

**FOCUS GROUP ON RENTAL PROPERTIES NEAR THE COLLEGE  
MINUTES  
Thursday, March 26, 2009**

The Focus Group on Rental Properties Near the College held a meeting on Thursday, March 26, 2009 at 7:30 pm in the third floor conference room of the Municipal Building, 401 Lafayette Street.

**ATTENDANCE**

Present were Messrs. Dell, Fox, Fitzgerald, Granger, Talley, and Witkowsky, and Meses. Murphy, McCord, and Shackelford. Also present was Recorder Kaitlin Keller. Present college representatives included Anna Martin, Vice President for Administration, Ginger Ambler, Interim Vice President for Student Affairs, Dave Gilbert, Associate Dean of Students, and Bailey Thomson, Honor Council Chair. Absent were Facilitator Bill Porter and Mr. Pons.

**AGENDA**

**Approval of Minutes for March 19th, 2009 Meeting**

Ms. Keller requested that the March 19th, 2009 meeting minutes be approved as submitted. The minutes were unanimously approved.

Mr. Talley raised a point of order to inform the group members of his research regarding the number of homes in Williamsburg that are 1200 square feet or larger. He stated that according to the City of Williamsburg website, approximately 71 percent of homes in the city are 1200 square feet or more and could be potentially impacted by a proposed change. Mr. Talley noted that this estimate does not take available on-site parking into consideration.

**Discussions with College of William & Mary Representatives**

Ms. Keller welcomed the guests from the College and Mr. Fox introduced Ms. Martin, Ms. Ambler, and Mr. Gilbert to the Focus Group. As Vice President for Administration, Ms. Martin oversees auxiliary services, facilities, construction, maintenance, procurement, campus police, and transportation among other areas. Ms. Ambler has direct oversight over several departments of campus and student life, including but not limited to: housing, counseling, health needs, activities, conduct, multicultural events, recreational sports, and academic support services. Mr. Gilbert supervises the student conduct process and advises the six Honor Councils on campus.

Mr. Gilbert explained that the Honor Code is a student agreement not to lie, cheat, or steal in one's academic or personal lives, essentially to a student or representative of the College, or while one is actively representing a student of the College of William & Mary. Students of the Honor Council review and investigate allegations that are brought before them. Mr. Gilbert stated that he or any member of the College administration is only involved in advising and training Honor Council members, as well is in the appeal process. There is no set line of

delineation, and matters brought to the Honor Council must be considered a legitimate concern to the academic process or campus life.

Mr. Gilbert then explained the differences within the Student Code of Conduct. Reports of violations typically come from Residence Life, students, faculty, or campus police. Jurisdiction typically applies to the campus community only, primarily on-campus activities, as well as streets and sidewalks adjacent to campus. However, severe violations beyond this jurisdiction are considered on a case-by-case basis. Mr. Gilbert explained the severe infractions that are considered safety threats would result in a violation of the Code of Conduct. However, student drinking off-campus is not as clear cut, and is also considered on a case-by-case basis. He stated that he receives only a handful of complaints from the City of Williamsburg Police Department annually. The Focus Group discussed whether or not there is an opportunity to further involve the College in off-campus housing issues. An example was given that the College Administration could be informed when the Williamsburg Police receive a complaint about students.

The Focus Group discussed the Honor Code and was informed that the burden of proof for Honor Council proceedings is that the charge must be proven beyond a reasonable doubt, which was said to be a higher standard than for similar charges brought against a student by the City of Williamsburg. The Code of Conduct process begins first with a conversation between the student and Mr. Gilbert to discuss the allegations. While disciplinary actions can be administered, Mr. Gilbert stressed that education is also an important component of the process. He gave the example of possibly having discussions with off-campus students about which residents complain, and stated that often positive results can occur without disciplinary actions.

Ms. Ambler suggested that the three person rule is not the issue per se, but rather the issue at hand is the behavior of students living off-campus. Ms. Shackelford agreed and provided the group with a personal anecdote of an attempt to interact with student neighbors via e-mail after an issue arose, but she received no response. She stated that this clearly showed a lack of respect. Mr. Gilbert stated that there are both formal and informal ways of addressing behavior issues, and that even though the students in this case did not respond, it is likely that they did think about their actions and how they affected Ms. Shackelford.

Mr. Dell asked what solution the College would propose to address the problem. Mr. Gilbert stated that the first step would be for residents to introduce themselves and become acquainted with student neighbors. When egregious situations arise, Mr. Gilbert suggested that residents confront their student neighbors, and call the College or the Williamsburg Police if necessary. He stated that the College would be happy to meet with students to discuss the consequences of their actions. In addition, he reminded the group members that there is significant power in the language of the rental lease, and that this contractual obligation should be the second line of defense for residents. The group members discussed this, as well as the role of absentee landlords, the difficulty their presence plays in maintaining the viability of neighborhoods, and the need to encourage landlords to comply with property maintenance and safety regulations.

Ms. Ambler stated that the College cares greatly about the safety risks and others that students face in off-campus housing.

The Focus Group members then discussed the definition of good conduct and how the College can help students transition to off-campus living arrangements. Mr. Fitzgerald suggested an off-campus student code of conduct whereby students would have a stronger obligation to be a courtesy neighbor. The option of an educational handbook on off-campus behavior provided by the College was discussed as well.

