POLICY MANUAL

VOLUME VII

STUDENT LIFE AND RESIDENCE POLICIES

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<thead>
<tr>
<th>Date</th>
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</thead>
<tbody>
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</tr>
</tbody>
</table>
# TABLE OF CONTENTS

## Volume VII

**STUDENT LIFE AND RESIDENCE POLICIES**

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>7.0</td>
<td>INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td>7.1</td>
<td>General Student Information</td>
<td>1</td>
</tr>
<tr>
<td>7.1.1</td>
<td>College Hours of Operation</td>
<td>1</td>
</tr>
<tr>
<td>7.1.2</td>
<td>Activity Hour</td>
<td>1</td>
</tr>
<tr>
<td>7.1.3</td>
<td>Recreational Activity</td>
<td>1</td>
</tr>
<tr>
<td>7.1.4</td>
<td>Group Demonstrations</td>
<td>1</td>
</tr>
<tr>
<td>7.2</td>
<td>Student Services</td>
<td>2</td>
</tr>
<tr>
<td>7.2.1</td>
<td>Student Affairs</td>
<td>2</td>
</tr>
<tr>
<td>7.2.1.1</td>
<td>Mission Statement</td>
<td>2</td>
</tr>
<tr>
<td>7.2.1.2</td>
<td>Goals</td>
<td>2</td>
</tr>
<tr>
<td>7.2.1.3</td>
<td>Organizing Principles and Values</td>
<td>2</td>
</tr>
<tr>
<td>7.2.1.4</td>
<td>Student Affairs Office</td>
<td>3</td>
</tr>
<tr>
<td>7.2.1</td>
<td>Career Planning</td>
<td>3</td>
</tr>
<tr>
<td>7.2.1.1</td>
<td>Choosing a Major</td>
<td>3</td>
</tr>
<tr>
<td>7.2.1.2</td>
<td>Credential Files</td>
<td>3</td>
</tr>
<tr>
<td>7.2.1.3</td>
<td>Semester Career Events</td>
<td>3</td>
</tr>
<tr>
<td>7.2.1.4</td>
<td>Website Information</td>
<td>4</td>
</tr>
<tr>
<td>7.2.2</td>
<td>Center for Multicultural Education and Diversity</td>
<td>4</td>
</tr>
<tr>
<td>7.2.3</td>
<td>Student Health Center</td>
<td>4</td>
</tr>
<tr>
<td>7.2.4</td>
<td>Counseling Center</td>
<td>4</td>
</tr>
<tr>
<td>7.2.4.1</td>
<td>Mandatory Leave</td>
<td>5</td>
</tr>
<tr>
<td>7.3</td>
<td>Student Alcohol and Drug Policies and Programs</td>
<td>5</td>
</tr>
<tr>
<td>7.3.1</td>
<td>Alcohol Policy</td>
<td>5</td>
</tr>
<tr>
<td>7.3.1.1</td>
<td>Campus Regulations</td>
<td>6</td>
</tr>
<tr>
<td>7.3.1.1.1</td>
<td>Residence Hall Policy</td>
<td>7</td>
</tr>
<tr>
<td>7.3.1.2</td>
<td>Summary of the Current New York State Laws on Alcohol</td>
<td>7</td>
</tr>
<tr>
<td>7.3.1.3</td>
<td>Parental Notification Policy</td>
<td>8</td>
</tr>
<tr>
<td>7.3.1.4</td>
<td>Containers</td>
<td>8</td>
</tr>
<tr>
<td>7.3.2</td>
<td>Drug Policy</td>
<td>9</td>
</tr>
<tr>
<td>7.3.2.1</td>
<td>Residence Hall Policy</td>
<td>9</td>
</tr>
<tr>
<td>7.3.3</td>
<td>Substance Abuse Prevention Program</td>
<td>9</td>
</tr>
<tr>
<td>7.3.3.1</td>
<td>Description of Health Risks Associated with Illicit Drugs and Alcohol</td>
<td>9</td>
</tr>
<tr>
<td>7.3.3.1.1</td>
<td>Illicit Drugs</td>
<td>9</td>
</tr>
<tr>
<td>7.3.3.1.2</td>
<td>Alcohol</td>
<td>10</td>
</tr>
<tr>
<td>7.4</td>
<td>Peer Sexual Harassment</td>
<td>10</td>
</tr>
</tbody>
</table>
7.6.4.1 Sanctions .................................................................................. 30
7.6.4.2 Appeals .................................................................................... 31

7.7 Student Activities and Organizations ............................................. 32
  7.7.1 Campus Activities ....................................................................... 32
    7.7.1.1 Student Activities Board .................................................... 32
    7.7.1.2 Student Government Association ...................................... 32
    7.7.1.2.1 Membership .................................................................... 33
    7.7.1.3 Clubs .................................................................................. 33
  7.7.2 Intramurals and Recreation ......................................................... 33

7.8 Student Government Association Constitution ................................ 33
  7.8.1 Article I- Name ........................................................................... 34
  7.8.2 Article II- Purpose ....................................................................... 34
  7.8.3 Article III- Authority ..................................................................... 34
  7.8.4 Article IV- Membership .............................................................. 34
    7.8.4.1 Article V- Advisors ............................................................. 35
  7.8.5 Article VI- Powers ....................................................................... 35
  7.8.6 Article VII- Committees ............................................................. 38
  7.8.7 Article VIII- Programming Boards ............................................. 39
  7.8.8 Article IX- Nomination/Election Qualifications ............................ 39
  7.8.9 Article X- Installation ................................................................. 42
  7.8.10 Article XI- Meetings and Training ............................................ 42
  7.8.11 Article XII- Removal from Office ............................................. 43
  7.8.12 Article XIII- Vacancies ............................................................. 43
  7.8.13 Article XIV- Judicial Review/Interpretation ............................... 43
  7.8.14 Article XV- Amendments ......................................................... 44
  7.8.15 Article XVI- Registration of Student Organizations .................. 44
  7.8.16 Article XVII- Financial Guidelines ........................................... 45
  7.8.17 Article XVIII- Effective Date .................................................... 45
  7.8.18 Article XIX- By-Laws ............................................................... 45
    7.8.18.1 Medaille College S.G.A. By-Laws ....................................... 46

7.9 Athletics .......................................................................................... 50
  7.9.1 Statement of Philosophy ............................................................. 50
  7.9.2 NCAA Divisional Philosophy Statement ..................................... 50
  7.9.3 Allegheny Mountain Collegiate Conference (AMCC) Affiliation .... 50
  7.9.4 Eastern College Athletic Conference Affiliation .......................... 50
7.0 Introduction

7.1 General Student Information

7.1.1 College Hours of Operation
Offices are open on normal workdays from 8:00am to 4:00pm, Monday through Friday. Buildings on campus are open from 6:00am to midnight, Monday through Friday, 6:00am to 8:00pm Saturday, and 6:00am to 6:00pm on Sunday. The hours may be adjusted for special programs. Each administrative office maintains specific hours of operation, consult the information under “Services and Functions” to find out what they are. Faculty members hold office hours in conjunction with their teaching schedule. Their hours are posted on their office doors.

7.1.2 Activity Hour
Medaille maintains an activity hour for the Fall and Spring Semesters from 12:35 p.m. to 1:35 p.m. on Monday, Wednesday, and Friday. The purpose of this is to provide a time free from classes to allow students to participate in clubs, sports, or special events. Certain programs may have labs or practicum scheduled during these times.

7.1.3 Recreational Activity
Outdoor sports should take place on Campus during reasonable hours and a reasonable distance from all housing units. Outdoor sports or physical activities are prohibited inside all residential units.

Students are encouraged to become involved in the outdoor activities available and to use the campus sports and fitness facility to its full capacity. Contact the Student Activities Board for further information.

Bicycles are not permitted inside residential units. Motorcycles are not permitted inside campus buildings and must be properly parked in the parking lots. Motorcycles are not to be used on campus sidewalks or lawns.

7.1.4 Group Demonstrations
Demonstrations must be registered twenty-four (24) hours in advance with the Office of Student Affairs. All demonstrations (and expression of any form) must be peaceful and orderly. Demonstrations may be organized and led only by members of the Medaille College community. Demonstrations or other forms of expression may not compromise the rights of other members of the College community, nor interfere materially with the general operation of the College. Free speech is a cherished foundation of academia. Forms of expression, however, may not demean or degrade individuals on the basis of age, sex, race,
color, sexual orientation, religion, national origin, disability, marital status, veteran status, military status, or any other category protected by law.

7.2 Student Services

7.2.1 Student Affairs

7.2.1.1 Mission Statement
Student Affairs provides an environment that supports students learning and personal development, while producing well-rounded citizens to serve the campus and community at large.

7.2.1.2 Goals
1. To support the academic mission of the College;
2. To encourage participation and utilization of programs and services;
3. To create ways to involve more students thereby assisting their developmental processes, i.e., cognitive or effective thinking; physical, emotional, spiritual, social, or intellectual skills;
4. To work towards developing a systematic process for student evaluation, goal setting, and holistic academic and personal advisement;
5. To enhance diversity through providing opportunities for greater understanding, appreciation and sharing of individual differences;
6. To instill and model values;
7. To encourage self-actualization so that each student may reach their true potential;
8. To help students cope with significant life transitions—from adolescence to adulthood, from dependence to personal autonomy, from one occupation to another;
9. To encourage an intellectual, social, cultural, and artistic environment; and
10. To support faculty efforts to develop responsible generalists by providing students with a more integrated view of knowledge and life.

7.2.1.3 Organizing Principles and Values
1. Diversity – respect differences in others.
2. Integrity – academic and personal.
4. Civility – reverence and consideration for others.
5. Loyalty – to the institution and each other.
6. Mutual Respect – for all member of our local and global communities.
7. Service to others – including volunteerism and community outreach.
7.2.1.4  Student Affairs Office

The Office provides a variety of services and information including meal and residence hall swipe card/ID card encoding, locker rentals, this student handbook, and student activities sign-ups. Groups wishing to reserve space in the Campus Center should obtain a reservation form in Student Affairs. Stop in anytime to ask questions regarding student life and Medaille. The Office is located on the second floor of the Sullivan Campus Center.

7.2.1  Career Planning

Career Planning offers a variety of services and programs that assist students with developing and obtaining life long career decision-making skills. Beginning their freshman year, students should visit the Center and acquaint themselves with services and information that is available.

7.2.1.1  Choosing a Major

Students who are uncertain, or wish to discuss their choice of major and/or career goals are encouraged to meet with a career counselor to discuss their options. Various tools are available to assist students identify their particular interests and skills. In addition, our website lists various career options associated with Medaille's majors and in what industries these options are found. Job Search Strategies

Most students are unaware on how to launch a successful job search. The staff in Career Planning can offer individual assistance in the development of resumes and cover letters and other important documents. Help on how and where to look for hidden opportunities is also discussed. Our web site hosts a multitude of information for each major along with short 3-4 minute video’s on the process. Whether getting ready for a job or internship search students are encouraged to attend the many workshops available. MaverickJobs

Seniors, Alumni, or current students who need part-time jobs or internships should register with our on-line job search system that is accessible through our web page: www.medaille.edu/career-planning. Thousands of jobs directed towards college students are posted annually from employers across the country. Students may post their résumé or just a brief profile, while employers post jobs and view the database of résumés.

7.2.1.2  Credential Files

Students may establish a file containing references and field placement evaluations. This information is then forwarded to potential employers at the student’s request. This service allows the student/alumni to organize their job search and to offer potential employers information regarding their background in a concise, professional manner. This service is strongly suggested for education majors and those interested in pursuing graduate school

7.2.1.3  Semester Career Events

Each semester the Office of Career Planning and Placement organizes various activities to assist students with career, graduate school, and job search issues. In the past, jobs/career fairs, networking events, graduate school fairs, law school forum, and dining etiquette.
7.2.1.4 Website Information

Career Planning’s website (www.medaille.edu/career-planning) has a wealth of information for students, parents and alumni. From career decision tools, a resume development program, 20 minute webinars on resume and interviewing strategies, job search video’s as well as links to effective job search sites,

7.2.2 Center for Multicultural Education and Diversity

The Center for Multicultural Education and Diversity’s motto is “Building a community of respect from the inside out,” and it operates on the premise that the best environment for learning and personal development is one where differences are highly valued. The Center educates, promotes, and serves to empower the campus community on issues of diversity, multiculturalism and the value of human differences. The Center advocates for an inclusive campus environment that values a pluralistic perspective and promotes equity and appreciation for human diversity among its students, faculty, administrators and staff. The Center provides a supportive environment that encourages education and pride in self-identity and cross-cultural mutual respect. Additionally, the Center serves as a resource for faculty, administrators, staff, and students who are interested in community development and diversity of race, ethnicity, class, gender, sexual orientation, religion and thought.

