

**Bard Academy and Bard College
at Simon's Rock
Student Handbook
2022 - 2023**



Notice of Nondiscrimination

Bard College at Simon's Rock and Bard Academy do not discriminate in admission, employment, education or services on the basis of race, color, sex, creed, age, gender identity or expression, sexual orientation, religion, national or ethnic origin, disability, marital status, genetic information, previous military service, or any other class protected under state or federal law. College and Academy policies are consistent with state mandates as well as federal statutes and regulation, including but not limited to Executive Orders 11246 and 11375 as amended, Massachusetts Executive Order 74, Section 504 of the federal Rehabilitation Act of 1973, the Americans with Disabilities Act, Title IX of the Education Amendments of 1972, and Titles VI and VII of the Civil Rights Act of 1964.

Please address all inquiries or grievances to the College and Academy's Title IX Coordinator (titleIX@simons-rock.edu), who also serves as a contact for Title VI and VII; the Vice Provost (slyon@simons-rock.edu), who serves as the Section 504 and the Americans with Disabilities Act Coordinator for students; or the Director of Finance and Administration (pmorrison@simons-rock.edu), who serves as the Section 504 and the Americans with Disabilities Act Coordinator for employees and a contact for Title VII.

NOTE: Bard College at Simon's Rock and Bard Academy share a unified campus, faculty, staff, and administration. As such, a single Student Handbook will apply equally to both institutions. Where there are procedural differences depending on the status of the student, such differences will be noted. For the purposes of these policies, "Simon's Rock," "campus," "institution" or "administration" will be understood to comprise both Bard College at Simon's Rock and Bard Academy. "Student" will be understood to describe either a student of Bard College at Simon's Rock or a student of Bard Academy at Simon's Rock. Bard College at Simon's Rock will be understood to describe policies which solely apply to the College program. Bard Academy will be understood to describe policies which solely apply to the Academy program.

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I. LEGAL AND DELEGATED AUTHORITY OF THE COLLEGE

Bard College at Simon's Rock and Bard Academy are units of Bard College, a New York-based nonprofit educational institution. Legal responsibility for the governance of Simon's Rock is vested in the Board of Trustees of Bard College. Simon's Rock has its own campus, Board of Overseers, administrative officers, faculty, staff, and student body. For more information, see Appendix D.

The President of Bard College is the chief executive of Bard College at Simon's Rock and Bard College. The President has delegated to the Provost and Vice President of Bard College at Simon's Rock the responsibility and authority to determine what activities and behavior are acceptable on the campus and who may be included in the community. The President may delegate, retake, and re-delegate to the Simon's Rock Community, or to any committee or any constituent part or person thereof, such of their powers as they may determine.

II. CHARACTER OF SIMON'S ROCK

A. MISSION

At Simon's Rock, age doesn't define intellect: our mission is to inspire the curiosity and creativity of motivated younger scholars with a challenging, empowering, and inclusive education in the liberal arts and sciences.

B. OUR APPROACH

Bard College at Simon's Rock and Bard Academy are private, coeducational, residential institutions of the liberal arts and sciences. Recognizing that many students are ready for college before the conventional age of high school completion, Simon's Rock provides supportive and challenging courses of high school and college study, bridging the whole of secondary and undergraduate education in a coherent, comprehensive six- year arc.

The six years at Simon's Rock comprise three programs:

- Bard Academy is a two-year high school for boarding and day students, offering an innovative curriculum in the liberal arts and sciences, with courses designed and taught by college professors, and leading to entry into college after the tenth grade.
- The Lower College, culminating in the Associate of Arts degree, combines a strong core curriculum with opportunities to explore broadly in the liberal arts and sciences while also pursuing individual interests in depth.

- Extending from these foundations, the Upper College invites students into an intensive and highly customized course of study featuring more than 35 concentrations, with options for study abroad and away, signature programs, and dual degree programs with partner institutions, and concluding with the year-long senior thesis and the Bachelor of Arts degree.

Students may spend two, four, or six years at Simon’s Rock, with admission options at each level. All Simon’s Rock students enter intending to complete at least the AA: some begin high school at Simon’s Rock, and many stay to complete the BA at Simon’s Rock. At each successive transition, we invite reflection, self-assessment, and engaged planning for the next stage of our students’ education. Our campus community also includes students who began their early college education within the early college network and began their studies at Simon's Rock with the AA in hand.

Our classes, taught at all levels by experts in their fields with a commitment to adolescent learners, are small, participatory, and writing-intensive, emphasizing collaboration over competition. Most feature active, seminar-style discussion, in which students learn to take responsibility for their own ideas and engage constructively with the ideas of others. The classroom experience is informed by the Writing and Thinking Workshop, completed by all new students in the Academy and in the College, establishing a common language and culture for shared inquiry and inclusive discourse.

Based on an understanding of adolescence as the beginning of adulthood, rather than the end of childhood, our academic and campus life programs offer substantial independence, supported in extensive advising and mentoring, with an emphasis on individual and collective well-being, concern for others, social justice, and restorative practices.

Students enrolled at Simon’s Rock understand that while they do have significantly greater freedom and responsibility for their own learning and personal behavior than do their peers in most conventional high schools, they may not always experience the same degree of autonomy as students at most other colleges and universities. Some campus policies differentiate between students enrolled in the Academy and the College, with greater autonomy assigned to students in the later years.

C. EQUITY AND INCLUSION

In collaboration with the Dean of Equity and Inclusion, the Council for Inclusive Community (CIC) serves as a programmatic, professional development, training, and support resource to our campus community. The Council is committed to providing workshops and events within our community that will address a variety of social issues, including--but not limited to-- social movements and solidarity with social change organizations, race and cultural sensitivity, LGBTQIA+ resources and programming, anti-racism and social justice, and specialized and intimate conversations unique to challenges we may be facing within our own campus community. The commitments and work of the council includes:

- Providing leadership, pedagogical resources, inspiration, and accountability supports to promote equity, engagement, and access through the Provost, Dean of Equity and Inclusion, and the Council for Inclusive Community;

- Cultivating and sustaining a healthy, thriving campus climate of inclusion, equity, and excellence supporting the mission and vision for all members to ensure our community is informed to lead responsibly in a global society;
- Collaborating campus-wide, the Council works to resolve systemic inequities for all members of the Simon's Rock campus through a holistic, positive approach to cultural competence, education, and service, by promoting proactive inclusion, mutual respect, and cultural humility.
- Serving students, faculty, administrators, and staff concerning all issues of equity and opportunity as they relate to race, religion, national or ethnic origin, age, disability, veteran status, sexual orientation, gender, gender identity, and gender expression.
- Informing planning, policies, and procedures as each relates to inclusion and equity and offers programming support and grievance procedures for the campus community regarding issues of equity, inclusion, and engagement in cooperation with Campus Life, Academic Affairs, and Senior Leadership.

Simon's Rock faculty, staff, and students are committed to challenging long standing societal assumptions in order to create an enriched community in which all ranges of opinion and belief can be expressed and debated, within behavior permitted by public law and consistent with the institution's mission and regulations. Thus, staff and faculty have created structured support to promote inclusion, especially of voices from groups traditionally underrepresented on independent school and college campuses.

The Bias Response Team

The Bias Response Team (BRT) is a campus resource designed to help restore relationships and promote cultural competency education and training on campus. The BRT is a group of staff and faculty that listens to and advocates for members of the Simon's Rock community who believe they may have experienced discrimination and/or bias. The Team works to address bias through community engagement and education as well as restorative outreach and makes recommendations for conflict and situational resolutions.

Simon's Rock community members are encouraged to view the BRT as a resource that is available *in addition to* more formal procedures for filing complaints and addressing issues by contacting the appropriate staff (e.g., Community Directors, Faculty-in-Residence), Human Resources, their respective Dean/Director, or the Vice Provost. The Team does not act as, or in place of, Human Resources. This Team helps people who have experienced harm that does not rise to the level of more investigatory bodies such as Human Resources and Title IX.