Mr. Dell asked Ms. Thomson, the Chair and Chief Justice of the Undergraduate Honor Council, whether misrepresentation on an off-campus rental lease agreement would be a violation of the Honor Code. Ms. Thomson quoted the definition of a lie from the William & Mary Student Handbook as:

“the expression of a material untruth made with the intent to mislead another or with reckless disregard for the truth of the matter asserted. Lying is a violation of the Honor Code when the material untruth is uttered or presented, verbally, electronically, or in writing, to another member of the College community (student, faculty or staff), to any person while on College property or at activities sponsored by the College or College-affiliated groups, or to any person when the student actively represents himself/herself as a student at the College.”

Ms. Thomson further stated that this definition precludes lease misrepresentation as an infraction of the Honor Code, and that charges brought to the Honor Council can be found trivial when there are not of direct interest or concern to the college community. She explained that the Honor Code is not the best avenue to address the issue, but rather legal means or contact with the city or campus police should be considered the optimal direction for addressing violations. Ms. Thomson also discussed education opportunities in which the Honor Council engages students, such as its role in orientation, extended orientation, and ethics week. She stated that any further Honor Council questions can be directed to her at [honorcouncil@wm.edu](mailto:honorcouncil@wm.edu).

Mr. Granger asked Mr. Gilbert who at the College residents should contact if they are negatively impacted by student behavior off-campus. He also noted that even if residents do call the College, they do not always know the names of the students living near them about whom they would like complain. Mr. Gilbert stated that residents could call the Office of the Vice President of Student Affairs (757-221-1236), or the Office of the Dean of Students (757-221-2510), and that one of the unintended consequences of the three person rule is that the College also does not always know where off-campus students reside. Ms. Ambler further suggested that College help students meet off-campus behavior expectations by increasing educational workshops and e-mail communications for students transitioning to off-campus living, as well as hanging door tags on rental properties with information on trash pick-up, property maintenance, and other relevant neighborhood issues. It was also suggested that a new committee be created to meet regularly to address neighborhood issues, and ensure that changes are made.

Mr. Gilbert noted that restorative justice, a new approach in his field, has been viewed as a successful educational way to bring about behavioral change and may be applicable to off-campus behavioral issues as well. The process brings all interested stakeholders to the table so that a student who has committed a violation has the ability to understand how his/her behavior impacts others. Mr. Talley stated that he has been part of a group working to create

neighborhood councils that have conversations with students when necessary, and gave the example of helping student renters understand the necessity of halting mail delivery when out of town for an extended period. Mr. Fitzgerald noted that it is primarily a small group of students that cause problems, and that there are less adversarial ways to resolve issues, such as the College having conversations with repeated violators. He also stated that if students think the College will be address their off campus behavior then they may be more likely to consider the consequences of their actions. The Focus Group members also agreed that there is an opportunity to have more involvement from athletic coaches for behavioral issues at “team houses”, as coaches have the greatest direct influence on student athletes.

### **Agenda Topics for April 2<sup>nd</sup> Meeting**

Ms. Keller stated that the sub-groups are to meet one more time, and then to report back with findings and suggestions at the April 2, 2009 Focus Group meeting. She noted that each sub-group will present for 10 minutes at this meeting. The group will begin its discussion on final recommendation components after these reports. Discussion will continue at the April 9, 2009 meeting, as well as the April 16, 2009 meeting if necessary.

### **Public Comment**

Charles Redinger, who lives off of Mill Neck Road, stated that he has had girls living in a rental house near him for several years and had many complaints with them, but is pleased with the behavior of the three football players who have moved in this year.

Joe Roundtree informed the Focus Group that his car was vandalized by student passers-by during a Columbus Day party at a rental home rented by students on his street. He stated that he had informed the police and complained to the landlord, but no actions were taken to redress him. Mr. Gilbert and Ms. Ambler noted in response that students need to be held accountable for their guests, and that landlords need to play a larger role in renter issues.

Sharon Baker of Skipwith Farms reminded the Focus Group of her e-mail on the comparisons between the Christopher Newport and College of William & Mary Honor Codes and Codes of Conduct. She noted that the Focus Group still does not know the number of students living in off campus rental housing in the city. Ms. Baker also stated that the Bellingham Western Washington University Campus Community Coalition, which was presented by Ms. Ambler as an example during the March 5, 2009 Focus Group meeting, consists of involvement from both the President of the University and the City Mayor. Ms. Baker also stated that any changes should be implemented as a trial program with pre-program and post-program assessments to measure effectiveness, and that she thought the evening’s dialogue was good.

Cathy Allport of Matoaka Court questioned the effectiveness of educational efforts on student off campus behavior. She noted that in three decades of living in her home she has never had problems with students that are as severe as they are now. She stated that even with houses that consist of quiet and polite students, there are too many cars for the house. She stated the three person rule is not followed in her neighborhood, and that she believes one house has ten people living in it. Ms. Allport was distressed about the focus on student renters only, and noted that

many urban neighborhoods and communities have similar problems though they do not consist of students. She also noted that over her thirty years in the area she has noticed that students now party longer, earlier, and with more people. Ms. Allport stated that their lifestyle is no longer compatible with that of a single family neighborhood. She believes that changing the Zoning Ordinance to accommodate four unrelated persons in one home will only increase problems. Ms. Allport thanked the Focus Group members for their work. She also asked how many rental dwellings have already been grandfathered in to the system, and whether or not NCAA housing rules can apply to off campus housing. Ms. Keller informed her that NCAA rules can not apply to off-campus athletes' housing arrangements.

### **Adjournment**

There being no further business, the meeting was adjourned at 9:07 pm.