7.2.3 Student Health Center

The Student Health Office is located in the Wellness Center at 117 Humboldt Parkway and is staffed by a full-time Registered Nurse. The office provides care for health and wellness needs, health insurance assistance, immunization, educational programming, and referrals to medical providers in the community. The office is open Monday through Friday and there is no charge for services. In addition, a physician is on campus one afternoon per week and students needing additional care may see the physician by appointment.

7.2.4 Counseling Center

The Counseling Center is staffed by Licensed and Nationally Certified Counselors and provides services to matriculated Medaille students. Counseling services are designed to help students understand themselves better, resolve problems, and come to terms with difficult issues. Specific services include individual counseling, group counseling, and self-improvement workshops. Referrals to outside professionals can also be provided. Wellness and self-help materials and confidential mental health screenings can be accessed at the Medaille Counseling website at www.medaille.edu/studentlife/counseling.

The Counseling Center is open Monday through Friday from 9-4pm. Limited early morning and evening appointments are available upon request. Students are encouraged to schedule an appointment by contacting Jeannine Suk at 716-880-2339. Some walk-in appointments are available. In the event of an emergency after hours, students may dial 911, contact Public Safety at 716-880-2911, or Crisis Services at 834-3131.

The Counseling Center, as part of the Office of Student Affairs, is committed to enhancing the well-being of the student, and promoting life-long learning and health. These services
are an integral piece of a campus climate that is committed to diversity, personal attention, and the development of the whole person.

7.2.4.1 Mandatory Leave

The College may place a student on Mandatory Leave when the student is unwilling or unable to make a determination to take a voluntary leave of absence, and when there is evidence to suggest that:

1. the student poses a risk of imminent or serious harm to self or to others, or to the property of the campus,
or
2. the student, although not posing the risk of imminent or serious harm to self or others or the property of the campus, impedes the educational and other lawful activities of other members of the campus community. Examples of such behavior include being disruptive to the environment or having needs which exceed the level of care and supervision that the college community can provide with or without reasonable accommodation where applicable.

The policy and procedures for initiating Mandatory Leave do not take the place of disciplinary actions (e.g. probation, suspension, dismissal) that are in response to violations of policies set forth in the Medaille College Handbooks. Mandatory Leave may be initiated at the discretion of the Dean of Student Affairs after consultation with appropriate College staff. Students will be eligible to return to Medaille should they fulfill all of the requirements specified at the time of the leave.

7.3 Student Alcohol and Drug Policies and Programs

7.3.1 Alcohol Policy

Alcohol consumption as a fact of student life has come under increasingly stringent scrutiny recently, especially as state and federal governments have adopted stronger drinking age and driving-while-intoxicated laws. Medaille College supports the efforts of governmental agencies to control abuse of alcohol and the unhappiness such abuse causes, and seeks to uphold the spirit, as well as the letter of the law through its policies. The philosophical foundations of Medaille’s Alcohol Policy are:

1. In an effort to develop independent and self-reliant individuals, the College considers the use or non-use of alcohol to be a personal decision, as long as that decision does not interfere with the rights of others. The College is responsible for developing policies and regulations that emphasize moderate and thoughtful use of alcohol and prevent abuse.

2. The College recognizes that the development of policies and procedures will not solve the problems of alcohol abuse. Educational programs that stress positive attitudes and behaviors and emphasize the dangers of alcohol consumption are equally important.

3. While the College has limited control over individual drinking habits, it does have the responsibility and obligation to monitor the College social environment and to comply with State and Federal laws pertaining to alcohol use. Medaille’s policies
and regulations reflect the importance of an appropriate environment during social events where alcohol is served and monitor the general use of alcohol and the quantity served.

These regulations apply for both on and off-campus events sponsored by student organizations of the College.

### 7.3.1.1 Campus Regulations

Alcoholic beverages are not permitted on campus, except in conjunction with events properly registered and approved with the Student Affairs Office.

1. The provision of alcohol must conform to federal, state, and local laws. A summary of pertinent legal information is appended to this policy. The sponsoring group will be held responsible to see that these laws are followed. Failure to do so may result in loss of the privilege of sponsoring an event.

2. Intoxication will not be accepted as an excuse for misconduct at any College sponsored event.

3. Members of the College community will be held personally responsible for inappropriate behavior.

4. Non-alcoholic beverages must comprise a minimum of one-half of the total available amount of beverage.

5. Food must be provided in a sufficient quantity to accommodate the number of persons in attendance.

6. The ordering of alcoholic beverages shall occur after consultation with the Dean of Students, who reserves the right to limit the amount of alcohol served at any function.

7. No alcohol related student events shall be sponsored by any campus organization, on or off-campus, within five calendar days prior to semester examinations.

8. The College cannot condone activities that serve alcohol alone. Events will not be scheduled whose sole purpose is the consumption of alcohol. Advertisements and promotional literature should not create the impression that drinking is the sole purpose of the event.

9. Individuals should not be coerced into drinking alcoholic beverages at any time.

10. A system of checking ID’s and age information must be enforced. This will protect the organizers from unknowingly serving alcohol to underage persons. Campus Public Safety must be consulted and utilized for checking IDs.

11. On-campus parties will be limited to three hours duration. Off-campus events must close by 12:00 a.m.

12. Continued unacceptable alcohol related behavior might be grounds for limitation of social privileges or dismissal from the College.

13. Alcohol consumption must be a legal possibility for a majority of the persons attending, to justify its inclusion in an event.
14. Enforcement of these regulations is the responsibility of the group sponsoring the event in conjunction with the Student Affairs Office.

15. As a general practice, use of alcohol will not be approved at on campus functions where there is a presence of students who are under the age of 21.

7.3.1.1 Residence Hall Policy

Medaille College follows the laws of the State of New York in its alcoholic beverage policy.

Consumption of alcoholic beverages on campus is prohibited for those under the age of 21, and they are prohibited by College policy to be in the presence of alcohol in any College-owned housing unit. If all residents of a house or apartment are of the legal drinking age of 21 years, they may consume alcoholic beverages in their designated common areas. If the residents in a particular room are of the legal drinking age of 21 years (whether in the residence halls or houses), they may consume alcoholic beverages in their living space provided that no underage persons are present.

Resident students who are of the legal drinking age of 21 years may be in possession of no more than the equivalent of six (6) 12-ounce cans of beer, or one (1) 750ml bottle of wine or one (1) 750ml bottle of alcohol. If a student who is 21 years of age resides with a resident who is under the legal drinking age, all alcoholic beverages must be stored in a separate area that is not shared (e.g. a separate personal refrigerator).

Resident students are not allowed to display or collect empty alcohol beverage containers or paraphernalia.

Drinking alcoholic beverages out of doors, in residence hall common areas, or in any other campus buildings is strictly prohibited unless special permission is granted through the Student Affairs Office.

Alcohol is one of the most dangerous drugs abused by contemporary college students. To that effect, utmost care and consideration is required regarding the abuse of alcohol. It is an individual’s responsibility to act in a mature manner at all times. Any adverse behavior resulting from the consumption of alcoholic beverages will be considered a violation of the code. This includes any incidence of intoxication that manifests itself to the campus community at College-sponsored functions off campus.

7.3.1.2 Summary of the Current New York State Laws on Alcohol


2. ALCOHOL BEVERAGE CONTROL LAW, §65, makes it unlawful for a licensed establishment to sell, deliver or give away an alcoholic beverage to any person actually or apparently under the age of 21.
3. ALCOHOL BEVERAGE CONTROL LAW, §65a, makes it an offense for any person to misrepresent the age of a person under the age of 21 for the purpose of inducing the sale of any alcoholic beverage to such person.

4. ALCOHOL BEVERAGE CONTROL LAW, §65b, makes it unlawful for one under the age of 21 years to purchase or attempt to purchase an alcoholic beverage through fraudulent means.

5. GENERAL OBLIGATIONS LAW, §11-100(1) provides that any person who is injured by reason of the intoxication of any person under 21 may sue for damages against any person who knowingly caused such intoxication by unlawfully furnishing or procuring alcoholic beverages for such person with knowledge that such person was under the age of 21.

6. PENAL LAW, §260.20(4), makes it a misdemeanor for a person to sell or cause to be given or sold any alcoholic beverage to a person less then 21, except that this provision does not apply to the parent or guardian of such person.

7. GENERAL OBLIGATIONS LAW, §11-101, commonly referred to as the “Dram Shop Act,” provides for a right of action and recovery for injuries caused by the illegal sale of intoxicating liquor to any intoxicated person.

8. OPEN CONTAINER AND PUBLIC CONSUMPTION LAW, The city of Buffalo prohibits the possession of any open alcoholic container and/or drinking in a public space or vehicle.

9. OTHER DRUGS, Federal and New York State laws prohibit the possession, distribution, and inappropriate use of controlled substances and illicit drugs.

10. SANCTIONS, Violation of laws relating to drugs and alcohol may result in probation, fines, imprisonment, civil seizure and forfeiture of property, and a permanent criminal record.

7.3.1.3 Parental Notification Policy

In accordance with the Federal Higher Education Amendment of 1998, Medaille College reserves the right to notify parents or guardians of students under the legal drinking age who have violated campus alcohol and other drug prevention policies, whether on or off campus, where there exists a nexus between the violation and the interests of the College. In all cases, students will be accorded appropriate consideration under the Student Code of Conduct and Judicial Procedures, Section 7.6. The Dean of Student Affairs or the Assistant Dean of Student Affairs will provide notification when necessary.

7.3.1.4 Containers

The use of any containers in College housing to store/transport alcohol is strictly prohibited.
7.3.2 Drug Policy

The possession or use of any compounds or substance, which are illegal under the federal, state, or local laws, is incompatible with the College’s expectations for student responsibility. Persons, who possess, use or are in the presence of such compounds or substances contrary to law, are subject to immediate disciplinary action, including, but not limited to, suspension or dismissal from Medaille College.

The use of drugs and alcohol is generally habit forming and experimentation should be considered not only illegal but also a significant health risk. Counseling on drug and alcohol issues is available through both the Counseling Office and the Student Health Center. Please take advantage of these services.

7.3.2.1 Residence Hall Policy

On-campus sale or use of any other controlled substances which include for example, prescription drugs, marijuana, ecstasy, LSD, mescaline, cocaine, etc. is prohibited. Students who are found to be selling and or using these substances may be required to vacate College housing and are also subject to permanent disciplinary action from the College.

7.3.3 Substance Abuse Prevention Program

The Office of Student Affairs, in conjunction with the Health and Counseling Staff, will provide counseling and information on support services and medical facilities. Health and Counseling Services are located in the Wellness Center at 117 Humboldt Parkway on the Buffalo Campus.

Education and awareness will be the focal points of programming throughout the school year. In addition, Medaille participates annually in the National Collegiate Alcohol Awareness Week by offering a variety of activities aimed at preventing the abuse of alcohol. Online resources addressing both education and screening for substance abuse can be found via the Counseling Website. Prevention and treatment resources can be located at www.oasas.state.ny.us. Individuals can access resources in their particular county via this site.

7.3.3.1 Description of Health Risks Associated with Illicit Drugs and Alcohol

7.3.3.1.1 Illicit Drugs

The use of illicit drugs can lead to physical and psychological dependence, behavioral changes, physical and psychological damage, and possible death.

Effects from the use of illegal narcotics may include euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. Narcotic overdoses can produce slow and shallow breathing, clammy skin, convulsions, coma, and possible death. Withdrawal symptoms can include tremors, panic, cramps, nausea, chills, and sweating. Women who
use drugs during pregnancy may give birth to infants with physical abnormalities and mental defects.

The illicit use of depressants can cause slurred speech, disorientation, and drunken behavior. Overdoses can cause a weak and rapid pulse, coma, and possible death. Withdrawal syndrome can include tremors, delirium, convulsions, and possible death.

The illicit use of stimulants can cause excitation, euphoria, increased pulse and blood pressure, insomnia, and loss of appetite. Agitation, increase in body temperature, hallucinations, convulsions, and possible death are the effects of stimulant overdose. Withdrawal syndrome can include apathy, long periods of sleep, irritability, depression, and disorientation.

The possible effects of the use of hallucinogens include hallucinations and altered perceptions of time and distance. Overdoses can produce longer, more intense effects, psychosis, and possible death.

The use of marijuana can produce euphoria, relaxed inhibitions, increased appetite, and disoriented behaviors. Overdoses can result in fatigue, paranoia, and possible psychosis. Marijuana withdrawal can occasionally produce insomnia, hyperactivity, and decreased appetite.