All individuals have biases. The goal of the BRT is to work collaboratively to educate the community on how to recognize the impact of bias, and on the conscious and unconscious ways in which our biases may negatively impact members of our community. Our advocacy work is based on two assumptions: (1) all members of the Simon's Rock community are committed to promoting a welcoming and inclusive environment on campus; and (2) the entire community benefits if we are all willing to be more informed about bias and its effects, and are willing to make efforts to reduce the negative impact of bias. The Team's efforts are not aimed at imposing penalties; our aim is to

address bias and its effects by engaging community members in conversations about bias and in exploring approaches to reducing bias and its effect.

The College's Non-Discrimination Statement and the Massachusetts Commission Against Discrimination prohibit discrimination or expressions of hostility on the basis of race, ethnicity, national origin, religious beliefs, gender identity and/or expression, sexual orientation, age, veteran status, familial status, genetic status, citizenship, arrest record, and physical/mental ability. In addition to these protected classes, the BRT works with individuals who are members of other groups (e.g., socioeconomic status, dietary needs/preferences). Harm from bias can be interpersonal or systemic. Any member of the Simon's Rock community may seek the support and resources offered by the BRT. The Team is also available to answer questions about bias and discrimination.

To submit a concern to the Bias Response Team, use this link: <https://forms.gle/yre4vKp48rnspBDr8>

Resources

Simon's Rock is committed to preserving the rights of immigrants, refugees, and undocumented students in our community. Simon's Rock and the Bard Network have a long history as being a home to people around the world, including refugees and immigrants. We will continue to support members of our community whose right to an education and scholarship must be defended.

- Students Welcome: We welcome all students, regardless of citizenship status or national origin to apply to Simon's Rock, and offer financial aid. See application tips for [international students](#) and [DACA and undocumented students](#).
- Immigration Enforcement: Bard College at Simon's Rock will not release information about students and employees regarding citizenship or immigration status unless required by law.
- International Student Support: Support for [international students](#) includes International Student Orientation, peer support, , the [Council for Inclusive Community](#), the International Student Support Team, and the [International Club](#). This support is in addition to the [financial, academic,](#) and [student life](#) support we provide to all students. Simon's Rock may make accommodations for international students to stay on campus over breaks.
- Inclusive Academics: Scholars at Simon's Rock study topics and offer courses relevant to the immigrant experience including migration, ethnicity, rights, social movements, religion, languages, world culture, and related topics. [PACE](#) provides learning opportunities for students who need further instruction to advance their English language skills.

D. FREE EXPRESSION

The Academy and College are deeply committed to having faculty, staff, and students engage in free inquiry and speech in the service of the institution's educational mission. All members of the Simon's Rock community have the right to express their ideas freely, both orally and in writing,

provided that their method of expression does not violate any other rights affirmed by the student handbook.

Any member of the Simon's Rock community may publish and distribute without interference, as long as publications and posted materials clearly identify all authors, and such publications or distributions do not violate Academy or College policies. While members are not subject to prior restraint, they shall be held accountable for any statements that are erroneous, malicious or defamatory, or that violate any right affirmed in such publications, distributions, and posted materials.

In the classroom, discussion of controversial issues should and will occur. Although provocative material or language may at times lead to student feelings of discomfort, these feelings may not necessarily indicate the existence of discriminatory harassment or discrimination.

E. DISCRIMINATION, HARASSMENT, AND SEXUAL MISCONDUCT

Bard Academy and Bard College expect that no member of the Simon's Rock community will discriminate against any other member – or any member's guests. We see all community members as interdependent, yet functioning in roles that are far from interchangeable. We believe in respecting members of the Simon's Rock community for their differing abilities, differing backgrounds, and differing contributions. We also believe that these differences can successfully mesh for a greater common good.

Within our diverse community, members will disagree from time to time. The Academy and College expect that such disagreements will be addressed peacefully, through discussion and debate, rather than through force or confrontation. Therefore, while the Academy and College seek to ensure the rights of all to express themselves in words and actions, it also prohibits behavior that infringes on the rights of others or that digresses from the Academy and College's educational mission and purpose.

Because the Academy and College takes allegations of discrimination, harassment, and sexual misconduct seriously, we will respond promptly to complaints in accordance with the procedures set forth herein; if such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

The Academy and College, as well as state and federal laws, also prohibit retaliation against any person who, in good faith, reports, assists in reporting, or participates in an investigation of possible gender-based misconduct. Any retaliation against an individual who has complained about discrimination or harassment, or sexual misconduct or retaliation against individuals for cooperating with an investigation of a discrimination, or harassment, or sexual misconduct complaint is unlawful and will be investigated as a separate incident of harassment.

While overt forms of discrimination and harassment may be obvious, more subtle forms may be difficult to identify. It is also possible for words or behavior to be misunderstood, for personal conflicts to be misconstrued as harassment based on racial, sexual, or other differences, or for

legitimate disagreement to feel like harassment to a person who holds an unpopular opinion. It is therefore incumbent on all members of the Simon's Rock community to recognize the seriousness of discriminating against or harassing someone and the seriousness of charging someone with these acts.

To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to equity in all aspects of its educational program or activity, Simon's Rock has developed the following internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, allegation of sexual misconduct, or allegation of retaliation.

Any person may report harassment or discrimination whether or not the reporting individual is the person alleged to be the victim of conduct that could constitute discrimination, harassment, or sexual misconduct. Simon's Rock will respond promptly and meaningfully to any report.

Any report of harassment or discrimination on the bases of a protected class other than sex may be directed to either:

Isabel Filkins
Title IX Coordinator
Building: Livingston Student Union
Email: ifilkins@simons-rock.edu
Phone Number: (413) 644-4252

Tracey Cameron
Dean of Students
Building: Livingston Student Union
Email: tcameron@simons-rock.edu
Phone Number: (413) 644-4711

Reports of sexual harassment, discrimination on the basis of sex, or sexual misconduct may be directed to:

Isabel Filkins
Title IX Coordinator
Building: Livingston Student Union
Email: ifilkins@simons-rock.edu
Phone Number: (413) 644-4252

Mary Budzn
Deputy Title IX Coordinator
Building: Hall College Center
Email: mbudzn@simons-rock.edu
Phone Number: (413) 528-7622

Reports concerning harassment or discrimination of an employee on the bases of a protected class other than sex may additionally be directed to:

Phillip Morrison
Director of Finance and Administration
Building: Blodgett House
Email: pmorrison@simons-rock.edu
Phone Number: (413) 528-7204

Brendan Mathews
Dean of Faculty and Curricular Development
Building: Hall College Center
Email: bmathews@simons-rock.edu
Phone Number: (413) 644-4710

In cases where Students, Faculty or Staff have experienced misconduct prohibited under the Equity and/or Title IX Policy they may file a Formal Complaint by

- Meeting in person with the Title IX Coordinator and submitting a written and signed Formal Complaint
- Meeting with the Title IX Coordinator and dictating a Formal Complaint, which they then sign

- Emailing a written and signed Formal Complaint to the Title IX Coordinator
- Mailing a written and signed Formal Complaint to the Title IX Coordinator

Isabel Filkins
 Title IX Coordinator
 Email: ifilkins@simons-rock.edu
 Phone Number: (413) 644-4252
 Address: 84 Alford Road, Great Barrington MA 01230

For more information about Simon’s Rock’s policies and procedures in response to incidents of discrimination, harassment, or sexual misconduct, along with information about how to file a formal grievance, please see “Equity and Title IX: Policies and Procedures” at <https://simons-rock.edu/title-ix>.

Mandated Reporter Obligations: Members of the Simon’s Rock community who hold certain positions are considered “mandated reporters” under state law and required by law to report suspected abuse of minors, including sexual abuse, to the Massachusetts Department of Children and Families. These positions include, but are not limited to, teachers, educational administrators, police officers, physicians, nurses, medical treatment providers, social workers, preschool and after-school program staff, child-care providers, clergy, and guidance or family counselors.

F. RESTORATIVE PRACTICES

“Restorative Practices” is an approach to community building that seeks to build relationships and connections between community members—students, staff, faculty, and others—by encouraging these members to speak with, listen to, and understand each other and by intentionally providing forums for them to do so. The restorative approach aligns with Simon’s Rock’s mission because it underscores the fact that many young adults are ready for more rights and responsibilities than they are typically given. Community members have many forums to engage formally and informally with the Restorative Practices approach to community building—whether at a house meeting in the residence halls, an office hours meeting with a professor, or a Community Meeting where students, faculty, and staff come together to discuss matters of mutual concern and interest.

