an exchange of goods and/or money) is permitted on campus as outlined in this policy. Siena University permits commercial solicitation on campus by the following, provided the appropriate approval process, as outlined below, has been completed:
 1. clubs and organizations that are recognized by the Student Senate
 2. authorized representatives of University offices and departments (e.g., Admissions, Development and External Affairs, Community Living, Franciscan Center for Service and Advocacy, Chaplain's Office, Damietta Cross-Cultural Center, athletic teams, and academic departments including class project groups, honor societies, and other academic organizations)
 3. student-owned businesses recognized by the Stack Center for Innovation and Entrepreneurship and/or that are [registered in New York State and have a Certificate of Authority](#).
 4. outside vendors
- B. General Guidelines:
 1. No door-to-door sales may take place within the residence halls. The only exception can be Community Living sponsored activities within the respective hall, as approved by the Residence Hall Director or designee.
 2. No sales are to occur out of one's residence hall room/suite or townhouse or living area.
 3. No soliciting or sale of items generally prohibited on campus or prohibited in residential facilities.
 4. Soliciting or canvassing, political or otherwise by outside agencies other than those approved by the Director of Student Activities and Leadership Development or designee is prohibited. Siena University does not permit credit-card companies to market on campus, nor are any student groups or organizations permitted to utilize credit-card offers for fundraising purposes.
 5. If the sale of merchandise is in competition with a contracted campus services (i.e. AVI Dining Services, Bookstore, Athletics, etc.), approval must be obtained from the impacted area.
 6. Applicable New York State sales tax must be collected in all sales on campus.
 7. In accordance with Siena Life, and the Catholic and Franciscan values inherent in the mission of the institutions, goods sold on campus should uphold the respect and dignity of the self, property, and others. In addition:

- a. Merchandise and/or services may not be sexually explicit.
- b. Merchandise and/or services may not contain derogatory statements or images about gender, race, religion, ethnicity, or sexual orientation.
- c. Merchandise and/or services may not contain negative statements about the Catholic Church, its institutions and/or parishioners.
- d. Merchandise and/or services may not contain profanity.
- e. Merchandise and/or services may not violate any existing trademark, trade name, brand or copyrights (i.e. clothing, purses, copied CD's, DVD's, etc.).
- f. Merchandise and/or services may not contain Siena University logos and images, unless approval is granted by the Siena University Office of Marketing and Communications.
- g. Preference is given to Fair Trade merchandise.

C. Guidelines for Clubs and Organizations Recognized by the Student Senate:

1. All sales of items and services must be approved by the Student Senate, prior to the start of any sales or advertising pertaining to the sale.
2. A club or organization wishing to hold a sale in a residence hall must receive approval from the Director of Community Living or designee, prior to going to the Student Senate for approval.
3. Sales taking place in lobbies of university buildings, other than residence halls, must reserve the space through the Campus Scheduler. Fundraisers must be approved by the Student Senate before a space reservation can be made.
4. An organization wishing to sponsor a sale or fundraising event must submit a request to hold a fundraiser through SAINTS CONNECT on an event request form. This includes all fundraising efforts (on and off campus, virtual or otherwise.) Approval of the Event Form for the fundraiser must be acquired prior to starting advertising or sales. The Event Form should include the following:
 - a. Description of what is being sold
 - b. Prices of the merchandise
 - c. Where the fundraising event will be held
 - d. If the sale of merchandise will be in competition with contracted services (e.g. AVI Dining Services, Bookstore, Athletics, etc.). If it is, approval must be obtained from the impacted area.
 - e. All proceeds from fundraisers must be deposited into the club account as outlined in the Club Finance Manual in Saints Connect. Generally, electronic payment is prohibited for fundraisers and sales. For exceptions to this, permission must be granted by the Director of Student Activities and Leadership Development in advance of any fundraiser or sale wishing to gather payments electronically. This includes those clubs and organizations which may be affiliated with outside organizations.
5. All t-shirt and merchandise designs must be approved by both the club advisor/coach and the Director of Student Activities and Leadership Development.
6. Use of all University logos and images must be approved by the Director of Student Activities and Leadership Development, or designee, under the advisement of the Office of Marketing and Communications.