7.3.3.1.2 Alcohol

Alcohol consumption causes a number of changes in behavior. Even small amounts 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 amounts of alcohol also increase the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high intake of alcohol can cause impairments in higher mental functions, severely altering a person’s ability to learn and remember information. Very high amounts cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower amounts of alcohol will produce the same effects.

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 can also lead to permanent damage to vital organs such as the brain and liver.

Women who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental defects. In addition, research indicates that children of alcoholic parents are at a greater risk than other children of becoming alcoholics.

7.4 Peer Sexual Harassment

Peer sexual harassment is a form of prohibited sex discrimination where the harassing conduct creates a hostile environment. Thus, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, constitutes sexual harassment when the conduct sufficiently severe, persistent, or pervasive, limits a student’s
ability to participate in or benefit from the education program, or creates a hostile or abusive educational environment.

Schools are required by the Title IX regulations to have grievance procedures through which students can complain of alleged sex discrimination by other students, including sexual harassment. This procedure is provided in Volume II, Subsection 2.1.3.

7.4.1 Relationship and Sexual Violence Policy

Relationship violence is any sort of violent behavior directed at a victim where the victim has a perceived or actual relationship with the alleged perpetrator. Acts of relationship violence include:

1. Stalking
2. Domestic Violence
3. Relationship/Intimate Partner Violence

Sexual Violence, according to the following standards set forth by Medaille College, is defined as any unwanted sexual contact, or behavior of a sexual nature, committed by an individual or group of individuals, against another individual(s) without expressed consent from the victim(s). Sexual misconduct can be committed by a male or female, against someone of the opposite or same sex.

Sexual Violence offenses include, but are not limited to:

1. Sexual Harassment
2. Non-Consensual Sexual Intercourse
3. Non-Consensual Sexual Contact
4. Sexual Exploitation

Definitions:

1. Stalking: Intentionally engaging in repeated acts directed at a specific person, where such behaviors result in fear of physical harm or injury, or results in significant emotional distress. This includes any behavior which attempts to establish power or control over another person. Examples of stalking behavior include but are not limited to: repeated attempts at communication (phoning, texting, emailing, messaging), physical and/or verbal confrontations, entering one’s residence hall room/apartment or vehicle without permission, following a student, vandalizing, gaining access to personal online accounts, etc.

2. Domestic Violence: Any violent behavior committed by a current or former spouse of a victim, by a person with whom a victim shares a child, or by a person with whom the victim currently or previously has cohabitated.

3. Relationship/Intimate Partner Violence: Any violent behavior committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, where the existence of such a relationship is determined based on a consideration of length of the relationship and frequency and nature of the interactions involved in the relationship.
4. Harassment (Sexual) - Sexual Harassment is a form of harassment with specific distinguishing characteristics, which are described below. Sexual harassment has been defined by the EEOC as a type of prohibited sex-based discrimination. According to the EEOC guidelines, supported by Medaille College, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment when

a. submission to such conduct is made either explicitly or implicitly as a term or condition of an individual's education/employment;

b. submission to or rejection of such conduct by an individual is used as the basis for education/employment decisions affecting such individual; or

c. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive educational/working. For example, sexual harassment would include the following kinds of behavior, or other kinds of behavior with a similar harassing effect:

i) abusing an employee or student through insulting, degrading, or oppressive sexual remarks, jokes, innuendoes, or other sexually oriented conduct (including, among other things, graphic or descriptive comments relating to an individual’s body or physical appearance; sexually oriented teasing or pranks; improper suggestions, objects, or pictures; unwanted physical contact); or

ii) threats, demands, or suggestions that an employee’s working conditions or a student’s grade depends in any way upon tolerating or accepting sexual advances or sexually oriented conduct.

5. Non-Consensual Sexual Intercourse – engaging in, or attempting to engage in, anal, vaginal, or oral penetration of any kind, however brief that penetration may be, with another person without the person’s expressed consent (see “consent” defined below). Intercourse includes: vaginal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight.

6. Non-Consensual Sexual Contact – intentionally having any physical contact of a sexual nature with another person without his/her expressed consent (see “consent” defined below). Acts of unwanted sexual contact may include but are not limited to the touching a person’s buttocks, penis, vagina, breasts; and/or touching of another person with said body parts; and/or making another touch you in said manner; and/or taking clothes off of another person.

7. Sexual Exploitation – any behavior pertaining to sexual activity, which knowingly degrades or subjects a victim to degradation, without that person’s consent, and does not fall under the category of

Non-Consensual Sexual Intercourse or Contact. Said behaviors may include but are not limited to any audio and/or visual recording of a consensual sexual act without the person’s knowledge; distributing, without the prior consent or knowledge of the victim of exploitation, an audio and/or visual recording of a consensual sexual act; voyeurism; knowingly spreading HIV or STI to another person without his or her knowledge; attempting to incapacitate someone for the purposes of committing sexual assault or unwanted sexual contact defined above; exposing one’s genitals in non-consensual circumstances or inducing another to expose their genitals.
Additional Applicable Definitions:

Consent

Consent is defined as a clear, verbal and voluntary “yes”. The following conditions apply to the term “consent” according to the College:

1. Silence, lack of physical resistance, and/or the absence of a verbal “no” are not forms of effective consent.

2. Once a person says “no,” it is established that he or she is not giving consent to a sexual act. Any activity or further encouragement beyond that point could be construed as force, coercion or intimidation.

3. Prior relationship, existing relationship, or prior sexual contact does not presuppose consent. A sexual act must be mutually agreed upon each time it occurs.

4. Consent to one sexual act does not indicate consent to all sexual acts.

5. Effective consent cannot be given if a person is incapacitated (see below).

6. Effective consent cannot be given under coercion, force, or threat of physical harm or injury.

A person is considered unable to give effective consent under the following conditions according NYS Penal Law, Article 130, Sex Offenses:

1. He/she is unconscious or otherwise physically unable to communicate consent or lack of consent to an act.

2. He/she is mentally disabled, or suffers from a mental disorder, which renders him/her incapable of appraising or controlling his/her conduct.

3. He/she is mentally incapacitated, rendering him/her temporarily incapable of appraising the nature of his/her conduct, due to the influence of alcohol or other drugs, administered to him/her without his/her consent.

4. He/she is less than 17 years old.

Force

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. It includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent.

Coercion

Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes it clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Incapacitation

Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when,
where, why or how” of the sexual interaction). Incapacitation can result from disability, sleep, involuntary restraint, or the taking of drugs or alcohol.

7.5 Residence Life

7.5.1 Statement of Philosophy

Medaille College believes that the residence halls should facilitate a living-learning environment, which encourages the development and growth of each student. Residential living encourages students to interact with their peers, faculty, and professional staff. Through this interaction, students learn of different points of view, gain insight into social and political issues, and begin to develop values and attitudes, which will shape their lives.

Residential living encourages involvement. Each student is a member of the community working towards an atmosphere of harmony and maturity. Involvement in various campus organizations or as concerned individuals, create opportunities for improving the environment.

The Student Affairs Staff at Medaille College is committed to the encouragement of student involvement on campus. It is through student involvement that the process of informal education outside the classroom helps to build the lasting character, values, and concepts of the individual student.

By involving students in their community, important processes begin to take place. Lawrence Lowell, one of Harvard’s outstanding 19th Century Presidents, summed up the concept in these words:

“Among his otherwise saying, Aristotle remarked that man, is by nature, a social animal; and it is in order to develop his powers as a social being that American Colleges exist. The object of the undergraduate department is not to produce hermits each imprisoned in the cell of his own intellectual pursuits, but men (women) fitted to take their places in the community and live in contact with their fellow men.”

7.5.2 Residence Life Staff

The Dean of Students is responsible for the organization and governance of the Residence Halls and reports directly to the College President. In addition, the Dean delegates major responsibilities to the Assistant Dean of Student Affairs. The Dean of Students directly supervises the Assistant Dean of Student Affairs, who oversees the Residence Director (RD), the Graduate Residence Coordinator (GRC), and the Undergraduate Resident Assistant staff. The Assistant Dean of Student Affairs or his/her designee serves as advisors to the Resident Student Council.

The Resident Assistants are full-time students and there is one Resident Assistant assigned per floor/wing and/or residence of the undergraduate students; each is responsible for the general welfare of the students in their area. The Resident Assistants act as informal advisors to students, providing information on college policies and serve as liaisons between students and administration. They are trained to handle emergency situations and assist in the organization of the housing facilities. The Resident Assistants are under the
direct supervision of the Residence Director and Graduate Residence Coordinator and the general direction of the Director of Housing and Residence Life.

7.5.3 Residence Policies

7.5.3.1 Room and Board Charges

Students under 21 years of age who do not reside with their parents, and live beyond a reasonable commuting distance (50 or more miles) of the City of Buffalo are required to live in College owned housing.

Charges for room and board must be paid in full by the beginning of each semester. Students who leave the College before the end of the semester without having properly withdrawn from classes and notifying the Department of Housing and Residence Life, or students who have their residence hall/food service contract(s) canceled as a result of a violation of the Medaille College Student Code of Conduct, or of those rules, regulations, and policies for the Medaille College Residence Halls, are not entitled to any refunds.

7.5.3.1.1 Room Reservations and Deposits

Roommates may be requested at the time of deposit. A $100.00 deposit is required to reserve a room for the academic year or for one semester should student take occupancy mid-year (beginning Spring Term). The deposit also serves as a damage deposit, which is used to offset a resident’s outstanding damage charge. The deposit (or a portion of the deposit) will be refunded at the end of Spring Semester only after outstanding charges have been deducted.

7.5.3.1.2 Room and Board Assignments and Charges

The Assistant Dean of Student Affairs or a designee has the responsibility to make room assignments and to approve room changes. The student initiating the change will be required to move. Changes will be considered only for unusual circumstances, and then only with approval. Students interested in applying for a room change should contact the Residence Director or Graduate Residence Coordinator of the building they reside in.

7.5.3.1.3 Room and Board Refunds

Students who leave the College before the end of the semester or who are required to vacate College housing as the result of disciplinary action are not entitled to a refund of room and board charges. Students who formally withdraw from housing or those who formally resign as Medaille College students are eligible to receive a partial refund of their room and board charges in accordance with the tuition liability policy and schedule.

7.5.3.2 Residency during Holiday Periods

Housing is provided for students during the recesses only after the Assistant Dean of Student Affairs grants special permission and if the following criteria are met:

1. A Break Stay form is completed prior to the posted deadline
2. The student must be taking classes and/or have a legitimate College-related reason to stay.

7.5.3.3 Checkout Procedures

All students are required to vacate College Housing Facilities within twenty-four (24) hours of completing their examinations or specific times that may be determined by the Department of Housing and Residence Life. All residential units will officially close at 10:00 a.m. on the day after the last final examinations. Resident students must ensure that they follow proper check-out procedures to avoid any additional fees. Proper procedures are posted 2-4 weeks prior to closing.

The Medaille College housing facilities and dining hall will be closed during the Thanksgiving, Christmas, and Spring Breaks. Please read carefully the notices on specific dates for both closing and reopening during these recesses, which will be circulated by the Student Affairs Staff. Housing is provided for students during the recess only after special permission has been granted. Post-baccalaureate students should notify the Residence Life Office of any special needs, at least three weeks prior to recess.

Students vacating their rooms permanently at the end of the Fall Semester and all resident students at the end of the Spring Semester must accomplish the following before leaving campus:

1. Make sure the room is in good physical condition and clean.
2. Arrange with the Residence Life Staff a mutually agreeable time for room inspection. Students not arranging for inspection will be subject to having their rooms inspected by College Personnel after the semester ends. This may result in charges for damages found during inspection and/or improper checkout. Cleaning charges will be assessed for students whose rooms are left in a disorderly and/or unclean condition. Anything left in the rooms after graduation will be considered garbage or college property.
3. After the inspection, all room and front entrance keys are to be returned to the Residence Life Staff. Failure to return the room key will result in a $30 assessment per key.
4. Disputes regarding damage bills will not be addressed once the refund process has concluded.

7.5.3.4 Commercial Enterprises

The operation of a commercial enterprise from a residence hall room, apartment, or any other space owned and/or under the general direction of the College is strictly prohibited. Violators will be subject to disciplinary action through the Campus Judicial System.

7.5.3.5 Condition of Rooms

Students are responsible for the cleanliness and general condition of their rooms and all adjacent or surrounding areas. If a member of the Residence Life Staff has spoken to residents of a room about excessive mess and/or garbage in or around the room or
bathroom, the residents themselves must take responsibility to clean the area. If this is not done, the residents shall be billed for the cost of cleaning.