Restorative Practices can also operate in connection with disciplinary processes. The restorative approach views actions that conflict with community norms, expectations, and rules as opportunities for learning, strengthening community bonds, and, in some cases, repairing harm done and restoring community relationships. Restorative Practices strives to separate the individual from the action, acknowledging that we all can learn from our actions and that we all are works in progress developing appropriate responses to the various situations encountered when living and learning in a community.

At Simon’s Rock, we respect and value all members of the community for their differing backgrounds, contributions, and abilities, and we believe that our differences can successfully mesh and build a strong and diverse community. Conflict resolution often does include other responses, particularly when the Code of Conduct has been violated, including the disciplinary procedures outlined in this Student Handbook. In some cases, conflict resolution may necessarily involve law enforcement officials. Restorative Practices can still be part of the longer term response to conflict.

G. INDIVIDUAL PRIVACY

Simon's Rock may disclose, without consent, "directory" information to select third parties. Third parties include but are not limited to the following:

- Prospective employers
- Other institutions of higher education
- Honor societies
- Licensing agencies
- Government agencies
- Lending agencies
- Insurance companies

Simon's Rock has designated the following as directory information:

- Student legal name
- Student common use name
- Address (home and email)
- Hometown
- Home telephone number
- Major or field of study
- Date and place of birth
- Full- or part-time status
- Class year, (e.g. sophomore)
- Dates of enrollment
- Date of graduation (past or anticipated)
- Graduation information as published in the College commencement program
- Academic awards and honors
- Most recent previous educational institution attended
- Study abroad program

The Family Educational Rights and Privacy Act (FERPA, see Appendix A) allows parents and eligible students to withhold the disclosure of their directory information. A request form is available in the Office of the Registrar. The completed form must be filed with the Registrar at least 10 days before the start of an academic semester.

Simon's Rock will not release information about students and employees regarding citizenship or immigration status unless required by law.

Simon's Rock personnel may enter any space that it owns or leases,, including student living units, at any time including but not limited to for the following purposes:

- To respond to emergencies
- To ensure personal safety
- To maintain acceptable health and safety standards
- To uphold respectful behavior

- To perform routine maintenance, scheduled or unscheduled
- To secure buildings during vacation and break periods
- To ensure compliance with its policies

Authorized Campus Safety or Campus Life personnel also may search a student’s living unit or belongings—whether or not the student is present—if there is reason to believe a violation of Academy, College, state or federal regulations exists.

III. ACADEMIC AFFAIRS

A. ACADEMIC RESOURCES

Academy and College students take on rigorous academic challenges from their first day of school, discovering a new and galvanized sense of themselves as they meet those challenges and move beyond them. But it wouldn’t be rewarding if it were easy. Our faculty and staff recognize what is necessary for students to succeed, and we work with purpose and dedication to make it possible.

Our academic support services include the Win Student Resource Commons and the Tutoring and Writing Center, offering free individual and group tutoring in all subjects; open access to faculty; and individualized academic advising.

The Office of Academic Affairs at Simon’s Rock, located in the Hall College Center, is the source of essential academic resources and information. Members of the Office of Academic Affairs include the Registrar, the Assistant Registrar, the Academic Services and International Student Support Coordinator, the Academic Affairs Assistant, the Dean of Studies, the Dean of Faculty and Curricular Development, and the Vice Provost.

Each school year, the Office of Academic Affairs publishes a calendar of important academic dates and deadlines. Students are expected to familiarize themselves with this information. The calendar is posted on the student portal (portal.simons-rock.edu/) under the Academics section, , and is also available in the Academic Affairs Office at Hall College Center. Student log-in credentials are required to access the student portal. Course catalogs, academic calendars, course schedules, student information, and academic policies all originate from this office.

Students are asked to adhere to these and other procedures and deadlines:

- Course add/drop deadlines
- Course withdrawal deadlines
- Other academic deadlines (e.g., course grade change, course level change, incomplete)
- Filing for an exception to College or Academy policy
- Requesting approval for independent projects, tutorials, and extended campus projects (including internships), leaves to study away or abroad, thesis deadlines (seniors only)

1. Academic Advising

Each student has an Academic Advisor who is responsible for working with the student to design an academic program compatible with the student’s interests, abilities, and goals, and that will allow the

student to fulfill academic requirements. New students in the College are assigned advisors and are required to meet with them weekly during their first semester, at least every other week during their second semester, and as needed and arranged by the student and advisor in the years following. A student in the College may change advisors at any time by making arrangements to switch with their new advisor and then completing a Change of Advisor form, available at the Registrar's Office. At the time of Moderation into the Upper College, students may want to consider changing to an Academic Advisor whose expertise will be particularly helpful for guiding their work in the Upper College.

Academic advising in Bard Academy occurs weekly during a group advisory session. Academy advisors work with the student to fulfill academic requirements and to adjust to a new setting with new responsibilities and challenges. The advisory program, which also serves as a peer support group, offers a major source of support for students in the high school program. By providing a supportive and accepting meeting place, advisory groups allow students to share questions and achievements while also voicing concerns, addressing issues, and offering each other guidance and support.

2. Class Planning

The Registrar and Assistant Registrar are required to maintain accurate academic records. It is the student's responsibility to follow the published procedures to add, drop, or withdraw from courses, change Academic Advisors or request a course be designated pass/fail or incomplete; these changes require the signature of both the Academic Advisor and the relevant faculty member or instructor.

3. Course Loads

Full-time college students must maintain a course load between 12 and 18 credits. Students must receive permission from the Dean of Studies Office to register for fewer than 12 credits or more than 18 credits per semester. There is an additional fee for exceeding 18 credits; carrying fewer than 12 credits may impact eligibility for financial aid.

Full-time academy students must maintain a full course load, including coursework in Literature, Social Studies, Sciences, Mathematics, World Languages/Linguistics, and the Arts. Alternate scheduling, including registration for college courses, must be approved by the Dean of Studies.

4. Enrollment Verification

Written verification of enrollment is available by request from the Registrar's Office. Unlike transcripts, these do not contain confidential information and may be requested by parents or students without signature.

5. Common Use First Name and Gender Pronoun

Students, faculty, and staff should be addressed by their common use name and pronoun, regardless of the sex assigned at birth, anatomy, gender, medical history, appearance, or the sex indicated on identification documents or past academic record. It may be necessary for an individual to express their name and/or pronoun when interacting with people who may not have been informed, based on the student's Common Use First Name/Gender or Gender-Neutral Pronoun form. There are certain instances in which the Academy or College must use a legal name and gender pronoun, and this is detailed in the above-mentioned form. The form is available at portal.simons-rock.edu/group/mycampus/academics under Forms & Manuals.

6. Grade Reports

Grades and comments are sent out at midterm and at the end of each semester to the person(s)/location that students designate as their home address during the admission process. Students may ask that grades be sent to additional or fewer recipients, or to a different address, by submitting a signed request to the Registrar's Office (see Appendix A: Notification of Rights Under FERPA). Students receive their midterm grades and comments report from their Academic Advisor. Academic Advisors receive a copy of both the midterm, and final grades and comments.

Students at Simon's Rock receive letter grades and written evaluations ("comments") of their performance at midterm and following the completion of courses. Together, the final grades and comment sheets make up the student's academic record. In terms of day-to-day reporting of grades, many courses use Moodle, Google Classroom, or other course management systems for posting assignments and grades. Student log-in credentials are required to access this information.

7. Credit Recovery for Students in Bard Academy

If an Academy student is not in good academic standing at the end of the school year, they will be required to participate in, and successfully complete, a credit recovery program over the summer in order to be eligible to return to Simon's Rock the subsequent fall semester. Students will retake courses they did not pass during the school year. Courses will be taken on-line through Educere. Courses will be paid for by the student and their families and are not covered by Bard Academy tuition.

8. Special Study Opportunities

Forms for eligible College students to propose special learning opportunities (tutorials, independent projects, extended campus projects, internships, study at Bard in Annandale, and study abroad or away) are available online at: portal.simons-rock.edu/group/mycampus/academics, see Forms & Manuals and in hard copy outside the Office of Academic Affairs. Tutorials and independent projects are generally reserved for juniors and seniors, and must be applied for via the appropriate proposal or application form by the deadline indicated on the Detailed Academic Calendar (available at: portal.simons-rock.edu, see Calendars). Information on Special Study Opportunities is also provided in the College Catalog, which is available at: portal.simons-rock.edu/group/mycampus/academics.