- D. Guidelines for Authorized Representatives of University Offices and Departments (i.e. Admissions, Development and External Affairs, Community Living, Office of Mission, Franciscan Center for Service and Advocacy, Chaplain's Office, Damietta Cross-Cultural Center, athletic teams, and academic departments including class project groups, honor societies and other academic organizations).
1. Authorized representatives of University Offices and Departments are required to submit a written request to the Director of Student Activities and Leadership Development (activities@siena.edu) for any fundraising effort on campus aimed at students involving the sale of goods or services or requests for donations. Representatives are requested to comply with this process for the purpose of coordinating campus events.
 2. All sales initiatives must be reviewed and approved by the administrator, faculty, or staff member responsible for the student representative(s).
 3. Groups must reserve campus spaces through the Campus Scheduler.
 4. Authorized Student Representatives wishing to hold a sale in a residence hall lobby must receive approval from the Director of Community Living, or designee.
- E. Guidelines for Student-Owned Businesses: must be recognized by the Stack Center for Innovation and Entrepreneurship and/or that are [registered in New York State and have a Certificate of Authority](#). Students wishing to sell products or services of their student-owned business on campus must receive approval from the Director of Student Activities and Leadership Development, or designee.
- F. Guidelines for Outside Vendors: Outside vendors must be sponsored by a University department, office or recognized student club or organization. The department, office, club or organization must follow the appropriate process as outlined above to receive approval.

X. **Speakers' Policy**

- A. Brief Overview of the Policy:
The Siena University Speakers' Policy sets forth the guidelines for bringing in outside speakers and performers to campus.
- B. Reason for Policy:
This policy ensures protection of discourse and that adequate preparation, review, and notice are undertaken in selecting and approving outside speakers/performers.
- C. Scope of the Policy: Entities or Individuals affected by this policy
All members of the Siena community as well as outside attendees at events are subject to this policy.
- D. The Official Policy:
1. As a liberal arts institution, Siena seeks to foster the rigorous intellectual development of its students through a lively exchange of ideas both inside and outside the classroom. As a Catholic University, Siena has the responsibility to promote disciplined reflection on the Catholic intellectual tradition and constructive engagement of that tradition with diverse ideas and perspectives. As a Franciscan institution, Siena strives to embody the vision of St. Francis of Assisi by sustaining a community wherein each member is treated as a brother or sister, and mutual relations are characterized by courtesy, humility, kindness, and respect.

Our mission as a Catholic, Franciscan, liberal arts institution requires that we entertain a full range of ideas on campus. We have nothing to fear from engaging the wider culture

in an open and unconstrained search for truth. Siena should not and does not seek to insulate its faith tradition from reasonable critique nor from views contrary to Catholic teaching. Neither should Siena feel constrained from celebrating and promoting its core values. It is equally Siena's responsibility to engage and debate views in conflict with its core values, so long as the partners in that debate are respectful of the persons whose views may differ markedly from their own. Consistent with our Franciscan heritage, passionate disagreement over ideas should never degenerate into ad hominem appeals or attacks on the fundamental human dignity of one's intellectual adversaries. The challenge for Siena is to remain faithful to all aspects of its mission, especially in those situations when the various elements of that mission appear to be in conflict with each other.

2. To this end, the following guidelines should be observed when various constituencies of the University invite outside speakers or sponsor events:
 - a. As an academic institution, the University has an obligation to promote the free discussion of serious issues which may be controversial in nature. Presentations that have academic or artistic merit, including those that may be deliberately provocative, are acceptable. Presentations that are gratuitously offensive or overtly and insistently contemptuous of the values and sensibilities of the Siena community are not.
 - b. All speakers/performers must be sponsored by a University office, department, official University committee or officially recognized student club or organization. Any proposed speaker/performer must be approved by the divisional vice president in writing prior to contracting. The generic Speaker Review Form or a customized divisional alternative must be completed by the sponsor and submitted to the divisional Vice President or for approval. The Vice President may convene an ad hoc advisory/review group to assess the risks associated with the proposed speaker. The VP may assign any of these duties to their designee(s). For any speaker outside of the academic or student divisions, the University Risk Officer will work to identify the appropriate VP and their designee who will oversee compliance with the policy in that case. The University Risk Officer will provide guidance to the owner as necessary.
 - c. Departments and offices should act within their area of expertise and mission in sponsoring or co-sponsoring speakers or events.
 - d. It should be made clear that sponsorship of the speaker or the event does not imply an endorsement by Siena University of the views expressed by that speaker or that event.
 - e. Sponsors are encouraged to contact Public Safety no later than at the time of contracting with the speaker/performer for events with more than fifty (50) anticipated attendees to coordinate parking, accessibility, safety, VIPs, etc. The VP or designee(s) may require consultation with Public Safety if they determine that:
 - i. the complexity of the event requires the involvement of more than one campus administrative unit;
 - ii. that the event is likely to significantly affect campus safety and security;
 - iii. the event has a substantial likelihood of interfering with other campus functions or activities;