7.5.3.5.1 Furniture Removal

Removal of College furniture from the room in which it is placed is prohibited. Students found in violation of the aforementioned may be subject to fines and/or disciplinary action. Students shall not remove furniture from residence hall lounges.

7.5.3.5.2 Destruction of Property

College property should be respected at all times and any damages beyond normal wear are the responsibility of the residents of a given room. Those students, who participate in or are responsible for excessive and/or malicious damage to College property, may be suspended or dismissed from the College and shall be financially responsible for the cost associated with the repair of the damage.

7.5.3.5.3 Damage Assessment Procedures

1. All student rooms and common areas are assessed by the Resident Assistant assigned to that area, before the resident students assigned to that area takes occupancy of the room.

2. The resident students assigned to that particular room then review the inventory with the Resident Assistant to ensure that all pre-existing damages are documented. Once this has been completed the student will sign off on the inventory.

All inventories are stored in the Residence Life offices during the academic year. At the conclusion of the academic year students are expected to schedule an appointment with their Resident Assistant to assess the student’s room once all belongings have been packed. This allows for an accurate assessment to be obtained free of obstruction. Final damage charges are subject to a walkthrough of the student’s space by Residence Life and Facilities personnel after the closing of the residence halls.

All damages assessed are deducted from the students Housing Deposit. Any damage in excess of the $100.00 housing deposit is billed to the individuals student account. If the party or parties responsible for damage in common areas are not identified either through self admission or investigation the cost of repair will be divided equally among all students in that living area and subtracted from each student’s housing deposit.

Students who elect or are asked to move mid-semester will complete an Exit Inventory with their Resident Assistant and/or the Residence Director/Graduate Residence Coordinator. A new inventory form for the new room assignment will be completed and the previous room’s inventory attached.

Damage bills are generated at the conclusion of the Spring term. Student should allow for a minimum of 4-6 weeks to receive a refund of their housing deposit, minus any charges that may be assessed by the Residence Life Staff.
7.5.3.6  Entering Rooms and Apartments

The College reserves the right for authorized representatives (Residence Life Staff, Student Affairs Staff, Facilities, Public Safety, etc.) to enter a student’s room for housekeeping purposes, for damage inspections, for the establishment of order, for repairs or maintenance, to determine occupancy and vacancies, and in emergency situations to ensure both the safety and well-being of members of the College community. A student’s room may also be entered when there is reason to believe that a violation of College policy is taking or has taken place. In such cases, an attempt will be made to have the student present and/or a member of the Residence Life Staff available.

Apartment room damages will be assessed as necessary and immediately following room inspections, at the end of the Fall and Spring Semesters. A member of the Residence Life team and a representative of the Maintenance Department will complete room inspections. Damages will be assessed to the smallest identifiable group, i.e., one room, several rooms, a floor, an apartment or all apartments. Common area damages will be deducted from the damage deposits of the members of the identified group.

7.5.3.7  Keys and ID cards

All side door, apartment, and room keys and Public Safety-issued identification cards are the property of the College and cannot be exchanged with, given to another person, or duplicated. Students will be assessed $30 if they fail to return the key to the Office of Housing and Residence Life during checkout time. Replacement of a lost key or ID card during the semester is $30.00 per key.

7.5.3.7.1  Locking Doors

The following guidelines are designed to insure residents’ personal safety.

1. Resident students are urged to keep their doors locked at all times.
2. All outside doors will be locked 24-hours a day.
3. Utilize the alarm system available in all community residences.

7.5.4  Personal Property Liability

The College is not responsible and has no liability for damage or loss of student’s personal property. The College recommends that students whose personal property is not covered by their parent’s personal property insurance policy should purchase renters insurance coverage on their own.

7.5.5  Quiet Hours

Minimum quiet hours for all residential units are 11:00pm to 8:00 a.m. on Friday and Saturday, and 10 p.m. to 8:00 a.m. Sunday – Thursday.

Besides the established Quiet Hours, the entire housing complex is subject to Courtesy Hours on a 24 hour basis. This means that relative quiet should be respected at all times out of consideration for widely ranging study and sleeping times, and given the fact that the
College is located in a residential area. Students possessing potentially loud stereophonic equipment are asked to respect their roommate’s and their neighbor’s right to quiet.

**7.5.5.1 Stereophonic Equipment and Other Electronic Sound Equipment**

Only stereos with reasonable amplification levels are permitted. Speakers should never project sound out of the windows and should not be situated on sills or facing windows. Volume should always be at a reasonable level as determined by the staff. Repeated offenses concerning the volume of a resident’s stereo may result in disciplinary sanctions and request that the equipment be taken home. Only non-amplified musical instruments (excluding drums) may be used in the residence halls and houses.

**7.5.6 Windows**

External antennas are not allowed outside residence hall and community residence windows. Screens are not to be loosened or removed from windows. Throwing or dropping litter or other objects from windows is prohibited.

**7.5.7 Maintenance Requests**

Students needing to have necessary maintenance performed in their living areas should notify their Resident Assistant and complete a work order online on the Residence Life website. For emergency maintenance during the night or weekend (such as a broken pipe or hot water tank that is leaking severely) students should contact Public Safety.

**7.5.8 Housekeeping and Supplies**

The College supplies students with garbage bags, toilet paper, light bulbs and light cleaning supplies. These supplies may be obtained daily from Resident Assistants at the front desk of each residence hall.

Residents are responsible for the day-to-day upkeep of their respective areas. Failure to comply with this guideline can result in a charge against the resident’s damage deposit, as well as a possible violation to the College Code of Conduct.

**7.5.9 Resident Safety**

**7.5.9.1 Fire Procedures**

Fire drills are an important aspect of student safety in the residences and will be executed 4 times during the year. When the notice is given, all persons in Residence are to evacuate the building immediately, according to an established evacuation plan. Failure to leave the building during a fire alarm/drill is a serious violation of College policy and may result in disciplinary sanctions.

The unauthorized use of or tampering with any piece of fire prevention equipment (such as smoke detectors, alarms, and extinguishers) is a serious threat to student life. Additionally, students shall not hang anything from sprinkler heads under any circumstances. These acts
constitute a significant violation of College policy and may result in residence hall suspension and/or dismissal from the College.

7.5.9.1.1 Fire Extinguishers/Cases and Equipment
Fire extinguishers are placed on each floor for student protection. The discharging of, unauthorized movement of, or tampering in any way with a fire extinguisher carries a mandatory sanction of residence hall probation for the first violation. Floors with discharged equipment will be assessed a charge of $50.00 for refilling if the individual violator is not identified. Thus, it is the responsibility of each member of the living area to care for this equipment. Cases that are tampered with or damaged will also generate a community fine. Hair dryers and other personal care products that produce large amounts of heat should not be used directly under or near smoke detectors.

7.5.9.1.2 Fire Hazards
The following items are not permitted in rooms and/or housing facilities since they are in violation of local safety codes: natural Christmas trees, flammable substances hung on walls or ceilings (including blankets, pennants and tapestries), heaters, hot plates, electric frying pans, frying pans, toaster ovens, high intensity lamps (Halogen), air conditioners, large refrigerators, candles, incense, and crock pots. Residents should review the housing contract for additional information regarding fire hazards.

Medaille College considers the construction of lofts in apartment rooms a fire hazard.

7.5.10 Policies for Guests in Residence Halls
A “guest” at any Medaille College housing facility is defined as a person who is not a Medaille College resident whose purpose is to visit for a short time with another person who is a resident living in that facility. Guests must vacate College housing prior to 2am on days prior to class days and 3am on days prior to non-class days.

1. Overnight guests should register and obtain a guest pass from the Residence Director/Graduate Residence Coordinator and/or the Resident Assistant on duty prior to 12am (midnight). NO GUESTS WILL BE ALLOWED TO REGISTER AFTER 11pm.
2. Guest Pass: A guest pass must bear the signature of the guest, the campus host and a member of the Residence Life staff.
3. Resident students are responsible for the registration of their guests with the residence hall staff. Guests who enter the building prior to 9pm and are still inside the building at 9pm will need to come down with their resident student host and be properly signed-in.
4. Any student housing a non-registered guest in their room or public areas of the apartments and/or residence hall(s) will be subject to disciplinary actions.

5. Overnight guests are required to show proof of registration and identification if requested to do so by any member of the College staff or campus public safety.

6. Guests may not stay in the Residence Halls more than two (2) nights in a 7-day period. Additionally, resident students may not have overnight guests more than twice within a 7-day period. Both the guest and the host will be held accountable for adhering to this policy.

7. Guest privileges cannot be transferred. Students who are denied College housing for any reason are not permitted guest privileges in any Medaille College owned residential unit without special permission from the Assistant Dean of Student Affairs. In addition, former students who have been declared “persona non grata” are not allowed on campus under any circumstances, and are subject to trespassing charges through the Office of Campus Public Safety and the Buffalo Police Department.

8. The student host assumes full responsibility for the conduct of their guest(s) under the provisions of the Student Code of Conduct. Furthermore, bills for damage caused by guests will be sent to the student host. The presence of a non-student Medaille College Policy Manual: Volume VII – Page 17 (unregistered guest) in one’s room creates the presumption that they are that student’s guest.

9. Individuals under 18 years of age are not permitted in College housing unless the Assistant Dean of Student Affairs or a designee grants special permission. Violation of this guideline will be considered a serious infraction of College policy.

10. Failure of a guest to observe the regulations or conform to the Student Code of Conduct of Medaille College will warrant College intervention. The College will intervene to first clarify the guest policies and the Student Code of Conduct. Should this initial attempt fail to produce satisfactory results, the offending guest may be deemed “persona non grata,” removed from the campus, and denied further College visiting privileges.

7.5.11 Residence Life Visitation Policy

The visitation policy for Medaille College resident students is as follows:

1. Medaille College resident students are allowed to visit with other Medaille College residents students 24 hours a day, 7 days a week

2. Visitation between non-resident Medaille College students and resident Medaille College students can occur until 2:00 a.m. on days prior to class and 3:00 a.m. on days prior to non-class days. The resident host must register their visitor with the Residence Hall staff.

All visitors will be required to show a valid form of photo identification at the time of sign-in and leave their I.D. with the RA on duty, until such time that they leave the premises. Valid forms of photo I.D. are as follows:

1. Drivers License/Non-Drivers License
2. Passport Photo I.D.
3. Military I.D.
4. Valid Medaille College I.D.
5. College Photo Identification

Identification should have the person’s name, address, and date of birth. Parents and/or legal guardians are required to show valid I.D. In addition, faculty or staff persons who may wish to visit during the inter-visitation hours will be required to present I.D.

The Resident Assistant on duty will record the visitor’s names and ID numbers, the name of the resident they are visiting, their room number, and the visitor’s time of arrival and departure in the Visitation Log. (Each time they enter and leave the building, they must be entered into log.)

Please Note: This will allow Residence Life staff to have an accurate account of who is present in the building in the event of an emergency.

Overnight Guests are permitted to stay up to 2 nights in a 7-day period, permitting no resident to have guests more than 2 nights a week. Extensions will be granted for long weekends.

Overnight Guests are permitted to register with administrative personnel, the RA on duty, or the security guard on duty after 9:00 p.m. Paperwork does not have to be submitted 24 hours in advance. However, it is preferred that the resident complete all necessary paperwork with the Residence Director/Graduate Residence Coordinator between the hours of 9:00 a.m. and 5:00 p.m. on the day of the visit.

7.5.11.1 Room Visitation

A roommate’s wish for privacy, study, sleep, or other personal reasons shall take precedence over the entertainment of the guest. For these reasons, the roommate has priority and may not grant permission for visitation.

7.5.11.2 Room Capacity

The maximum number of guests allowed in any college housing facility is 2 per resident.

7.5.11.3 Bathrooms

Non-residents are encouraged to use those restrooms located on the first floor of the residence hall. However, overnight guests are permitted to use the facilities located in the residential area, so long as there is an agreement amongst those who occupy the shared facility. The host resident should check the area prior to the guest entering and must make all other parties aware of when the facility is in use by their guest.

7.5.11.4 Additional Facilities

All laundry rooms and utility rooms are off limits to guests except when accompanied by their host.
Main lounges are available during designated hours for visitation. Between 11:00 p.m. and 8:00 a.m., strict attention will be given to quiet hours. Excessive noise from visitors and/or the television in the lounge will not be permitted.

The host resident is responsible for the conduct of the visitor, either resident or non-resident, at all times during their visit. Hosts are required to escort their guests at all times and to all locations including to the host’s room, around the building and the campus for security reasons.

Anyone found in the building after the above stated hours of visitation, will be escorted from the building or residence and the host may face disciplinary action from the Office of Housing and Residence Life.