9. Transcripts

Simon's Rock has partnered with Parchment, Inc. for transcript service. All students can place their transcript orders online. Students can find the information and link for online ordering on the student portal (portal.simons-rock.edu): under the Academics section, see Forms & Manuals and click on "Transcript Requests." A credit card is necessary to place an order through this system. Generally, transcript requests are fulfilled within one to three business days, but may be delayed when student records are being updated or during periods of peak requests. Transcripts will not be released if the student's account is not current. Contact the Office of the Registrar (assistantregistrar@simons-rock.edu) with questions or concerns.

10. Academic Accommodations

Students with learning differences who may need academic accommodations should meet with the Director of Accessibility and Academic Support to arrange the accommodations as soon as possible in the beginning of the school year. Educational testing will be required, and reviewed, prior to the

granting of accommodations. Students may also meet with the Director of Accessibility and Academic Support throughout the year to address concerns as they arise.

Simon's Rock maintains disability records for a period of seven years. Students and families should keep the original copies of any documentation they submit.

11. Human Subjects Research

Human subjects research is systematic investigation designed to develop or contribute to generalized knowledge, which involves the collection of data from living human beings.

Under state and federal regulations, as well as professional standards of ethical conduct, it is Academy and College policy to ensure that the rights and welfare of human subjects are protected in research conducted at the Academy and College or by individuals identified with the Academy and College. The primary responsibility for protecting human subjects, however, rests with each researcher.

The Academic Senate has established the Institutional Review Board (IRB) (also and formerly referred to as the Human Research Review Committee [HRRC]) to review all research involving human subjects conducted at the Academy and College or by individuals associated with the Academy and College, regardless of the source of funding.

The Academic Senate has also established the Institutional Animal Care and Use Committee (IACUC) to review all research and activities involving animal subjects conducted at the Academy and College or by individuals associated with the Academy and College, regardless of the source of funding.

The Dean of Studies oversees the Academy and College's IRB and IACUC, making suggestions and, if necessary, arbitrating disputes between the IRB or IACUC and researchers or on-campus human subjects. The academic dean may consult with the Committee on Standards and Procedures, as needed. The Director of Administration and Finance is the Institutional Official for both the IRB and IACUC. For further information on human research guidelines and IRB procedures, and animal research and activities guidelines and IACUC procedures, see Appendix D.

B. ATTENDANCE POLICIES

1. Attendance

Students are expected to attend all classes for which they are scheduled. Generally, an instructor's evaluation of a student's work depends in part on class participation; therefore, absence from class is viewed as an irrevocably lost opportunity for both the individual student and the class collectively. Classes immediately before and after vacations are as important as any other classes during a term; students are expected to attend them and to limit their vacations to the days prescribed in the Academy or the College's academic calendar. Final exam days are part of the academic semester and students should plan on being on campus through the end of the exam period.

2. Absence for Religious Observance

Pursuant to the requirements of the law set forth in Chapter 151C, Section 2B of the General Laws of the Commonwealth of Massachusetts, a copy of this section is printed here in full: “Any student in an educational or vocational training institution, other than a religious or denominational educational or vocational training institution, who is unable, because of his or her religious beliefs, to attend classes or to participate in any examination, study, or work requirement on a particular day shall be excused from any such examination or study or work requirement and shall be provided with an opportunity to make up such examination, study or work requirement that he or she may have missed because of such absence on any particular day; provided, however, that such makeup examination or work shall not create an unreasonable burden upon such school. No fees of any kind shall be charged by the institution for making available to the said student such opportunity. No adverse or prejudicial effects shall result to any student because of his availing himself of the provisions of this section.”

Simon’s Rock recognizes that the student body includes adherents of various faiths, and that observance of religious holidays is an important part of religious practice. Students may obtain an excused absence for such observance by informing their professors, in writing, of a planned absence at least two weeks in advance and making arrangements to complete any missed work.

3. Other Absences

Unavoidable circumstances do sometimes necessitate a student’s missing class. The impact of absences will differ, depending on the course, material to be covered that day, the circumstances, and the student’s attendance and performance in the course to date. Particular attendance requirements will be explained on each course syllabus. A student who is unable to attend class or submit assignments should communicate directly with the professor and should make every effort to catch up on what was missed as quickly as possible.

4. Notices of Concern

A professor who has concerns that a student’s absences are having – or may have – a negative impact on the student’s ability to succeed in a course will send a Notice of Concern to alert the student, the advisors, and the parent or guardian about this concern. A student who receives a Notice of Concern should talk with their Academic Advisor and the professor about steps to take to improve their standing in the course. It may also benefit the student to speak with a Student Success Advisor.

A student who fails to respond to the Notice or take steps to address the concerns indicated within the Notice of Concern can expect to receive a second Notice of Concern, alerting them that their successful completion of the course is now at serious risk and that they should consider a drop or withdrawal. At this point, the student and Advisor should discuss the best course of action to address the problem.

A student who decides to drop or withdraw from a course must submit the appropriate form to the Registrar by the deadline. If withdrawal is desirable but would result in a course load below 12 credits, the student must meet with the Dean of Studies.

5. Extended Absences

In the event of a serious illness or other severe problem that necessitates missing several consecutive classes, the student, the parent or guardian, the advisor, or other Simon’s Rock staff member working

with the student may request assistance from the Dean of Studies Office to communicate with the faculty member and help determine the best course of action to, ideally, enable the student to complete the semester successfully.

Where that is not possible, the student may request a semester leave of absence or may withdraw with the option of applying for readmission when the problem is resolved.

6. Vacating Campus for Medical or Personal Leave, Withdrawal, Suspension, Expulsion

Unless otherwise directed, a student required to leave campus outside normal closure dates, regardless of circumstances (medical or personal leave, withdrawal, suspension, expulsion) must vacate campus within 24 hours. Alternative arrangements for departure must be made directly with the Dean of Students.

If a student leaves school during a semester, they or their parent or guardian will need to make arrangements with the Dean of Students or their designee for any personal items left behind to be shipped to the student's home before departing campus. Items left behind without a plan will be considered abandoned property, and may be discarded at will. The cost of shipping and handling is to be borne by the student, or their parent/guardian.

The student vacating campus is expected to turn in their ID card, room key, and all other campus keys to the Campus Safety office (via the Campus Life Office during business hours or to the Campus Safety Office at night and on weekends). Failure to do so may affect readmission or return from leave status. Upon scheduled return, the student will be allowed to retrieve their ID card and key(s).

C. WIN STUDENT RESOURCES COMMON

The Judith and Ba Win Student Resource Commons (Win Commons) is dedicated to helping students find personal and academic success at Simon's Rock and beyond. Through Win Commons, students can receive individualized writing support, develop study strategies, work with peer tutors in most subject areas, arrange for disability accommodations, or find an internship. For students in the College, the Win Commons provides individualized support in applying for study abroad programs and exploring career opportunities. Win Commons staff also work with students to explore accommodations and support for disabilities as well as connect students to resources available outside the classroom.

Simon's Rock maintains disability records for a period of seven years. Students and families should keep the original copies of any documentation they submit.

1. Accessibility and Academic Support

Through the Win Commons, students can receive individualized support for writing, time management, and study strategies; secure adaptive technologies, disability services, and accommodations; or attend workshops aimed at reducing academic anxiety, and increasing productivity and organization. The Director of Accessibility and Academic Support works together with other offices to support students throughout their time at Simon's Rock.

2. Peer Tutoring and Writing Center

The Tutoring and Writing Center in the Win Commons offers free individual and group peer tutoring in most subjects. The Writing Center is available to all students on a drop-in basis on evenings Sunday through Thursday and in the afternoons Monday through Thursday. Additionally, Think Tank is an open venue for studying on Sunday, Tuesday, and Thursday evenings, where students can receive assistance from math and science tutors. Students can also request one-on-one tutoring in particular subjects by sending an email to the Director of the Tutoring and Writing Program.