- iv. or if the event is a dance or concert, regardless of how many attendees
- f. Sponsors are to contact Marketing and Communications prior to the time of contracting with the speaker/performer to assess feasibility of advertising and marketing of the event.
- g. Attendees may not engage in loud outbursts, profane, vulgar, inflammatory, threatening, abusive or disparaging language or other disruptive conduct or behavior. Persons who do so may be asked to leave and/or subject to disciplinary action.
- h. In extremely rare circumstances, the University may determine that a presentation or event should be modified in format, postponed, or even cancelled. Such a decision must involve open and respectful consultation with members of the Siena community including the event's sponsor and must be guided by the principle that the remedy for controversial speech is more speech. Rather than restricting legitimate academic and artistic expression, the conversation could be broadened by providing an open forum after a speaker's presentation in which multiple viewpoints and voices can be heard; the deliberate inclusion of qualified speakers who can articulate alternative perspectives on the contentious issue; or the sponsorship of speakers who hold opposing views over the course of a semester or academic year. Ultimately, however, the President of the University will have final authority in making these decisions.

E. Exceptions:

The University reserves the right to restrict the time, place and manner of any event that is subject to this policy although such restrictions shall be applied without discrimination toward the content of the view being expressed or the speaker. However, if the content of the speech or actions of the speaker are such that they endanger or imminently threaten to endanger the safety of any member of the community or any of the campus or community physical facilities or if the activity disrupts or obstructs the functions of the University or threatens such disruption or destruction, the University may, at its discretion, modify the time, place or manner of the event or reject and/or cancel any such event. Moreover, any indicator that there will be conduct that increases the likelihood of violence and potential injury may result in the rejection and/or cancellation of the event by the University. Any such decision shall be at the sole discretion of the University.

XI. Student Internal Complaint Policy

- A. This policy serves as a guide for students who wish to file a complaint about any aspect of Siena's operations/policies/procedures. Additionally, a student may utilize this process to file a complaint against any employee of the University (e.g. faculty member, administrator, staff member) or any visitor, volunteer or contractor (referred to as respondent). A student may choose to pursue the internal complaint either through an informal or formal process. The University does not accept internal complaints by non-students.
- B. Students uncertain about how to proceed may consult the Office of the Dean of Students who shall identify the appropriate contact person. The student may also seek support from a Human Resources representative, who may act as an ombudsman to facilitate and/or mediate the process.
- C. If the complaint involves an incident of sexual misconduct or discriminatory based harassment, then the person to whom the student reported the complaint must refer the complaint to the Title IX Coordinator/Equal Opportunity Specialist to be reviewed under

Siena University's Discrimination and Harassment Policy or Sexual Misconduct Policy. If the Title IX Coordinator/Equal Opportunity Specialist determines that the University's Discrimination and Harassment Policy or Sexual Misconduct Policy does not apply, the complaint shall be referred back to the supervisor or administrator receiving the complaint. If the complaint involves an assigned grade, the student should refer to the procedures for "Appeal of Assigned Grades" in the University Catalog.

D. In all instances, a student must be assured that no adverse action will be taken against the student for making a complaint. However, if a student intentionally furnishes false information, they may be referred to the Dean of Students office.

E. Procedures:

1. Informal Resolution:

a. Students wishing to pursue an internal complaint informally shall first contact and meet with either the supervisor of the individual or administrator responsible for the operation/policy/procedure. This is usually the Director/Department Head or Academic Dean. They will informally investigate the complaint, normally within seven to ten business days, and meet with the respondent to provide a letter of finding. The student may also request that the matter be resolved later, for example, after they have completed a course.

b. If the supervisor or administrator finds that the complaint is justified, the supervisor or administrator will address the situation and, if applicable, see that it is corrected pursuant to the applicable procedure. Any corrective or disciplinary action for respondents will be made in consultation with the Office of Human Resources. The supervisor or administrator may also determine that the complaint is unfounded.

c. With either outcome, the supervisor or administrator will meet with the student and inform them of the result, to the extent possible, keeping in mind that employee disciplinary matters are confidential.

d. If either the respondent or student is not satisfied with the informal resolution, either party may end the informal resolution process and the internal complaint will be resolved through the formal process.