Visitors under the age of 18 are not permitted, unless accompanied by parent or legal guardian.

Note: Parents are not permitted to remain in residence overnight, unless extreme conditions exist, i.e., inclement weather. In the event that the aforementioned should become necessary, the Residence Life Staff member on Duty should be contacted immediately.

7.5.11.5 Complaints and Violations

It is the resident’s responsibility to inform their guest of the rules of the campus; in particular those that pertain to residence life. The host will be held accountable for the actions of their guests while they are on campus. It is also their host’s responsibility to make known any complaints, violations, and/or problems regarding the visitation policy. The Resident Assistant or Residence Life Staff member on duty should be notified of any problems that arise. In the event of a violation the R.A. should forward all names of those involved to their Residence Director/Graduate Residence Coordinator.

Guests are not permitted to have guests. Only residents of the particular residence are allowed to host visitors.

Specific interpretation of the policy or any part of it will be left entirely to the Assistant Dean of Student Affairs or their designee.

Residence Life staff are not permitted to open the door of a resident for a guest, except in the case of an emergency.

The responsibility for the implementation and effective operation of the visitation policy is delegated to Residence Life staff persons. The Residence Life staff should encourage residents to cooperate with one another in respect to the Visitation Policy.

Failure to comply with the policy may result in the loss of visitation privileges.

7.6 Student Code of Conduct and Judicial Procedures

Introduction

The Board of Trustees shall bear full responsibility for the College as a corporate entity. It shall determine the general educational policies of the College. The President shall be the Chief Executive Officer of the College, and shall have the general responsibility for administering the policies approved by the Board of Trustees. Responsibility for
regulations and standards in the area of student life is in turn, delegated to the Chief Student Affairs Officer or a designee. While exercising these powers, the Board of Trustees and College Administration acknowledge and affirm the rights and responsibilities of students as defined herein, as well as rights and responsibilities which are inherent in the educational process.

### 7.6.1 Student Rights within the College Community

With the approval of the Board of Trustees, the College affirms the following student rights and privileges:

1. To engage in discussion, to make inquiries, to exchange thought and opinion, to publish and exchange findings and recommendations, to speak, or print freely on any subject, and to sponsor speakers of their choice, in accordance with the guarantees of our Federal and State Constitutions, subject only to the right of the College to make reasonable rules and regulations related to thereto.

2. To associate with whomever they please.

3. To engage in educational process.

4. To engage in peaceful, orderly, and nondestructive picketing, protests and demonstrations, to the extent they do not violate public law and do not interfere with the educational process, or the rights of other members of the college community.

5. To be free from discrimination on the basis of race, creed, color, sex, religion, sexual orientation, national origin, veteran status, or disability.

6. To be secure in their persons, living quarters, papers and effects, from the reasonable, illegal, or unauthorized searches and seizures; and in the event of a legally authorized search, whenever possible to have present an official of the College and the student against whom the legally authorized search is directed.

7. To be free from violence, force, the threat of force, entrapment and coercion.

8. To organize one’s own personal behavior as long as such behavior does not violate public law or the right of others, and does not interfere with the educational process.

9. To be informed of the standards and the norms of conduct established by the College, and the right to have advance notice of any sanctions for violations thereof.

10. To have the benefit of fair equitable procedures for determining the validity of charges of alleged violations of College standards of conduct. All procedures shall be structured to facilitate a reliable determination of the truth or falsity of charges while providing due process and fundamental fairness to all persons.

11. To retain unaltered status as a member of the College community, to be present on the campus and attend classes, during the consideration of any disciplinary matter, except for reasons relating to the safety and well-being of members of the College community or College property or to a student’s own physical or emotional safety and well-being.

12. To petition for redress of a grievance arising from negligent, malicious, or irresponsible actions of a member of the College community.
13. To have College records reflect only such information as is reasonably related to the educational purposes of the College.

14. To be informed of the existence, custodianship, and general character of all personal records maintained by the College. To inspect all personal records, except records determined to be confidential in accordance with the properly established criteria.

15. To have protection from disclosure of personal records to unauthorized persons in accordance with the Family Educational Rights & Privacy Act of 1974. Information will not be released outside the College community without the expressed consent of, or waiver by, the student involved, except under valid legal compulsion or where there is a danger to a member of the College community, in said cases, the student will be informed of any such release.

16. To establish and elect a democratic, representative, student government.

17. To be heard and have one’s views considered at appropriate levels of the decision-making process within the College community.

18. To use designated College facilities as individuals and members of student organizations for extra-curricular activities sponsored by registered student organizations and student groups, subject to the priority of academic needs and to reasonable College rules and regulations regarding use of facilities.

7.6.2 Student Code of Conduct

The Student Code of Conduct is the product of the combined efforts of the administration, faculty, and students and is approved by the Board of Trustees.

The purpose of this Code is to delineate non-academic standards of conduct appropriate to the College in consonance with the educational goals of the College.

All students are expected to familiarize themselves with the provisions of the Code and their individual responsibility within it.

The Student Code of Conduct shall apply to all undergraduates, graduate and professional students attending Medaille College. Additionally, all students are responsible for complying with the rules, regulations, policies, and procedures contained in other official College publications such as program handbooks and announcements which may be issued from time to time.

The following shall be meaning of terms as used herein:

1. “Student” means any person matriculated, registered or enrolled in a College course or a program of study program or pursuing a course of study at Medaille College.

2. “College Official” means any person employed by the College who is assigned administrative or professional responsibilities, or a public safety officer.

3. “Member of the College Community” means any student, faculty member, or College Office or employee of the College.
4. “Offense” means conduct and/or attempts to engage in conduct inappropriate to the College Community for which disciplinary action may be instituted.

5. “College Property” means all property owned, leased, or controlled by the College.

Students are expected to conduct themselves as responsible members of the College community. Those students whose conduct demonstrates a disrespect for law, the rights of others, or the health, welfare and safety of members of the College community will be subject to disciplinary action by the College, only if such conduct, or attempts to engage in such conduct, takes place on College property or in the course of a College-sponsored or supervised activity, or if such conduct results directly from membership in the College community.

### 7.6.2.1 Offenses Related to Property

An Offense related to property is committed when a student:

1. Knowingly and without consent or authorization has in the student’s possession College property or the property of another person.
2. Knowingly and without consent or authorization removes, uses, misappropriates, or sells College property or the property of another person.
3. Intentionally or negligently damages or destroys College property or property owned or in the possession of another person or the College.
4. Obtains College property or the property of another person by misrepresentation or fraudulent means.
5. Enters or uses facilities or property of the College or another person without consent or authorization.

### 7.6.2.2 Offenses Related to Persons

An Offense related to a person is committed when a student:

1. Intentionally or knowingly and without authority or consent limits or restricts the freedom of a person to move about in a lawful manner.
2. Threatens by any means, intimidates, coerces, or uses physical force in a manner which endangers the health or safety of a person or which would or should be expected to cause a person to be fearful of physical or emotional harm.
3. Physically abuses or injures another person.
4. Intentionally slanders or libels another person.
5. Obstructs, interferes, or denies another student the rights and privileges affirmed by the Board Trustees.

### 7.6.2.3 Offenses Related to the Operation of the College

An Offense related to the operation of the College is committed when a student:

1. Abuses or damages College Property by using it in a manner inconsistent with its obvious or designated purpose.
2. Forges, alters, takes possession, duplicates, or uses documents, records, keys, or identification without the consent or authorization of appropriate College Officials.

3. Falsifies information or records submitted to a College official or Office.

4. Fails to comply with the lawful direction of a College official acting in the legitimate performance of his or her duties and authority.

5. Refuses to respond to a legitimate oral or written request to report to a College Official exercising official authority.

6. Fails to present College identification upon request by a College Official.

7. Purports to represent the College or person in the College Community improperly and without authorization.

8. Engages in solicitation of any type in or on College Property unless approved by an appropriate College Official.

9. Intentionally obstructs the operation and functions of the College by failing to comply with the policies and procedures of the College.

10. Obstructs or interferes with the reprimand, discipline or apprehension of another person who is involved in the commission of an Offense under the Student Code of Conduct or other College regulations or rules.

7.6.2.4 Offenses Related to Welfare, Health or Safety

An offense related to welfare, health, or safety is committed when a student:

1. Uses, possesses, or manufactures without authorization firearms, explosives, weapons, or other dangerous articles or substances injurious to persons or property.

2. Falsely reports a fire, or activates emergency warning equipment or communicates false information regarding existence of explosives on College property or property used by the College for a duly designated College function.

3. Abuses misuses, remove, or damages fire or safety equipment.

4. Refuses to vacate buildings, street walks, driveways, or other facilities of the College when directed to do so by College Official.

5. Uses, possesses, distributes, sells, is under the influence or in the presence of narcotics, hallucinogens, dangerous drugs, or controlled substances except as permitted by law.

6. Possesses or consumes, or is in the presence of alcoholic beverages on campus or at a College sponsored function off-campus if under the age permitted by the State of New York.

7. Engages in games of chance or money or other gain in violation of the law.

7.6.2.5 Offenses Related to the College Student Judicial System (CSJS)

An offense related to the CSJS is committed when a student:
1. Attempts to intimidate coerce, or influence a person by any means in an effort to
discourage or prevent that person’s use of, or participation in, any judicial process
or proceedings.
2. Attempts to influence the impartiality of any member of the judicial body prior to
or during the course of a judicial proceeding.
3. Fails to respond to written notification of a judicial proceeding.
4. Knowingly falsifies, distorts, or misrepresents information before the student body.
5. Disrupts or interferes with the orderly conduct of a judicial proceeding.
6. Knowingly institutes a judicial proceeding without proper cause.

7.6.3 Judicial System Administration

In accordance with the provisions of the College By-laws, and the actions of the Board of
Trustees, the President, who is the Chief Executive Officer of the College, delegates the
supervision of student conduct to the Dean of Students, hereafter called the C.S.A.O. All
disciplinary actions remain subject to final review by the President of Medaille College.

7.6.3.1 The Role of the Chief Student Affairs Officer (CSAO)

The supervision of student conduct is the responsibility of the Chief Student Affairs Officer
(C.S.A.O.). All disciplinary actions remain subject to final review by the President of
Medaille College.

The C.S.A.O. shall serve as the liaison with students who have been placed on disciplinary
probation or separated from the College; the Office of Student Affairs shall be responsible
for informing students of the procedure for reinstatement. The C.S.A.O. has authority to
carry out or direct Interim Suspension of students as authorized by the President of the
College. The C.S.A.O. also has authority either to recommend or to place a hold from
further registration on the student’s records with appropriate legal and procedural
safeguards to the rights of students. The C.S.A.O. may release information concerning the
status of the discipline case to persons involved in the case. These may include the
accuser, the witness, the Student Affairs staff, and other appropriate College officials.

The C.S.A.O. shall have responsibility for receiving complaints against student(s) from any
member of the College community, from local and state agencies and from the general
citizenry. Complaints, which appear to be substantially indicative of a violation of College
regulation, shall be reasons for C.S.A.O. to charge the student(s). The C.S.A.O. shall
notify the student in writing of the specific rights, together with a statement of the hearing
procedures and sanctions. The standard protocol will be to dispose of the charges
informally by mutual consent without the initiation of a formal hearing. The normal
disposition of a student conduct incident report will be for the case to be resolved by the
C.S.A.O./designate and the student. With this option, the C.S.A.O./designee’s disposition
of the case and disciplinary sanctions are final and binding. If there appears to be a conflict
of interest with the C.S.A.O. hearing the case, the C.S.A.O. shall attempt to name a hearing
officer who is mutually acceptable to the parties involved.
7.6.4 Rights of Students in Disciplinary Proceedings

In preserving the rights of the individual student, the College shall have the obligation:

1. To describe its standards clearly.
2. To make known its standard in a form readily available to its students, which will provide fair notice of what is expected and what is forbidden.
3. To apply rules and regulations equally, fair, and impartially to all students.
4. To make appropriate minutes of the hearing, which shall be made available to the parties involved upon request.
5. For any disciplinary action for which sanctions may be imposed, students have the right:
   6. To be considered innocent until found guilty of a violation of the Student Code of Conduct.
   7. To be informed of their rights.
   8. To receive written, timely, and complete notice of the specific charges to be resolved.
   9. To seek the advice of any person within the College. Such rights shall not include the right to be represented at a hearing by any third party.
10. To have a fair disposition of all matters as promptly as possible under circumstances.
11. To hold unaltered student status pending a final adjudication and disposition of all matters except for compelling reasons relating to the safety and well-being of members of the College Community, or College Property, or for compelling reasons relating to the student's own physical or emotional safety or well-being.
12. To have a preliminary conference with the C.S.A.O. or their appointed representatives prior to a full hearing.
13. To be informed of the maximum and minimum sanctions which may be imposed.
14. To be informed of the general nature of the evidence to be presented.
15. To present a factual defense through personal testimony and other relevant evidence.
16. To decline to testify against oneself.
17. To request attendance of witnesses upon a showing of relevance and necessity.
18. To receive a record of the hearing upon request.
19. To be informed of all decisions as soon as possible.
20. To request a review of a decision and be informed of the criteria and procedures which were followed.
21. Alleged victims of crimes of violence or non-forcible sexual offenses may request in writing the results of the disciplinary hearing for students who were charged by
the College with violations of the Student Code of Conduct. The request must be submitted to the Dean of Student Affairs.