Peer tutors have earned a 3.3 or higher GPA in the courses they tutor, have been recommended by the faculty, and are closely supervised. Tutors of writing have also completed training in the teaching of writing and provide support in all phases of expository composition.

3. Office of Career Development

The Office of Career Development helps students prepare and plan for their professional aspirations by working closely with them on an individualized basis. Through thoughtful advising and coaching, students are presented with opportunities to explore interests, develop professional skills, and gain valuable experiences to be successful whatever their chosen path. From internships and study abroad, to graduate or career exploration, the Office of Career Development supports Simon's Rock students and alumni with all their professional pursuits. For appointments or questions related to career development, please contact the Director of Student Engagement and Career Development.

Support offered through the Office of Career Development include:

- Résumé, cover letters, CV writing, and LinkedIn profile summary
- Internship and employment resources
- Interview preparation
- Study abroad resources
- Moderation application guidance
- Fellowship/scholarship information and application support
- Graduate school application assistance
- Student and alumni networking opportunities

III. CODE OF STUDENT CONDUCT

Outlined below and in the appendices that follow is the Simon's Rock Code of Student Conduct. Included is a statement on oversight and authority, Principles of Community Life, responsibility for code enforcement, and duty to address alleged violations. Also included are the processes and policies that govern our disciplinary processes, the grounds and procedures for appeal, and the authority for final disposition of appeals in all cases.

Simon's Rock does not attempt to anticipate or describe every act that may constitute a violation of the Code of Student Conduct. Rather, the Provost and senior leadership team of the College reserve the right to respond and to make determinations on a case-by-case basis as needed.

Simon's Rock notifies enrolled students of official business via their assigned email addresses. It is each student's responsibility to keep their email, home address, and parent or guardian's address(s) up to date for further communication. Students are expected to manage their email account

accordingly, responding to faculty, staff, and departmental email upon request. Students may update address changes in writing at the start of each semester or during regular business hours in the Registrar's Office.

The information presented in this Student Handbook addresses student conduct. There are other, similar documents that address expectations of faculty and staff, which are available from the Academic Affairs and Business offices.

A. AUTHORITY AND RESPONSIBILITY FOR OUR CAMPUS

The Vice President and Provost of Bard College at Simon's Rock (Provost) is the chief executive of this campus. The Provost has ultimate authority to determine what activities and behaviors are acceptable on the campus. The Provost ensures that any alleged violation of the Code of Student Conduct is addressed and resolved following the policies and procedures documented in the Student Handbook.

The Provost delegates enforcement and follow-up responsibilities as follows:

- The Dean of Faculty and Curricular Development, Dean of Studies, or the Vice Provost address allegations of academic dishonesty.
- The Title IX Coordinator, or designated Deputy, addresses allegations of discrimination, harassment, stalking, and sexual misconduct through the resolution processes set forth in the Equity and Title IX Policies
- The Dean of Students or their designee address all other alleged violations of the institution's Code of Student Conduct.

The Deans and Coordinators are empowered to formulate and implement policies governing academic and campus life, to enforce the Code of Student Conduct and all other College policies and regulations, and to impose penalties deemed reasonable and appropriate for violations of the standards of conduct or referenced in this Student Handbook.

The Vice Provost, Dean of Studies, Dean of Faculty and Curricular Development, Dean of Students, Director of Residence Life and Housing, Director of Campus Safety, and staff members from their departments are responsible for fostering an atmosphere consistent with the Principles of Community Life described below. Likewise, these officers are empowered to enforce the institution's Code of Student Conduct and standards of behavior outlined in this document. This authority includes removing a student from campus who may pose a threat to themselves or any other person(s).

The Provost may delegate, retake, and re-delegate to the Simon's Rock community, or to any committee or any constituent part or person thereof, such of their powers as they may determine.

B. GUIDING PRINCIPLES OF COMMUNITY

At Simon's Rock, we respect and care for the welfare and integrity of individuals, and for the community as a whole. We expect members of this community to show respect and abide by the Principles of the Community and follow the code items outlined below:

1. Respect for Individuals

Any action that jeopardizes the health, safety, well-being, or self-respect of an individual—whether oneself or another member of the Simon's Rock community—will not be tolerated. Such acts include violence, harm, threat of harm, intimidation, sexual misconduct, discrimination, harassment, bullying, cyber-bullying, dishonesty, misconduct, noise, and/or other endangering behavior.

2. Respect for Property

All community members and all guests will respect the private property of individuals, including community members and guests. All community resources will likewise be respected to ensure that none are denied their proper use. This right applies not only to those who are now at the College, but also to those who will attend Simon's Rock in the future.

Therefore, disrespectful behavior toward any individual's personal belongings or towards Simon's Rock property and/or resources is prohibited. Lack of respect for property on or off campus will not be tolerated. Lack of respect for property includes leaving an excessive mess in a community space for others to clean, theft, vandalism or damage, possession of stolen property, unauthorized access (to another's living unit, office, lab, computer or computer account), or misuse of keys.

3. Respect for Civil and Criminal Law

While this is a private institution, we remain subject to all federal and state civil and criminal law, on or off campus. Members of the Simon's Rock community are expected to be law-abiding citizens. Students who violate a law on or off campus are liable for their actions on campus, and may be subject to civil or criminal proceedings. When Simon's Rock receives reports or complaints of illegal and/or disrespectful behavior by students off-campus, it may take disciplinary action. Disciplinary action is not dependent on separate civil or criminal prosecutions by other non-Simon's Rock authorities. Simon's Rock's judicial process is separate from and independent of civil or criminal prosecution or its timetables.

C. LISTED CODE OF STUDENT CONDUCT POLICIES

The Code of Student Conduct policies and processes used to investigate and resolve alleged violations are provided below. Policies and procedures regarding discrimination, harassment, and sexual misconduct are included in a separate document: "Equity and Title IX: Policies and Procedures" which can be found at <https://simons-rock.edu/title-ix>.

1. Academic Integrity

Honesty and integrity in the performance of all academic assignments are expected of all students at Simon's Rock. Plagiarism, falsifying data, or the giving or receiving of unauthorized assistance on any examination, quiz, lab, or homework assignment all are serious forms of academic dishonesty and will not be tolerated.

A student who submits a paper or report with content that is wholly or partially taken from

another's work without citation has committed plagiarism. Special care should be taken when engaging in research on the internet, as many sources there are designed to aid students in committing academic dishonesty, or are otherwise unsuitable for academic pursuits.

It is the student's responsibility to consult with the faculty member involved whenever there is a question about the right way to handle source material or about what type of collaboration is permissible on a given assignment. The library staff can aid students in finding appropriate materials through Internet research and in acknowledging them correctly.

A first offense of academic dishonesty will usually result in a grade of F on the assignment or exam in question, but may result in a grade of F for the course. The student will receive a written warning and parents or guardians will be notified, (although nothing will go on the student's academic record), Any subsequent offense will result in more serious consequences, which may include failure in the course, notation on Dean's forms from transfer schools, academic probation, or suspension from Simon's Rock.

Appeals of the consequences or judgments of academic dishonesty more severe than a warning may be made in writing to the Standards and Procedures Committee within 48 hours of the decision. Questions about Simon's Rock's policy on academic dishonesty should be directed to the Dean of Studies and Dean of Faculty and Curricular Development.

2. Prohibited Substances

Campus Life staff have the authority to take necessary and thoughtful action to safeguard the campus and residents from alcohol, illegal drugs, and intoxicated users of the substances mentioned below. When a student is found to be in possession of or under the influence of alcohol or illegal substances, Simon's Rock's first concern will always be the physical and psychological well-being of the student, and the well-being of the campus community. Once the safety of the student and others has been ensured, the student will be counseled on personal reflection, education, and accountability. Simon's Rock and Commonwealth sanctions may also be imposed.

Simon's Rock is a substance-free campus. Therefore, the use, possession, possession by consumption, sale, distribution, manufacturing, or facilitation of the use of alcohol and illegal drugs, is strictly prohibited. This includes substances that are generally recognized as dangerous and detrimental to the individual and community, even though they may not be illegal (including, but not limited to, whippits, 2-C's, NBOME, research drugs, Spice, K-2, non-prescribed performance enhancing drugs, herbal intoxicants, and vape pens/devices). Possession of items used to consume, or in the preparation to consume, alcohol and illegal substances are also prohibited.