2. Formal Resolution:

a. Filing of a Written Complaint: The formal complaint must be filed in writing with either the supervisor of the individual or administrator responsible for the operation/policy/procedure. This is usually the Director/Department Head or Academic Dean.

b. In their written complaint, the complainant must include the following:

i. A description of the facts supporting their complaint

ii. Any supporting documentation/evidence

iii. A description of the redress being sought

iv. The name, contact information and signature of the student initiating the complaint

c. The supervisor or administrator will investigate the incident, normally within seven to ten business days, and meet with the respondent to provide a letter of finding. The student may also request that the matter be resolved later, for example, after they have completed a course.

d. If the supervisor or administrator finds that the complaint is justified, the supervisor or administrator will address the situation and, if applicable, see that it is corrected

- pursuant to the applicable procedure. Any corrective or disciplinary action for respondents will be made in consultation with the Office of Human Resources. The supervisor or administrator may also determine that the complaint is unfounded.
- e. With either outcome, the supervisor or administrator will meet with the student and inform them in writing of the findings, keeping in mind that employee disciplinary matters are confidential.
3. **Student Appeal:**
 - a. Students have five business days from the date of the letter of finding to submit an appeal to the investigating supervisor or administrator's supervisor. This is usually an Assistant/Associate Vice President/Dean or Vice President/Dean.
 - b. All appeals must be in writing, submitted by the student, and must specify the grounds for the appeal. The University does not accept appeals submitted by others (including parents and attorneys on behalf of a student); the student must file their own appeal.
 - c. The student will be notified in writing of the decision within seven business days, keeping in mind that employee disciplinary matters are confidential. The appeal decision is final.
 4. **Respondent Appeal:**
 - a. A respondent has five business days from the date of the letter of finding to submit an appeal to the investigating supervisor or administrator's supervisor. This is usually the Assistant/Associate Vice President/Dean or Vice President/Dean.
 - b. All appeals must be in writing and must specify the grounds for the appeal.
 - c. If an applicable appellate review process applies, such process shall be followed. Otherwise, appellate review shall be provided in consultation with the Office of Human Resources. The supervisor will meet with the respondent to provide written notification of the decision within seven business days. Any corrective or disciplinary action for respondents will be made in consultation with the Office of Human Resources. The appeal decision is final.
 5. All documentation regarding a complaint against an individual employee and the resolution will be forwarded and stored in the Office of Human Resources.
 6. The University reserves the right to extend the timelines set forth above if it determines that circumstances warrant such extension.
 7. If a circumstance occurs in which the parameters of this policy do not apply (e.g. an appeal to a direct report of a Vice President) a Human Resources representative will designate an individual to resolve the complaint.

XII. Student Records

Overview

- A. Family Educational Rights and Privacy Act: The Family Educational Rights and Privacy Act of 1974 (FERPA), 20 U.S.C. § 1232g and 34 CFR Part 99, governs students' access to and confidentiality of their education records maintained by Siena University. The University notifies students annually of their rights under FERPA. Students have the right to file a written complaint with the Office of Family Compliance at the U.S. Department of Education if they believe the University failed to comply with FERPA.