7.6.4.1 Sanctions

Sanctions imposed upon students must be proportionate to the gravity of the offense. Sanctions, which may be imposed, are:

1. Disciplinary Warning – a written statement to a student that the student is violating or has violated institutional regulations, and that the continuation of such conduct will not be tolerated. The fact that a student has received one or more disciplinary warnings in the past may affect the severity of a sanction in subsequent disciplinary proceedings.

2. Disciplinary Reprimand – a written statement from the C.S.A.O or their representative, expressing disapproval of conduct. A record of a disciplinary reprimand shall be maintained in the Office of the C.S.A.O. for the period it is in effect. During that same period a record may be introduced in subsequent disciplinary proceedings.

3. Disciplinary Probation – a conditional retention of a student’s status for a specified period of time. During the probationary period a student is excluded from participation in extra-curricular College activities nor may the student hold any appointed or elected position within the College Community. A record of disciplinary probation will be maintained in the Office of the C.S.A.O. for the period it is in effect and during that period the record may be introduced in subsequent disciplinary proceedings.

4. Residence Hall Probation – a conditional retention of a student’s status for a specified period of time. A record of Residence Hall Probation shall be maintained in the Office of the C.S.A.O. for the period it is in effect and during that period it may be introduced in subsequent disciplinary proceedings.

5. Restitution – a written direction to replace, repair, or make specific compensation for property of the College or another person, which was damaged, destroyed, or misused. A record of a direction to make restitution shall be maintained in the Office of the C.S.A.O. until full restitution is made, and during that period the record may be introduced in subsequent disciplinary proceedings.

6. Interim Suspension – an immediate exclusion from classes and all other College privileges or activities that is imposed by the President or C.S.A.O. (or their representative) of the College, pending a hearing before the appropriate judicial body. Interim suspension will be imposed only to ensure the safety and well being of members of the College community, or College property, or to ensure the student’s own physical or emotional safety and well being.

7. Residence Hall Suspension – a loss of the privilege of living in college sponsored housing for a specified period of time. A record of Residence Hall Suspension shall be maintained in the Office of the C.S.A.O. for the period it is in effect and during that period it may be introduced in subsequent disciplinary proceedings.
8. Disciplinary Suspension – a termination of registration as a student for a specified period of time. During the period of suspension a student is excluded from classes and all other College privileges or activities. A record of disciplinary suspension is maintained as a permanent record in the Office of the C.S.A.O. and a copy shall be placed in the student personnel file.

9. Residence Hall Dismissal – a permanent termination of the privilege of living in college sponsored housing. A record of Residence Hall Dismissal shall be maintained in the Office of the C.S.A.O. and may be introduced in subsequent disciplinary proceedings.

10. Disciplinary Dismissal – a termination of registration of a student. If the student applies for readmission, the student will not be allowed to return to the College. A record of a disciplinary dismissal is maintained as a permanent record in the Office of the C.S.A.O. and a copy shall be placed in a student’s personnel file.

11. Substituted Sanction – a constructive undertaking by a student, which shall be maintained in the Office of the C.S.A.O. until the undertaking is completed. If the substituted sanction is not satisfactorily completed, the C.S.A.O. shall reinstate the original sanction.

12. Persona Non Grata – an exclusion from College property/buildings for a specific or indefinite period of time.

7.6.4.2 Appeals

The accused student(s) may appeal a decision made by the Assistant Dean of Student Affairs or his/her designee. A request for an appeal must be submitted in writing to the Dean of Students (or his/her designee) within two business days (48 hours) of the decision. Generally, the Dean of Students will hear appeals of all matters for which he/she did not render the decision. In cases involving sexual harassment and our assault/violence, the Dean of Students may choose to review appeals with the Title IX Coordinator and whomever else he/she deems appropriate before rendering a decision. The President of the College will hear all appeals for which the Dean of Students rendered the initial decision.

The written request for any appeal must be based upon one or more of the following reasons, which must be specifically specified in the appeal:

1. Violation of College conduct review procedures;
2. New evidence not reasonably available at the time of the hearing;
3. Improper or excessive sanction(s);
4. Decision not supported by a preponderance of evidence.

Upon receipt of the appeal, the appropriate college official will do one of the following:

1. Accept to hear the case at his/her discretion;
2. Refuse to hear the case for lack of sufficient reason for appeal;
3. Request that another hearing be conducted;
4. Investigate and amend the decision and/or sanction.
In appeals by the accused involving claims of improper or excessive sanctions, decisions following appeal cannot result in more severe sanctions for the accused student. The decision and sanction(s) resulting from any appeal will be sent to the respondent, complainant, president of the College and/or persons and offices notified of the original sanction(s).

### 7.7 Student Activities and Organizations

#### 7.7.1 Campus Activities

Co-curricular (campus) activities are a valuable part of a student’s collegiate experience. Involvement complements a student’s academic work by providing opportunities to pursue interests, gain valuable experiences, and develop leadership and management skills. It also offers an opportunity to socialize within Medaille’s diverse population. Additionally, participation in co-curricular activities increases a student’s marketability upon graduation.

#### 7.7.1.1 Student Activities Board

The Student Activities Board (S.A.B.) is the programming arm of the Student Government Association (S.G.A.). This Committee plans a variety of activities, which represents the interests of a diverse student population. In any given year, this may include parties, concerts, trips, theater excursions, lectures, sports events and much more. The program complements the traditional events, which are held on an annual basis: the Fall and Spring Picnics, the annual Holiday Party, and co-sponsorship of the Awards Banquet.

The Executive Committee of the Activities Board consists of the S.G.A. Vice President for Programming, a Vice President of the S.A.B., Treasurer, Secretary and a Public Relations Officer. The Vice President for Programming serves on the Student Government Executive Board and is elected by the student body.

Anyone who would like to learn more about S.A.B. should stop by the Student Affairs Office, located in the Sullivan Campus Center, second floor.

#### 7.7.1.2 Student Government Association

The Student Government Association (S.G.A.) unites all its members in a commitment to the ideals for which Medaille stands, to expand the co-curricular life, to coordinate all student organizations, and to act as a medium through which student opinions can be expressed. S.G.A. serves as the liaison between the student body, faculty, administration, and the Office of Student Affairs. S.G.A. consists of volunteer students, elected by students, working for all of the students at Medaille College.

The Office of Student Activities through the S.G.A coordinates student activities. The S.G.A. Finance Committee, in conjunction with the Dean of Students or designee, distributes the Student Activity Fee funds to all of the various clubs and organizations. All of the diverse groups, which operate under the auspices of S.G.A. are described in the beginning of this Section 7.7 of the Policy Manual.
7.7.1.2.1  Membership

The membership of the SGA consists of:

1. The Executive Board
   a. President
   b. Vice President for Legislation
   c. Vice President for Programming
   d. Treasurer
   e. Secretary
   f. Public Relations Office
   g. Chairperson of Club Council

2. The Student Representatives
   a. Senators (9)
   b. Freshmen Senators (3)

To run for a Student Government position, students may pick up an application and petition from the Student Affairs Office. Elections for the Executive Board and upper Senators are held during the spring semester. Freshmen Senators and any other vacant positions are elected at the beginning of the fall semester.

The Student Government Association’s Office is located on the second floor of the Campus Center within the Student Affairs Office.

7.7.1.3  Clubs

To learn more about the clubs and organizations, descriptions are found in the Student Planner.

7.7.2  Intramurals and Recreation

Medaille College offers a variety of sports at the intramural level of competition including softball, volleyball, indoor soccer, and flag football. Student interest determines those sports offered.

Recreational activities include aerobics, bowling, camping, golf, and skiing. These are just a few of the activities available. For more information contact the Director of Student Activities and Center for Multicultural Education and Diversity.

7.8  Student Government Association Constitution

Preamble

Within the academic community, it is proper that there be some degree of organization for the purpose of unifying and expressing student opinion, protecting students’ rights, maintaining an atmosphere of academic freedom, and promoting student activities in both the academic and social fields. It is for the pursuit of these goals and for the promotion of the general welfare of the student body, that the students, with the consent and authorization of the President of Medaille College, establish this constitution.
7.8.1 Article I- Name

The name of this organization shall be the Student Government Association of Medaille College. Within this constitution, this organization may be referred to as the Government or S.G.A.

7.8.2 Article II- Purpose

The primary purpose of this organization shall be to serve as the official representative organization of the student body; to serve as the liaison between the student body and faculty, administration, and the Office of Student Affairs; to preserve and enhance the projects and activities which contribute to the quality of student life; to supervise student organizations and student activities on campus with the assistance of the Student Involvement Center; to protect the rights of the student as defined within the student handbook; and promote the general welfare of the student body. It is for the pursuit of these goals and for the promotion of the general welfare of the student body, that the students, with the consent and authorization of the President of Medaille College, establish this constitution.

7.8.3 Article III- Authority

The Student Government Association of Medaille College and its constitution derive their authority from the consent of the student body and the approval of the college President. This document shall serve as the supreme authority of the S.G.A.

7.8.4 Article IV- Membership

Section 1- The Medaille College Student Government Association shall consist of the:

(a) Executive Committee
(b) Senators
(c) Club and Organization Representatives

Section 2- The Executive Committee shall consist of the:

(a) President
(b) Vice President of Legislation
(c) Vice President of Programming
(d) Treasurer
(e) Secretary
(f) Public Relations Officer
(g) Club Council Officer

Section 3- The Senators shall consist of ten (10) full-time senators, and four (4) first-year students (or freshmen), elected by the student body, for a total of 14 (14) senators.
Section 4- The Club and Organization Representatives shall consist of one (1) Executive Board member from each recognized club or organization on campus, to be chosen by those clubs and organizations. These representatives shall also make the appropriate contact to the S.G.A. Club Council Chair, as deemed appropriate.

7.8.4.1 Article V- Advisors

(a) The Director of Student Involvement and Multicultural Education & Diversity will serve as Advisor to the S.G.A. In their absence, the Dean of Student Affairs shall serve as Advisor.

(b) The S.G.A. Advisor is expected to share the responsibilities of S.G.A. and act as a source of information regarding programming, college policies, and campus issues.

(c) The Advisor must approve/sign all contracts and any other responsibilities involving S.G.A. which have legal ramifications.

(d) The Advisor has the ultimate responsibility for ensuring the appropriate expenditure of funds, balancing the S.G.A. budget on an annual basis, and maintaining appropriate financial records in conjunction with the S.G.A. Treasurer.

(e) The Dean of Students will serve as the liaisons between the S.G.A., the Office of Student Affairs, the President, and the Office of Academic Affairs.

(f) The Advisor provides the training and leadership development of S.G.A.

(g) The Advisor will act in the best interest of S.G.A. at all times.

7.8.5 Article VI- Powers

Section 1- The Student Government shall have the following powers:

a) To act as the sole official representative body of the Medaille College undergraduate student body enrolled at the Buffalo Campus.

b) To appropriate, review, and allocate funds, enter agreements, and conclude contracts.

c) To assist and oversee official extra-curricular activities.

d) To assist and oversee all officially recognized student organizations.

e) To provide such services to the student body as, from time to time deemed fitting.

f) To commission subordinate committees it considers appropriate (the Chairman is responsible for recruiting the committee personnel) and ensuring the completion of the committee objective. The committees are subject to the authority of S.G.A. Its’ members do not have to be elected representatives of the Government.

g) To nominate students to the College Committees as appropriate (these students need not be members, and are subject to the authority of the Student Government).
h) To establish any ordinances, regulations, procedures, or penalties (not inconsistent with College, State, or Federal law) necessary and proper to execute these powers, including the execution of S.G.A. elections.

Section 2 - The Executive Committee as a whole shall have the following powers:

a) To render decisions, appropriate funds, and pass legislation in emergency situations, as deemed by the Advisor.

b) To call Executive Committee meetings, with the opening of meetings to non-Executive Committee members left to the discretion of the committee.

c) To act as the Finance Committee when it is deemed necessary.

d) To granting student organizations official recognition.

e) To meet at least once every week of the academic year and it is to be chaired by the President of S.G.A.