Attendance at a gathering in which alcohol and illegal substances are available or are being consumed, is prohibited. The unlawful distribution, possession, social sharing, non-prescribed use, or abuse of prescription drugs is prohibited. Altering, tampering, or forging a prescription is prohibited. The use of a fake ID, or misrepresenting one's identity and age, is also prohibited.

Marijuana Laws – Commonwealth of Massachusetts

Although the Commonwealth of Massachusetts has approved legislation to legalize recreational use of marijuana by people at or over the age of 21, the Simon's Rock must abide by federal law, including the Drug-Free Schools and Communities Act, in order to remain eligible for federal funding to Simon's Rock, including student financial aid. Therefore, Simon's Rock must continue to maintain and enforce its prohibition on the use of marijuana. This means that for all students,

regardless of age, the Simon's Rock prohibits the use, sale, manufacturing, distribution, possession, or facilitation of the use of marijuana on campus, or as part of any school sponsored activities or events.

Furthermore, because the federal Drug-Free Schools and Communities Act applies to the use of medical marijuana, marijuana for medicinal purposes on campus, or at any Simon's Rock sponsored activities, is prohibited. This prohibition applies even if the Massachusetts Department of Public Health (DPH) has issued a Medical Marijuana Registry identification card to an individual, authorizing that individual to possess and use marijuana for medicinal purposes. Thus, despite whatever state law may permit, Simon's Rock policy strictly prohibits any person, including those with a medical marijuana card, from possessing, using, distributing, selling, manufacturing, or facilitating the use of medical marijuana on campus or as part of any school sponsored activity.

3. Prescription Medications

Simon's Rock forbids the misuse or misappropriation of prescription drugs. Misuse includes taking a prescription drug or being in possession of a prescription drug that has been prescribed for a different person. Misappropriation includes acquiring drugs from any source other than the student's healthcare provider or the Wellness Center; it also includes cases when a student provides a prescription drug to another student who is not the intended recipient of that drug.

3. Call for Help

If a student (or students) requires medical attention as a result of using prohibited substances – and that student or a peer contacts Campus Safety or a Community Director and indicates that immediate help is needed – the usual disciplinary process and consequences for the use of prohibited substances will not apply to any students involved. If a student is aware that a peer intends to engage in endangering activities and alerts a Community Director or Campus Safety Officer member, the usual disciplinary process and consequences for the use/possession of prohibited substances will not apply to any students involved. Again, Simon's Rock's first concern will always be the physical and psychological well-being of the student(s).

While no disciplinary sanction will be imposed, the student involved will be asked to follow up with a Campus Life staff member. In most circumstances, the student's parent or guardian (typically done by hospital staff) and Academic Advisor will also be notified of the incident, specific details will not be disclosed by Campus Life staff to the Academic Advisor, providing such information is at the discretion of the student(s). The student(s) will be required to seek professional help on or off campus. However, if other policies were violated during an incident, such as vandalism, a threat of serious harm to one's self or others, or procuring/providing prohibited substances to students, the individual may be held accountable for those specific acts.

4. Expectation to Cooperate with Faculty and Staff in the Course of Duties

When a member of the faculty or staff needs a student to cooperate with a request or directive in the course of their duties, the expectation in our community is that the request or directive will be respected and followed.

In many cases these directives are a matter of community safety. Examples of these directives include notifications regarding emergency parking restrictions, vacation or break announcements, and campus safety alerts. Other cases may involve the need for cooperation so that an employee's responsibilities may be fulfilled. These instances include requests to vacate a room for cleaning or

maintenance, visit a campus office for administrative purposes, or respond to a query for information.

Neglect or refusal to cooperate with such directives and requests, including making a materially false statement in bad faith in the course of disciplinary process, investigation, or hearing has the potential to compromise safety and/or interfere with an employee's ability to fulfill essential responsibilities. Simon's Rock's response in such instances may include restorative meeting, disciplinary warning, or social probation/loss of privileges. It may also include, but is not limited to, any combination of the following:

- Campus service
- Required or recommended counseling, on or off campus
- Fines and costs of restitution
- Loss of privileges (i.e. access to specific residence halls or social spaces, restriction from social events, break-housing, early return or late departure for breaks and vacations)

Major or repeat offenders may face more serious sanctions.

5. Interaction between Academy and College Program

Bard Academy students attend high school on a college campus. Most areas of campus are shared between the Academy and the College. Students are encouraged to explore the resources and activities offered by the college (i.e. athletic teams, clubs, writing tutors, etc.) with certain limitations. Academy students are expected to behave respectfully and in a mature fashion when using shared facilities, including the Kilpatrick Athletic Center, the Alumni Library, the Dining Hall, and the Daniel Arts Center. All Academy policies are in effect at all times and in all campus spaces.

Certain spaces on campus are designated for primary or exclusive Academy use. College students should not access the academy halls of Hill House. This is inclusive of Academy alumni. Academy and college students are encouraged to study and socialize in common spaces that are non-residential (e.g. student union, library).

Similarly, certain spaces on campus are designated for primary or exclusive college use. Bard Academy students are prohibited from entering or occupying College residential buildings, including the section of Hill House assigned to the college and all common areas in the college residential buildings. Any Academy student found in a college residence will face disciplinary action. College students may not enter the Academy halls of Hill House and will face disciplinary action if found in violation.

6. Fire and Life Safety

Simon's Rock, the Great Barrington Fire Department, and the Commonwealth of Massachusetts take fire and life safety very seriously. The Campus Safety, Physical Plant, and Campus Life Office staff make daily rounds in buildings, checking and monitoring life safety systems, and maintaining order. All students are expected to help maintain a safe environment. At the start of each semester, Community Directors will communicate fire safety concerns to students and identify gathering points in the event of a real fire or other emergencies.

Examples of fire and life safety violations include the following:

Open Flame or Smoke

Burning of candles, incense, or any other material in or near buildings is strictly prohibited. Burning anything on campus grounds without prior written permission from the Director of Campus Safety is forbidden. Also see the smoking policy, below.

Flammable Material

Possession of highly flammable material, including but not limited to candles; incense or related paraphernalia; smoking paraphernalia; excessive wall coverings or ceiling hangings; open coil appliances; indoor possession of fuel, gas, cleaning solvents and fuel-fired devices, and explosives is prohibited.

Fire Hazard

Creating a fire hazard, which includes but is not limited to blocking any means of egress, propping fire doors, overloading electrical outlets or creating an excessive mess (i.e. stacking a semester's worth of empty pizza boxes in the laundry room) is prohibited.

False Alarm

Setting off smoke or fire alarms in the absence of smoke or fire, regardless of intent, is prohibited.

Tampering

Tampering with smoke alarms, sprinklers, fire extinguishers, wiring or additional equipment on the campus is prohibited. This includes but is not limited to electrical, telecommunication, computer, security, or life safety devices.

Cooking

Students may not cook in their dorm room. The misuse or abuse of kitchens, such as leaving ovens or stoves unattended, or cooking anywhere on campus other than in campus kitchens, is a violation of policy that may result in fines. Kitchens should be kept safe, clean, and functional for the use of all. Any problems should immediately be reported to a Community Director.

Prohibited Items

For fire safety reasons and because many of these items interfere with emergency fire alarm equipment, the following items are prohibited: vapes, e-cigarettes, vaporizers, humidifiers, scent diffusers, space heaters, microwaves, air conditioners, immersion heaters, hot plates, open-coil appliances, refrigerators more than three cubic feet, electronic bedding materials, fuel-run appliances, plug-in air fresheners, halogen lamps, and other potentially dangerous devices. Students who are not sure whether a particular appliance is permitted should get written permission from the Dean of Students before bringing the item to school.

Extension Cords

Extension cords and string lights may not be strung in succession, and must be unobstructed and accessible. Power strips should only accommodate one extension cord or string light at a time.

Lofts

Lofting and bunking of beds is prohibited.

