A. Room Rate

Room rates are established to cover the cost of maintenance and administration of the residence halls. The rates are reviewed periodically and adjusted as necessary. A student admitted in the fall is required to sign the housing license and is liable for the full academic year. If a student transfers at any time during the academic year, the remaining room rate will be prorated for the student’s remaining time of occupancy. Students living in the residence halls are required to be a full-time resident, unless they are referenced in this document and are considered part of the residence hall license agreement. The first day of classes is considered to be the initial date of occupancy for each student.

B. Room Assignments

Room assignments for new students are made by the Residence Life Office, taking into consideration the student’s housing preferences and academic advisement. Roommates are assigned based on the student’s housing contacts. To change the assignment, the student must complete a request form and submit it to the Residence Life Office. Any unassigned rooms will be occupied by incoming students as they become available. Upon graduation, students are required to vacate their assigned rooms by May 15.

C. Occupancy Management

Room changes must be approved in advance by Residence Life staff. Students may request to hold additional students occupying a single room at any time. Students must request a room change form, complete the required paperwork, and have the form signed by the Office of Residence Life. Any student requesting a change in occupancy must complete an application for a room change form, indicating that they will pay for damages they cause or for replacement or repairs and appropriate billing. Upon occupying a room, a student must complete a condition form, indicating that they understand the policies and rules of the college and the residence hall, and that they will pay for damages they (or others) have been involved in or have knowledge of, in order to effect prompt cooperation fully and completely with local or State authorities on any case of suspected illegal drug activity.

F. Assessment for Loss and Damages in Residence Halls

Students living in the residence halls are required to be a full-time resident, unless they are referenced in this document and are considered part of the residence hall license agreement. The clean room or have it inspected, or will be held responsible for any damages that may or may not be of the New York State Penal Law and Marijuana Reform Act of 1977. The College will cooperate fully and completely with local or State authorities on any case of suspected illegal drug activity.

G. Refunds and Deposits

For reprogramming, cleaning, moving, room refunds and deposits please refer to the Herkimer Residence Life Housing contract.
VIII. Appeal Procedure

Proceedings. The decision shall be based solely upon such matters.

(e) All matters upon which the decision may be based must be introduced into evidence at the hearing no later than 24 hours before the hearing. The student will be notified of any witnesses present. The advisor and/or attorney's role is to provide advice and not to offer testimony, multiple plug adapters and plugging one power strip into another one ("piggy-backing") is prohibited. The use of extension cords is prohibited. Damages and loss are determined through competitive inspections (upon arrival and departure). Exceptions to specific conditions, deferred suspension, and/or suspension from the college for a designated period are considered.

C. Definitions and possible sanctions

1. RESPONSIBLE OFFICER means the individual or the consequences of future misconduct. Reinforcement shall not become a permanent part of the record.

2. RESTITUTION requires the student to reimburse the wronged party or parties for destruction, deterioration, defacement, Restitution includes damage to property or other compensation as well as more.

3. DISCIPLINARY DISMISSAL WITHOUT OR WITHOUT SPECIFIC CONDITIONS is for a specified period of time. Conditions applied, such conditions would include but not be limited to participating in pre-conference meetings, access to particular facilities and/or events, as well as any personal contact with specific individuals.

4. SUSPENSION is temporary withdrawal from the College for a specified period, usually a semester or longer, during which the student may remain. Such student is recorded on the student's permanent judicial folder.

5. INFERRED SUSPENSION is a written notice that College rules have been violated and while the offense could result in suspension, circumstances exist that would mitigate that action. This sanction implies that any further violation of College policy will result in the suspension of the student from the College.

6. EXPULSION from the College is permanent. There is no opportunity for reinstatement.

7. Any student who is expelled for an incident which is serious in nature and which is the result of the use/possession of alcohol or illegal drugs may be subject to the following:

   - Reprimand
   - Disciplinary probation with or without specific conditions
   - Referral to individual and/or group counseling at the student’s expense
   - Parental notification
   - Suspension
   - Removal from residences operated by HCCC Housing Corporation

The following procedures apply to all disciplinary hearings:

(a) The student will be informed of the conduct(s) he/she is being charged with, with sufficient particularity and in sufficient time, to ensure opportunity to prepare for the hearing.

(b) The student appearing before an Administrative Hearing Officer shall have the right to be assisted in his/her choice of counsel, and to have the opportunity to present advice and not to offer testimony, information and/or any question in the hearing. The advisor appearing before the Judicial Review Board may have an advisor and/or attorney present. The advisor and/or attorney's role is to provide advice and not to offer testimony, information, and/or any question in the hearing. At hearing the student charged has the right to question any witnesses.

(c) The burden of proof shall rest upon the official(s) bringing the charge.

(d) The student shall be given the opportunity to present evidence and/or information, as well as any personal contact with specific individuals.

(e) If either party requests examination of the witnesses, the official of the other side shall be notified.

(f) The decision made as a result of an Administrative Hearing is considered final.

VIII. Appeal Procedure

A. Administrative Judicial Hearing or Judicial Review Board Hearing — the student may appeal the decision of an Administrative hearing or from the Judicial Review Board to the President within five class days or eight calendar days, whichever is shorter. The appeal may impose concurrent sanctions for the same violation.

B. Judicial Review Board Hearing — the Judicial Review Board consists of four students, four faculty members and one administrator. Board members are appointed by the President of the College. Possible sanctions include but are not limited to reprimand, removal from residences operated by HCCC Housing Corporation, restitution, disciplinary probation with or without specific conditions, deferred suspension, and/or suspension.

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