Section 3 - The President shall have the following powers and responsibilities:

a) To preside over and call all regular S.G.A. meetings, as well as Executive Committee meetings.

b) To act as the official representative of the S.G.A. unless otherwise directed by a majority vote of the S.G.A. as a whole.

c) To appoint, with approval from the S.G.A., the Chairperson of any committee that the Government commissions.

d) To nominate, the students to serve as the representatives on the College Committees as appropriate.

e) To act as the official liaison of S.G.A. to the College Board of Trustees as may be appropriate.

Section 4 - The Vice President of Legislation shall have the following powers and responsibilities:

a) To preside over meetings and execute presidential responsibilities in the event of the President's absence.

b) To serve as coordinator of student representatives to the Committees of the College.

c) To meet with the student representatives of the College Committees as deemed necessary.

d) To maintain accurate listings of student representatives to the College Committees and to aid the President of the S.G.A. in filling vacancies in these committees.

e) To serve as Chairperson of the Constitution Committee.

f) To oversee and coordinate the elections of all S.G.A. positions, unless current Vice President is running for S.G.A. position.
Section 5- The Vice President of Programming shall have the following powers and responsibilities:

a) To serve as President of Student Activities Board.

b) To report all Student Activities Board activities to Student Government on a weekly basis.

c) To submit a detailed program budget to the Finance Committee.

Section 6- The Secretary shall have the following powers and responsibilities:

a) To be responsible for the taking, publishing, maintaining, and record keeping of all minutes of regular S.G.A. meetings and to present a copy of such minutes to all members of the S.G.A. and all other appropriate college personnel.

b) To aid in official outgoing S.G.A. correspondence, and maintain record of the aforementioned.

c) To record all legislation and voting of the S.G.A. during regular sessions.

d) To maintain the files of S.G.A. computer login, this is sga@medaille.edu.

e) To keep accurate records of attendance for meetings and mandatory events.

f) To be responsible for the additions and upkeep of a public records binder, this shall consist of the aforementioned literature.

g) To ensure the binder is kept in the Student Involvement Center during the academic year.

Section 7- The Treasurer shall have the following powers and responsibilities:

a) To be responsible for the accounting of all monies, funds, assets etc., of the S.G.A. and Student Activities Fee Fund.

b) To present an accurate report of all finances at each regular S.G.A. meeting.

c) To serve as the Finance Committee Chair and, as such, to present a budget for the following academic year to the S.G.A. This committee must meet at the beginning and end of each semester and whenever else is deemed necessary.

d) To endorse all checks or appropriations instructed by Government body for any S.G.A. event and to secure the monies at the time of such events.

e) To maintain the files and record keeping of all monthly budget reports of the S.G.A.

Section 8- The Public Relations Officer shall have the following powers and responsibilities:

a) To assist the President in calling and organizing all Open Forums and to publicize all information concerning the forum.
b) To maintain student newspaper input and update website, as applicable.
c) To be responsible for any publicity related to the S.G.A.
d) To post an agenda prior to each meeting and to publicize meeting dates and locations to the student body.
e) To produce a monthly newsletter to be distributed to the student body and updates all student government and club activity.

**Section 9**- The Chair of Club Council shall have the following powers and responsibilities:

a) To maintain accurate records of all active clubs and organizations, as well as charters and constitutions of said clubs.
b) To obtain dates and locations of any club or organization event, to facilitate in the scheduling thereof, and to maintain a calendar of such events for the regular academic year.
c) To preside over all Club Council meetings to be held at the time appointed and approved by the Club Council members.
d) To assist the Student Involvement Center in the registration of student organizations (see Article XVI).

**Section 10**- The Senators shall have the following powers and responsibilities:

a) To engage in full discussion, motioning, voting rights, and proper knowledge of Roberts Rules.
b) To serve as student representatives to at least two (2) College Committees or S.G.A. committees of their choice.
c) To represent the will and welfare of the electorate and assist the S.G.A. to the best of their ability.
d) To be responsible for at least one (1) office hour per week regarding S.G.A. in the Student Government Office.

**Section 11**- All S.G.A. members shall act as a direct liaison to a recognized club on campus, and responsibilities shall consist of:

a) To make initial contact with the club.
b) To attend at least one of the clubs meetings per semester.
c) To staying in contact with the Clubs E-Board at least once a month.
d) To collect a final list of the clubs roster, due the last Friday of April.
e) To complete at least one volunteer event per semester.

**7.8.6 Article VII- Committees**

**Section 1**- The S.G.A. committees shall include the following:
1. The Club Council
2. The Standing Committees
3. The Ad-Hoc Committees

Section 2- The actual membership of these committees shall be as follows:

The Committees of the College requesting student representation may be standing of Ad-Hoc Committees and any other groups (such as Search Committees), which involve student participation, will be constituted by mutual consent of the faculty, administration, and the S.G.A.

The Club Council shall consist of one (1) delegate from each of the active organizations which are recognized by the Student Government Association.

The Standing Committees shall consist of the following:

1. The S.G.A. Constitution Committee
2. The S.G.A. Finance Committee
3. The S.G.A. Election Committee
4. The S.G.A. End of the Year Banquet Committee
5. The S.G.A. Volunteer Committee
6. The Ad-Hoc Committees shall consist of any special committees formed by the S.G.A. to complete ongoing functions and special purposes as deemed necessary.

7.8.7 Article VIII- Programming Boards

Section 1- The Vice President of Programming shall be the Chairperson of the Student Activities Board.

Section 2- S.A.B. is responsible for events and activities for specific constituencies on behalf of the Student Government Association. Programming by one group does not exclude involvement and participation of all students.

Section 3- All students are eligible to participate in any committees of the Programming Board.

Section 4- Special meetings of the Programming Board may be called at the request of the Chairperson or by the President of S.G.A.

7.8.8 Article IX- Nomination/Election Qualifications

Section 1- The President:
(a) Must be a junior, or senior during the academic year for which they will be elected and have served at least three (3) semesters on the Medaille College S.G.A. and be involved in another campus club or organization for one semester, at minimum.

(b) Must be enrolled on a full-time status, defined as 12 or more credit hours for both semesters.

(c) Must have a 2.00 cumulative G.P.A. and not be on disciplinary probation.

Section 2- The Vice President of Programming:

(a) Must be enrolled on a full-time status and have served at two consecutive semesters as an Executive Board member within SAB.

(b) Must have a 2.00 cumulative G.P.A. and not be on disciplinary probation.

(c) Must be a Buffalo Campus undergraduate student to run.

Section 3- All other Executive Board positions (Vice President of Legislation, Secretary, Treasurer, Public Relations Officer, and Chairperson of Club Council):

(a) Must be enrolled as a full-time student and have started their third semester (sophomore status) at Medaille College.

(b) Must have a 2.00 cumulative G.P.A. and not be on disciplinary probation.

(c) Must hold a Senator position for two (2) semesters.

Section 4- The Upperclass Senate:

(a) Must have a minimum of 24 credit hours or have started their third semester of college.

(b) Must be enrolled on a full-time basis of the term in which they are to serve as defined as 12 or more credit hours.

(d) Must have a 2.00 cumulative G.P.A. and not be on disciplinary probation.

(e) Must be a Buffalo Campus undergraduate student to run.

Section 5- The Freshman Senate:

(a) Must be enrolled on a full-time status defined as 12 or more credit hours.

(b) Must have a 2.00 cumulative G.P.A. and not be on disciplinary probation.

(c) Must be a Buffalo Campus undergraduate to run.

Section 6- To be placed on a ballot, candidates for positions on the Executive Committee must return a petition containing the signatures of at least 50 students eligible to vote in that election. All other petitions must contain the signatures of at least 25 students eligible to vote in that election.

Section 7- Nominations for any position will be accepted at the designated location by the designee no later than two (2) pm on the date specified on the petition. The designated location, date, and designee will be specified on the candidate nomination and application forms.
Section 8- The voting procedures for each of the S.G.A. positions shall be as follows:

(a) Voting shall be administered by the election committee at designated locations for at least four (4) hours on Tuesday and Wednesday of the election week, with at least two (2) hours being in the evening on each day. Designated locations will be posted at least twenty four (24) hours before elections.

(b) All undergraduate students enrolled at Medaille College’s Buffalo Campus are eligible to vote.

(c) Any candidate receiving a plurality of votes casted shall be declared the winner in the general election.

(d) In the event of a tie, those candidates tying will be voted upon, within seven (7) days, in a run-off election.

(e) Candidates may not run the voting table if their name appears on the ballot.

(f) No candidate may post any campaign materials within 7 feet of the election post.

(g) The election periods for the S.G.A. positions will be as follows:
   1. The election of the Executive Committee and Upperclass senators will take place in April.
   2. Freshman elections will take place in September.
   3. Any vacancy from the spring election will be filled in September of the following year.
   4. No write-in candidacy will be accepted.

Section 9- Publicity for any election may begin after the petition has been approved by the Election Committee and shall terminate upon the closing of the last day of the period. It is the responsibility of the candidates to remove their campaign material from the college area within forty eight (48) hours after the close of voting.

Section 10- Members of the Executive Committee can hold only two executive position in any other S.G.A. funded and constitutionally recognized organization and may not take part in budget decisions.

Section 11- Election results shall be posted within forty eight (48) hours of the closing of the election period. Election figures shall be made available upon request. Results from April election shall be announced at End of Year Banquet.

Section 12- If a candidate is running uncontested an election need not be held. Public notification will be made in such circumstances.
7.8.9 Article X - Installation

Section 1- Elected members shall be sworn in on the first Monday after elections and after taking the oath of office, administered by the President of the S.G.A. All terms conclude at the end of spring semester. Terms run from fall to spring.

Section 2- The Freshman Senators shall be installed at the first regular meeting after the close of election week, after taking the oath of office administered by the President of the Student Government Association.

Section 3- The outgoing President shall swear in the newly elected President, who will then install all other newly elected Board members and Senators.

Section 4- The oath of office:
“I do solemnly swear to preserve, protect, and execute the Constitution of the Medaille College Student Government Association and to execute the duties of the office/position of _____________ (insert position) to the best of my abilities.”

Section 5- Any outgoing Executive Committee members will mentor newly appointed members through last meeting of the academic school year.

7.8.10 Article XI - Meetings and Training

Section 1- The S.G.A. shall meet in General Session once a week. Meetings shall be held once a week during September through May, unless otherwise specified.

Section 2- All Executive Committee members are required to meet once a week.

Section 3- All meetings shall be open to the entire Student Body and all college personnel, including Alumni, unless otherwise specified.

Section 4- Meeting procedures shall follow the latest edition of Robert’s Rules of Order, unless otherwise set forth by this Constitution or its By-Laws.

Section 5- One-half of the elected government members plus one (1), will constitute a quorum during academic sessions.

Section 6- Attendance at regular academic session meetings is mandatory. No more than two (2) excused absences are permitted per semester, unless emergency circumstances exist. Internships and employment do not constitute excused absences. Any more than two
(2) absences will result in automatic review from the Student Government. S.G.A will then vote on the matter.

Section 7- S.G.A. training will be held upon election and is mandatory for each elected member.

7.8.11 Article XII - Removal from Office

Section 1- Reasons for removal from office shall include the following:
(a) Excessive absences, as stated in Article XI, Section 6.
(b) Loss of full-time status, except in the case of second semester seniors.
(c) A blatant failure to uphold the purpose of the organization, its constitution, or this College.
(d) Failure to fulfill all requirements of position per this constitution.

Section 2- Removal from office will have the following format:
(a) Expulsion is automatic
   1. Any and all reasons deemed as expulsion by the E-Board and advisor shall be automatic ejections from the Medaille College Student Government Association.
(b) A written petition bearing the signatures of three-fourths (3/4) of the S.G.A., calling for the impeachment of a member, shall remove the member from their position/office.

Section 3- Appeals of all removals from office must be made within seven (7) days after receiving notification of expulsion. A three-fourths (3/4) vote of the S.G.A. members can overturn any expulsion.

7.8.12 Article XIII- Vacancies

If a vacancy occurs within the voting membership of the Student Government, this news is made public and a special election is held. If a case arises in which there is a vacancy in the office of the President, the Vice President of Legislation assumes the Presidency until the appropriate election is held. If a vacancy within the other offices of the S.G.A. occurs, the S.G.A may choose to appoint or conduct an internal vote to choose a S.G.A. member to temporarily fill the position until an election is held.

7.8.13 Article XIV- Judicial Review/Interpretation

Section 1- When necessary, the Constitution Committee shall review the present Constitution and recommend any necessary changes, amendments, or additions to the S.G.A.