- B. Education Records Defined: Education records are any records (in handwriting, print, tapes, film, computer or other medium) that are directly related to a student and maintained by the University or by a party acting for the University. They are not: 1) records that are kept in the sole possession of the maker, such as a faculty member, who makes the record for a personal memory aid and does not share the record with anyone other than a temporary substitute for him or her; 2) records created and maintained by the University's Public Safety department for law enforcement purposes; 3) employment records; 4) records made or maintained by medical professionals if the records are used only for treatment of a student and made available only to those persons for providing the treatment; or 5) alumni records which contain information about a student after they are no longer in attendance at the University.
- C. Student Access to Records: Records available for student inspection are those that fall under the definition of education records and generally include academic, financial aid and disciplinary records. References, ratings and/or observations completed before 1-1-75 are not available to students. Students do not have the right to inspect any financial data and income tax forms submitted in confidence by their parents in connection with an application for, or receipt of, financial aid. Concerning a record that contains information relating to more than one student, student access is limited to the portion of the record that pertains only to him/herself. Requests to inspect education records should be made in writing to the specific University office maintaining it. The records, files and/or data will be made available no later than 45 days from the time the written request is received. Materials will be reproduced at a cost of \$.50 per page for records and \$5.00 for a transcript.
- D. Amendment of Education Records: A student may request in writing an amendment to their education record that they believe to be inaccurate, misleading or otherwise in violation of their privacy rights. If, upon review of the student's request and record, the University determines that the amendment is not warranted, the student will be advised accordingly and given the right to a hearing conducted by an administrative officer of the University who does not have a direct interest in the outcome. At the conclusion of the hearing, the University will either amend the record and inform the student in writing of the amendment, or decide that the education record as written should stand. If the University determines that the record should not be changed, the student will be given the right to place a statement in the record commenting on the contested information and/or why they disagree with the University's decision.
- E. Disclosure of Education Records: Siena University will disclose information from a student's education records only with the student's prior written consent. The University will not need to obtain the student's consent if FEPPRA allows the records to be released without it. Student consent will not be required if the disclosure is:
1. To other school officials whom the University has determined to have legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic or research, or support-staff position. These people include health or medical staff; a person elected to the Board of Trustees; a person employed by or under contract with the University to perform a special task such as an attorney, auditor, or outside vendor; a person who is employed by the University's Public Safety department; and a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing their tasks. A school official has a legitimate educational interest if they are performing a task that is specified in their job description or contract agreement; performing a task related to the student's education; providing a task related to the discipline of a student; providing a service or benefit relating to a student or student's family, such as health care,

counseling, job placement or financial aid; or maintaining the safety and security of the University.

2. To authorized officials, such as officials of other schools in which the student seeks to enroll, certain federal, state and local officials, or specified officials for audit or evaluation purposes
3. To accrediting organizations or organizations conducting certain studies for or on behalf of the University
4. In connection with a student's application for, or receipt of, financial aid
5. In the case of an emergency, if the knowledge of such information is necessary to protect the health and safety of the student or other persons
6. To comply with a judicial order or lawfully issued subpoena or is related to legal action involving the University and the student
7. In connection with certain disciplinary actions
8. To parents of a dependent student, as defined in section 152 of the Internal Revenue Code of 1986. The University may, but is not required to, disclose information to parents of a dependent student. However, the University will not do so upon evidence that there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes their rights as a parent. The University does not have an obligation to disclose any financial information about one parent to another.

- F. Conduct Related Official Transcript Notations: A notation will be added to the official Siena University transcript of students found responsible for a violation of the University's Code of Conduct (Siena Life) that meets the definition of a crime of violence pursuant to the Federal Clery Act established in 20 U.S.C. 1092 (F) (1) (I)- (VII), and is sanctioned with suspension, dismissal or expulsion.

Where the sanction is a suspension, the following notation will be listed: "Suspended after a finding of responsibility for a code of conduct violation"

Where the sanction is a dismissal, the following notation will be listed: "Dismissed after a finding of responsibility for a code of conduct violation."

Students with the sanction of suspension or dismissal seeking removal of a transcript notation may submit a written appeal to the Office of the Dean of Students one year after the conclusion of their sanction. The notation shall not be removed prior to one year after the conclusion of their sanction. The Dean, in consultation with other University officials, will review and accept or deny the appeal. The student will be notified in writing and, if the appeal is granted, the notation will be removed within ten business days upon receipt of the appeal.

Where the sanction is an expulsion, the following notation will be listed: "Expelled after a finding of responsibility for a code of conduct violation". This notation is permanent and cannot be removed.

For a student that withdraws from the University while such cases are pending and declines to complete the conduct process, the transcript will read: "Withdrew with conduct charges pending". This notation will stand until the conduct process is complete.

In all cases, an administrative hold will be placed on the student's record. The hold will prevent future registrations, distribution of transcripts and/or diplomas and may only be removed with permission of the Office of the Dean of Students.

In all cases, an administrative hold will be placed on the student's record. The hold will prevent future registrations, distribution of transcripts and/or diplomas and may only be removed with permission of the Office of the Dean of Students.