Candles for Religious Observances

For the purposes of religious observance, students may burn candles in the common area of a residential building or in the meditation room in the Livingston Student Union under the following parameters:

- Permission must be obtained beforehand from the Director of Campus Safety
- The Community Director of the building is given adequate forewarning of the event
- The students must take necessary fire-safety precautions
- The candles must not interfere with the normal functioning of all fire safety equipment
- A staff member must be present while the candles are burning
- Candles must be stored by the employee while not in use

Simon's Rock's response to fire and life safety violations often includes a fine as well as a sanction in the form of a disciplinary warning or social probation and any combination of the following:

- Campus service
- Required or recommended counseling, on or off campus
- Costs of restitution
- Loss of privileges (i.e. access to specific residence halls or social spaces, restriction from social events, break-housing, early return or late departure for breaks and vacations)
- Restorative meetings with the affected community members

Major or repeat offenders may be suspended from campus. Simon's Rock welcomes the aid and support of the Great Barrington Fire Department and once on campus, they may cite students for violations of law. Note that the Great Barrington Fire Department cites and fines the College for nuisance alarms (resulting, for example, from burnt toast, burnt popcorn, tobacco smoke) and fire safety violations; Simon's Rock will pass these charges directly onto the student(s) cited whenever possible.

7. Hazing

Hazing is illegal in the Commonwealth of Massachusetts and is prohibited at Simon's Rock. While Simon's Rock does not allow fraternities or sororities, hazing activities have been known to take place, via other types of organizations, at institutions across the country. Such illegal acts may result in criminal proceedings against both participants and the institution. Massachusetts requires that the text of its law prohibiting hazing be posted at every educational institution in the state (see Appendix B).

Laws Prohibiting Hazing – Commonwealth of Massachusetts

§2540 The Commonwealth of Massachusetts, 1985: An Act Prohibiting the Practice of Hazing
Chapter 269 of the General Laws is amended by adding the following three sections:

Section 17. Whoever is a principal organizer or participant in the crime of hazing as defined herein shall be punished by a fine of not more than \$1,000 or by imprisonment in a house of correction for not more than 100 days, or by both such fine and imprisonment. The term hazing as used in this section and in Sections 18 and 19 shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the

physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug, or other substance, or any other brutal treatment or forced physical activity that is likely to adversely affect the physical health or safety of any such student or other person, or that subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest, or extended isolation.

Section 18. Whoever knows that another person is the victim of hazing as defined in Section 17 and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to him or herself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than \$500.

Section 19. Each secondary school and each public and private school or college shall issue to every group or organization under its authority or operating in conjunction with its campus or school, and to every member, plebe, pledge, or applicant for membership in such group or organization, a copy of this section and Sections 17 and 18. An officer of each such group or organization, and each individual receiving a copy of said sections 17 and 18, shall sign an acknowledgment stating that such group, organization, or individual has received a copy of said Sections 17 and 18.

Each secondary school and each public and private school or college shall issue to every group or organization under its authority or operating in conjunction with its campus or school, and to every member, plebe, pledge, or applicant for membership in such group or organization, a copy of this section and Sections 17 and 18. An officer of each such group or organization, and each individual receiving a copy of said Sections 17 and 18, shall sign an acknowledgment stating that such group, organization, or individual has received a copy of said Sections 17 and 18.

Each secondary school and each public or private school or college shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the board of education, certifying that such institution has complied with the provisions of this section and also certifying that such school has adopted a disciplinary policy with regard to the organizers and participants of hazing. The board of regents and in the case of secondary schools, the board of education, shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution that fails to make such a report.

8. Restroom Policy

Restrooms on the Simon's Rock campus are marked by utilities, which means the signage depicts the facilities available within a restroom. All members of the Simon's Rock Community and visitors to campus have the right to access the restroom consistent with gender identity. If anyone requires greater privacy (for any reason) than a multi-user restroom provides, single user facilities are available where indicated on the campus restrooms map. Gender specific multi-user restrooms are also indicated on this map.

Everyone on campus has the right to safe and appropriate restroom facilities without being harassed or questioned. Under no circumstances shall anyone be asked to provide proof of gender anywhere on campus. Doing so is an act of discrimination.

This policy is in accordance with the institution's Notice of Non-Discrimination on the basis of gender identity or expression. Anyone who believes they have experienced discrimination in violation of this policy is encouraged to contact the Council for Inclusive Community at cei@simons-rock.edu or (413) 644-7617.

9. Immediate Threat of Harm

Any act that poses what a rational person would consider an immediate threat of harm, to oneself or others, is strictly prohibited on the Simon's Rock campus.

Examples include but are not limited to overt or implied threats and acts constituting physical harm and violence, sexual misconduct, discriminatory harassment, stalking, bullying, intimidation and other endangering behavior directed toward oneself, others, or the property of others.

The administrators' primary concern will be to restore the safety and wellbeing of everyone involved. Only then will the Dean of Students or their designee consider disciplinary action, based on Simon's Rock Guidelines.

10. Motor Vehicles

All enrolled students and their guests are subject to Simon's Rock's motor vehicle regulations.

Highlights are contained in the Personal Motor Vehicles section under Transportation in this handbook. The Campus Safety Office emails the full motor vehicle policy to all students at the beginning of each semester.

Students are permitted to keep a motor vehicle on campus after successfully completing two semesters in residence. First-year students who reside off-campus are permitted to drive a vehicle on campus but are not permitted to have other students in their vehicle. First-year students of age 18 or older who are in good academic and social standing may petition for an exception in their second semester. Exceptions require approval from the Dean of Students and the Director of Campus Safety. Other students are permitted to bring motor vehicles to campus subject to the College's motor vehicle policies. Students may register 1 (one) motor vehicle only. Students must provide a valid driver's license and vehicle insurance when registering their vehicles with Campus Safety. Registered vehicles must display the appropriate parking decal.

11. Campus Network

Simon's Rock's computer network is for the use of members of the community – Academy and College students, faculty, staff, and associates of the institution.

Acceptable Use Policy

All users of the Campus Network must read and must agree to the terms outlined in the Acceptable Use Policy before they are granted access the first time they use the Network. The Acceptable Use Policy referenced here and in the course catalog is also available on the Simon's Rock Information Technology Services (ITS) webpage. If you have questions or concerns about this policy, please direct them to the ITS staff at its@simons-rock.edu.

Violation of the Acceptable Use Policy may lead to restriction or revocation of network access, or be referred to the Dean of Students for further action as necessary.

Management of the College Website

The Provost or the Provost's designee has final approval of the Simon's Rock Internet site. The Provost designates the day-to-day oversight to the Director of Marketing and Communications and staff. All websites representing Bard College at Simon's Rock and Bard Academy at Simon's Rock accessible to the public conform to standards put forth by the Marketing and Communications Office. For more information, contact the Website Manager 413-528-4968.

12. Smoking

Smoking poses known and preventable health risks, therefore, smoking, vaping, or using any tobacco or plant product is prohibited on the Simon's Rock campus for all students, including buildings, facilities, and grounds. The ban encompasses indoor and outdoor spaces, private offices, all buildings including all areas of residence halls, athletic venues, restrooms, dining facilities, and student vehicles on campus. Smoking on campus results in a \$250.00 fine per person, per occurrence, and repeated violations may lead to additional disciplinary action. Students seeking smoking cessation resources are encouraged to reach out to the Wellness Center.

13. Weapons Possession

Any item used with the intention of threatening or causing harm to an individual or property will be considered a weapon. Simon's Rock views any such item as a potential threat to the safety and well-being of this community and will take whatever action is necessary to eliminate the danger and remove such items from the campus. This includes but is not limited to guns and firearms of any kind, including any projectile firing device, ammunition, knives, daggers, machetes, swords, mace, pepper spray, slingshots, paintball rifles and supplies, fencing foils, martial arts equipment, explosives, fireworks or fuel of any kind. Simon's Rock does not consider any of these items decorative or necessary on our campus, and therefore they are strictly prohibited.

Exceptions may be made for pocket-knives with a single-edge blade less than three inches long, cooking knives or cutlery. These items should be stored out of sight when not in use. Any question or concern about a knife, or any other item that could be construed as dangerous and therefore violate Simon's Rock policy, will be addressed to the Director of Campus Safety. Students who have questions about this policy should consult with the Director of Campus Safety before bringing the item to campus. Failure to do so will not excuse a violation of this policy, or negate any penalties that may result.