Section 2- All questions of interpretation of the Constitution shall be decided by a three-fourths (3/4) vote of the elected members of the S.G.A. as a whole.
7.8.14 Article XV- Amendments

Section 1- An amendment must be proposed in one of the following methods:

(a) A majority vote of the elected members of the S.G.A. as a whole.
(b) Ten percent of the Student Body as a whole, whose signature appears on a petition endorsing the proposal of the amendment.
(c) A recommendation by two-thirds vote of the Constitution Committee.

Section 2- Ratification of a proposed amendment requires either:

(a) A two-thirds affirmative vote of the elected S.G.A. members as a whole or
(b) A written petition of twenty-five percent of the entire Student Body.

Section 3- An amendment shall be effective immediately upon ratification unless otherwise specified in the amendments.

7.8.15 Article XVI- Registration of Student Organizations

Section 1- Each year, all student organizations must register with the Student Involvement Center.

(a) Registration will take place during the last three (3) full weeks of classes and the first three (3) full weeks of classes.
(b) Registration includes the following:
   1. Proof of an updated Constitution that has been approved by the Organization and Student Government.
   2. A list of elected officers for the academic year.
   3. A signed registration agreement in which the organization promises to adhere to all policies set forth by the Office of Student Affairs (i.e. sign policy, budgeting restrictions, event registration, etc.)
   4. All new clubs will receive a starting budget, determined by S.G.A, with a recommendation from the Finance Committee.
   5. All new clubs will have to register to orgsync.com program in order to become a fully recognizable club.

Section 2- Should an S.G.A recognized organization, or an organization seeking S.G.A recognition, fail to register with the Student Involvement Center, the organization will:

(a) Be declared inactive for the academic year; relinquishing all rights and privileges of recognition.
(b) Not be permitted to sponsor events.
(c) Not receive funds from Student Government.
(d) Unable to use college facilities (classrooms, conference rooms, recreation center) unless applying for usage in the same manner as an off-campus group.
7.8.16 Article XVII- Financial Guidelines

Section 1- See the Medaille College S.G.A. By-Laws, Article I- Financial By-laws.

7.8.17 Article XVIII- Effective Date

This constitution becomes effective immediately upon ratification. For a new Constitution to become effective, there must be a three-quarters (3/4) affirmative vote of the Student Government, and the approval of the Advisor.

7.8.18 Article XIX- By-Laws

Section 1- The Student Government may, by three-fourths (3/4) votes establish by-laws consistent with this Constitution. No offices or positions may be created, nor authority conferred, nor finances encumbered without prior approval of the Student Government.
7.8.18.1 Medaille College S.G.A. By-Laws

Article I - Financial By-laws

Section 1- Requests for funds are to be prepared by the Treasurer and Finance Committee, which will consist of the following: Treasurer, President, five (5) Senators, Chairperson of Club Council, and the advisor of S.G.A. Approval of all expenditures is the responsibility of the Membership of S.G.A., as stated in the Constitution, Article VI Section 1.

Section 2 -The annual budgeting process will be as follows:
(a) The S.G.A. Treasurer must distribute the budgeting packets to clubs no later than April 1st. Clubs wishing to submit a draft of their budget for SGA review, must do so by Friday in the second (2) week of April by 3 pm. Clubs must return the final budget submissions to the Treasurer, President or an Advisor of S.G.A. by Wednesday in the third (3) week of April by 3pm. Clubs must also sign up for a budget meeting no later than the date the budgets are due.
(b) Budgets review meetings will be held by the Finance Committee during the Fourth (4th) week of April.
(c) The budget packet will consist of the following forms: Cover sheet, club budget request form, special events form, and roster.
(d) During the budgeting process in the spring presiding the next academic year, if a club turns its budget in after the due date, one (1) week late they will receive a 10% cut and continue to lose 10% for each additional week it is late.

Section 3- The Finance Committee shall use the following criteria when allocating money:
(a) There will be limited social expenses to Clubs and Organizations since S.A.B. is the primary programming facilitator.
(b) No capital expenses are generally granted.
(c) Allocations will not be granted that are intended for limited group of students and no off-campus trips will be granted unless they include a significant number of people.
(d) To receive the allocated money, a Club must send a representative to the Club Council meeting each month. Budgets will be cut if not done so.
1. 10% budget cut for each missed club council meeting, from the budget of the semester of the missed meetings.
2. Clubs may not request additional funds from the time of missed meeting to the end of the current semester.
(e) The end of the year balance for Student Activities will revert back to the general fund of S.G.A., less fundraised monies.

Section 4- Written supplemental budgets may be submitted any time during the fiscal year.
Section 5- Any budget appeals may be considered by the Finance Committee, and the appeal must be made within two (2) weeks of allocation.

Section 6- Clubs must deposit all money that is raised, paid and donated to the organization.

(a) Deposits must be handed into the Student Government Advisor or the Assistant to the Dean of Student Affairs and placed in the safe.

(b) Deposits must be clarified on whether the money is a donation, fundraising money or a club due.

(c) Club dues and fundraising money must be kept separate in a club’s budget spreadsheet.

Section 7- Checks and Check Requests- All check requests must be filled out, by a student member, completely and properly with an advisor signature, and a club executive board members signature as well as the information of contact for the check. The requests are due in the S.G.A. treasurer’s mailbox no later than Friday, and checks will be available for clubs to pick up in their mailboxes the following Thursday. No checks will be written outside this timeframe or on weeks classes are out of session.

Section 8- Clubs with a budget ranging from $.01-$2000 can request additional funding up to 30% of their original set budget. Clubs with a budget greater than $2000 can request up to 25% of their original budgets for additional funding during the academic year. The academic year consists of the fall and spring semester. Fundraising money will not be calculated into the club’s budget when considering these requests. These expenditures still need to be voted on by the S.G.A. for approval.

(a) The organization must complete at least one group community service event, where three-fourths (3/4) of the club is in attendance, in order to receive the additional funding.

(b) Supplemental funding requests may be submitted anytime throughout the academic year. Forms are available on OrgSync or in the Student Involvement Center.

Section 9 - To receive additional funding for already budgeted trips clubs must raise a minimum of $5000 to request 25% of the fundraised monies from S.G.A. These expenditures still need to be voted on by the S.G.A. for approval.

(a) Trip deposits and club dues are not considered fundraised money

(b) Clubs must provide a specific breakdown of fundraised funds in order to request 25% of their fundraised monies.

Example: If a club raises $4000 they cannot ask S.G.A. for additional funding for their trip. If a club raises $5000 they will get $1250. If they raise $7000 they will get $1750.

Section 10- Reallocation of budget lines is allowed for all clubs to move money from one existing budget line to another existing budget line.

(a) A Budget Reallocation form must be filled out and handed into the Treasurer’s mailbox.
1. The reallocation form must be filled out, by a student member, completely and properly with advisor signature and club executive board member signature as well as contact information.

(b) Any line transfer must be approved by the Finance Committee by 3/4 vote.

1. S.G.A. allocated funds within club budgets may not be transferred/reallocated into an existing or newly formed trip line.

Section 11- The Finance Committee has the ability to place any club on financial probation for a span of two (2) weeks during the semester. A club is placed on a probationary period for the following:

(a) Having two (2) unexcused absences from the Club Council meetings.

(b) Inactivity of Club.

(c) Not following the standard club policies and procedures as outlined in the clubs’ manual.

(d) Terms of probationary period:

1. At least two club representatives must be present at all S.G.A meetings during the first two (2) week probationary period.

2. If the probation period is violated a clubs budget will become frozen and will only be released with a two thirds vote by the S.G.A. as a whole.

3. A club may also be put on probation for ANY violation of the financial by-laws or any circumstance discussed and agreed upon by the Finance Committee and then presented to Student Government to vote.

Section 12- Clubs may request an updated budget from the S.G.A. Treasurer at anytime. This request must be fulfilled ASAP but no later than one week’s time from request.

(a) The Treasurer will upload clubs revised budgets to their respective OrgSync pages monthly.

Section 13- Clubs may request from S.G.A. start-up money for a fundraiser. Forms are available on OrgSync or in the Student Involvement Center.

(a) Fundraising forms must be submitted to the Treasurer’s mailbox and contain all appropriate information and signatures prior to consideration.

(b) Forms must be approved by a 3/4 vote of Finance Committee.

(c) All start-up money must be repaid from actual money raised by the club.

Example: If a club receives approval for $300 in fundraising money, their fundraising line would go negative (-$300) until they deposit the profits from the fundraiser. If the raise $350 in profits, they would yield $50. In essence the start-up money is a loan to begin activities that must be paid back.
Article II – Club Procedure By-laws

Section 1- Inactive/Reactivating Clubs

(a) Inactivity – If miss one (1) Club Council Mtg. – 10% budget cut for that current semester.
(b) Reactivating Inactive Clubs – Mandatory re-registration requirement through Student Involvement Center.

Section 2- Active Club Requirements

(a) One (1) adviser is required.
   1. This advisor must be either a Medaille College Faculty or Staff Member.
(b) Membership includes at least ten (10) Medaille College Buffalo Campus Undergraduate.

Section 3- Club Representatives

(a) One member of the e-board must be designated as the Club Council Representative. If the designated member cannot attend they must defer task to another member in his or her absence. An e-mail must be sent a week prior to the Club Council Chair.

Section 4- Forming a New Club

(a) If you are interested in starting a new club, request a “New Organization Registration Packet” from the Student Involvement Center.
(b) You must submit a constitution and a membership roster that will be reviewed by the Student Government Association.
(c) Upon recognition by S.G.A., any new clubs formed after the budget process will be given budget packets for completion. New clubs will be required to follow the same budgetary process as existing clubs, as described in Article I of the Financial By-laws. New clubs will not be permitted funds for trips or conferences.

Section 5- Financial Policy

(a) See Student Government Association By-Laws, Article 1, Financial Guidelines.
   1. Check Request Forms are available in the Student Involvement Center.
   2. Each semester every Club will receive a letter from the Student Government Treasurer, in the respective Club mailbox, detailing the time when the requests are due and when the checks are written.
   3. Deposit forms can be found in the Student Involvement Center.

Section 6- End of Semester Reports from Clubs

(a) Include rosters of each meeting.
(b) Accomplished Programs.
(c) Goals for the upcoming semester.

*S.G.A. Club Trainings will be held in the fall and Spring Semesters.

*Please feel free to contact members of Student Government Association or stop by the Student Involvement Center if you have any questions concerning this process.
7.9  Athletics

7.9.1 Statement of Philosophy

Athletic participation is an important aspect of the Medaille collegiate experience. Athletic participation supports Medaille College’s mission statement providing educational opportunities that are not normally found in the traditional classroom setting. Here, student-athletes learn more than the techniques and strategies of the game. Discipline, respect, time management skills, sportsmanship, teamwork, healthy lifestyle choices and leadership all contribute to the skills and character that students will use during their time at Medaille College and for the rest of their lives.

Medaille College will field twelve intercollegiate teams in the sport of golf, women’s cross-country, men and women’s volleyball, soccer, basketball, lacrosse, softball, and baseball. Medaille College is a member of the NCAA Division III, the Allegheny Mountain Collegiate Conference and the Eastern College Athletic Conference.

7.9.2 NCAA Divisional Philosophy Statement

Colleges and universities in Division III place highest priority on the overall quality of the education experience and on the successful completion of all students’ academic programs. They seek to establish and maintain an environment in which a student-athlete’s athletic activities are conducted as an integral part of the student-athlete’s educational experience, and in which coaches play a significant role as educators. They also seek to establish and maintain an environment that values cultural diversity and gender equity, among their student-athletes and athletics staff. (Revised: 1/09/06)

7.9.3 Allegheny Mountain Collegiate Conference (AMCC) Affiliation

Beginning this fall, Medaille College begins membership in the Allegheny Mountain Collegiate Conference. The AMCC was initially formed in 1997 by a group of six colleges and universities; Frostburg State University, Lake Erie College, LaRoche College, Pennsylvania State University at Erie, and the Universities of Pittsburgh at Bradford and Greensburg. Subsequent members are Pennsylvania State University at Altoona, Hilbert College, Mount Aloysius College, and Medaille College. The mission of the AMCC is to provide intercollegiate athletic opportunities that must be in harmony and consistent with the essential educational mission of the institution. With the AMCC being an affiliated conference of the NCAA, conference champions will automatically qualify for national competition.

7.9.4 Eastern College Athletic Conference Affiliation

Medaille College is also affiliated with the Eastern College Athletic Conference (ECAC) that provides additional opportunities of tournament competition.
With these two conference affiliations, a student-athlete at Medaille College will have the opportunity to compete on the local, regional, and national levels.