G. Directory Information and Request to Prevent Disclosure:

1. The following is considered directory information, which may be disclosed to third parties without the student's prior written consent: the student's name, address (both local and permanent, and email address), telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, photographs, dates of attendance, degrees and awards received, class level or year (e.g. freshman or junior), enrollment status (e.g. full-time or part-time) and the most recent previous educational agency or institution attended by the student. Directory information will not be made available to the party requesting it unless the appropriate administrative officer of the University has considered and approved the request.
2. Students may suppress the release of the directory information by making a written request to the Registrar's Office. Students who do so will have a confidentiality hold on all of their records. If a student has a confidentiality hold on their records, not only will this information not appear in any University directories, but the University will also be unable to place the student's name in the commencement program at the time of graduation, or verify the student's degree, major or enrollment for possible employment, credit-card applications, or insurance or mortgage-qualifying purposes. A student who has a confidentiality hold on their records may rescind a "no release clause" at any time in writing to the Registrar's Office.

H. Student Disciplinary Records Retention:

1. The Dean of Students Office maintains disciplinary records and a disciplinary tracking system, which may include, but not be limited to, the respondent's name and related information, description of the incident, parties involved, policy violations, sanctions, and other data deemed relevant. Such information will be maintained in accordance with the provisions of FERPA. Disciplinary records will be made available to hearing boards and University officials designated in the student conduct review process as necessary.
2. Student disciplinary records are maintained by the University for a period of seven years from graduation or the date of the last incident (whichever is later), with the exception of those cases which resulted in suspension, dismissal or expulsion from the University (which are kept permanently) or for which an outstanding hold is still on a student account.

I. Student Disciplinary Records – Release of Information:

1. If a student wishes the Dean of Students Office to release information regarding their disciplinary records to a third party, they must submit written authorization to the University. Upon receiving the student's written authorization, the University will release only disciplinary records where the student is found responsible and the incident resulted in a sanction of disciplinary probation, dismissal from university housing, suspension,

involuntary termination/administrative withdrawal, dismissal from the University, or expulsion. Please note that the Public Safety Department may release any conduct information that it maintains on a student, since law enforcement records created and maintained by a law enforcement unit for law enforcement purposes are not considered education records.

2. The University reserves the right to release information from a student's disciplinary record to third parties without the student's prior written consent in accordance with FERPA regulations which allow nonconsensual disclosure under certain conditions. In connection with the condition relating to disclosure of information in disciplinary cases, the following apply:
 - a. As stated in the parental notification sections, the University reserves the right, without student consent, to notify parents of students in health or safety emergencies, in cases of alcohol and/or drug policy violations if the student is under 21, and other instances permitted under FERPA. The University also reserves the right to provide notification to parents of students of other types of disciplinary actions with a signed release from the student. Parental notification of all types of disciplinary actions will usually be in writing after the case has been resolved in accordance with the conduct review process. Finally, the University may, but is not required to, provide information from a student's disciplinary record to parents of dependent students. The University will do so, however, only upon evidence from the parents that their child is a dependent student, as that term is defined in section 152 of the Internal Revenue Code of 1986.
 - b. If the student is an alleged perpetrator of the University's Sexual Misconduct Policy or violent crimes that are violations of the University's Code of Conduct, the University may disclose information from his or her disciplinary record to the victim and others. If the disclosure is to the victim making the allegations, then such disclosure may only include the final results of the disciplinary proceeding, regardless of whether the University concluded that a violation of the Code of Conduct was committed. If the disclosure is to anyone else, then the University must have concluded that the student committed a violation of the Code of Conduct before making the disclosure. Also, in such an instance, the University may not disclose the name of any other student, including a victim or witnesses, without the prior written consent of the other student.

XIII. Drug and Alcohol Policy for Employees

The problems associated with drug and alcohol use are a major concern in this country. The passage of the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act Amendments have placed requirements on institutions of Higher Education to develop policies and to provide information to employees on drug and alcohol use.

This brochure is designed to provide all faculty, administrators, staff and student employees with a copy of the University's Drug and Alcohol Policy, as well as information on (1) the health risks associated with drug and alcohol use, (2) the information, counseling and rehabilitation services available, (3) the federal, state and University sanctions that may be imposed for violations and (4) faculty, administrators, staff and student employer responsibility and standards of conduct.

Below is the link to the Siena University Drug and Alcohol Policy: <https://www.siena.edu/DrugPolicy>