Pepper chemical spray (mace) is prohibited in the State of Massachusetts for anyone under the age of 18 who does not have a license to carry a firearm. All others who wish to carry such items on campus must register with the Director of Campus Safety. No one other than the owner can be in possession of the spray at any time. Use of the spray for any purpose other than self-defense will be considered a violation of this weapons policy.

14. Disciplinary Procedures

The Dean of Students has the authority to adjudicate violations of the Code of Student Conduct. The Dean of Students may also delegate that responsibility to the Title IX Coordinator, the Director of Residence Life and Housing, the Community Standards Coordinator, the Director of Campus Safety, a Community Director, or an Academic Dean.

Campus Life and Campus Safety staff members who respond to an incident will first be concerned with the physical safety and well-being of students. Once safety is assured, staff members will investigate the incident and report findings to the Dean of Students or their designee.

Simon's Rock disciplinary proceedings pursuant to this policy are private and confidential. Only current members of the student body, faculty, and staff may participate in these proceedings as a committee member or witness to the proceedings. Recording a hearing is not permitted without advance permission from the Dean.

Please note: Cases alleging academic dishonesty will be referred to the Dean of Faculty and Curricular Development, Dean of Studies, or the Vice Provost. Allegations of cases alleging discrimination, harassment, stalking, and sexual misconduct, discrimination, and/or discriminatory harassment will be referred to the Title IX coordinator.

Questions regarding the disciplinary process or the scheduling of a hearing should be directed to the Dean of Students.

Disciplinary Sanction

After exploring the details of the incident with the party involved, if the Dean of Students, or their designee, believes a sanction is warranted, they will either:

1. Produce a notice of violation

The named student may meet with the Dean, or their designee, to ask clarifying questions before responding. Once the student receives the notice, they are asked to read and respond \ within two business days of the date and time issued. If a student fails to respond to a violation notice within two business days of the date and time issued, the notice defaults to acceptance, and the student waives their right to contest the sanction as presented.

After reviewing the student's response to the claim, the Dean of Students, or their designee, determines how to resolve the matter. They may adjudicate the case or may delegate that responsibility. The Dean or their designee are able to resolve many cases after reading the written response; others may involve a brief follow-up restorative meeting; still other cases may require restorative meetings with involved parties, including witnesses and the staff that responded to the incident; others may require a referral to the Student Code of Conduct Committee

If the student: a) accepts responsibility, b) accepts responsibility with a comment or c) is found responsible by the Dean or their designee, a sanction may be imposed from the list outlined below. If the student is found not responsible for a violation, the outcome is documented and the matter is closed.

The Dean of Students or their designee responsible for formal action in response to a claim will document the matter and the outcome in writing. They will then share that information with the student, their parents or guardians as appropriate given the sanction, and staff members in accordance with and as permitted by Simon's Rock policy and the law.

2. Produce a referral to the Student Code of Conduct Committee for adjudication

The Dean of Students, or their designee, may refer a case under their jurisdiction to the Student Code of Conduct Committee for adjudication. In such cases, the student will receive notice that a hearing

has been scheduled and will be given the opportunity to respond in writing within two business days of the date and time the notice was issued.

In the event of egregious or repeated violations, or if a student persists in violating regulations or shows contempt for the well-being of the community and its governing policies, the Dean of Students may take direct action, and then refer the case to the Student Code of Conduct Committee for resolution. Such direct action may include removing a student from campus if a student is determined to be a danger to themselves or others.

Cases typically referred involve serious matters and/or repeat offenders who may be subject to social probation/loss of privileges, suspension, or expulsion. The Student Code of Conduct Committee works in conjunction with the Dean to uphold the policies and procedures of the College, as outlined.

The Student Code of Conduct Committee pool is made up of four students, four faculty members, and four staff members. Up to three at-large student representatives may receive an invitation to participate in any single case. Committee members are expected to recuse themselves if they have a conflict of interest with the student(s) involved in a particular instance. All Committee members have an equal say in the outcome.

Students are selected by the Student Government to serve for one academic year. Student members themselves must be and remain in good academic and social standing, as confirmed by the Campus Life representative to Student Government before selection. Faculty and staff nominate and elect their representative committee members. The Vice Provost, the Dean of Faculty and Curricular Development, the Dean of Studies, s, or the Director of Finance and Administration may fill any vacancy remaining.

When a case is referred, a hearing circle of at least three Student Code of Conduct Committee members will be convened to hear the case. The circle must include one student, one faculty member, and one staff member.

Either a faculty representative or the Provost acts as hearing Chair. The Dean that referred the case sits in the hearing as a non-voting member, recording and communicating the outcome to the student(s) involved and participating in appeals as necessary. The Chair or their designee may remove and replace any committee member if needed.

Student Code of Conduct Committee Training

Sitting members of the Code of Student Conduct Committee are educated on the Student Code of Conduct policies, conducting fair hearings, and the “preponderance of evidence” standard, which Simon’s Rock uses to determine responsibility. At-large members are also educated on the matters by the hearing Chair.

Hearing Process

The Chair determines the order of witnesses and oversees proceedings in consultation with the Dean of Students or their designee.

The Chair may also represent the specific hearing committee in the appeals process, as needed. The Dean of Students or their designee oversees the proceedings and answers questions on policy, procedure, and precedent.

Members of the Code of Student Conduct pool are expected to recuse themselves from a case if conflict of interest exists and may be removed by the Chair, Dean of Students, or their designee. During each hearing:

- Committee members for the specific case review the sanction notice and any statements or other written or material evidence presented that is relevant, as approved by the Chair.
- Members speak with those who witnessed, were involved in, and/or responded to the incident, and with the student charged.
- Members may also hear from up to two character witnesses. These individuals must be current students, faculty, or staff at Simon's Rock. The hearing members will not hear from anyone not formally associated with Simon's Rock, including parents, guardians, outside advocates, or lawyers without advance permission of the Chair.
- Students who fail to attend their own hearing will forfeit the right to testify. Decisions will be made in their absence.
- If a hearing is disrupted, the Chair, Dean of Students, or their designee may temporarily adjourn the session or decide to hear the case in closed session with or without participation of the charged student and witnesses.
- Any breach of confidentiality by hearing members will result in the immediate dismissal of that member and possible disciplinary action as appropriate.

Hearing Outcome

Once a hearing concludes, committee members deliberate and determine whether a sanction has been proven by the preponderance of evidence standard. If the sanction meets the standard, the committee members then work with the Dean of Students or their designee to determine an appropriate penalty based on the student's disciplinary history while at Simon's Rock, which only then will be shared by the Dean of Students or their designee with the hearing committee members.

The Committee Chair will document the outcome of the hearing and communicate the decision to the student.

Hearing decisions are based upon the preponderance of evidence and/or reasonable person standards. Hearings, deliberations, and decisions are confidential. All decisions require a majority vote.

These processes are designed to offer a student charged with violating institutional policy the opportunity to reflect on and respond to sanctions.

Questions regarding the Code of Student Conduct, the disciplinary process, or the scheduling of a hearing should be directed to the Dean of Students.

Simon's Rock attempts to resolve sanctions within two weeks of the incident, but some matters may take longer to resolve. Questions regarding resolution timelines should be directed to the Dean of Students or their designee.

Transcript Notations

For crimes of violence (as defined below), Simon's Rock will make a notation on the transcript of students found responsible after a conduct process that they were "suspended after a finding of responsibility for a code of conduct violation" or "expelled after a finding of responsibility for a code of conduct violation." For a student who withdraws from Simon's Rock while such conduct charges are pending, and declines to complete the disciplinary process, Simon's Rock shall make a notation on the transcript of such student that they "withdrew with conduct charges pending." The student may seek removal of a transcript notation for a suspension one year after conclusion of the suspension by requesting a meeting with the Dean of Students where the student will be given the opportunity to show cause as to why the transcript notation should be removed. Notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed. "Crimes of Violence" shall include the conduct violations which correlate with: Criminal Homicide, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson.

Appealing a Suspension or Expulsion

At Simon's Rock, appeals will be accepted solely on one or more of the following grounds:

Violation of procedure – An appeal will be accepted if the appellant demonstrates that the institution committed a material procedural error that was likely to adversely affect the result of the conduct adjudication. Minor or inconsequential deviations from procedure do not give rise to an appeal.

Previously unavailable information – An appeal will be accepted in circumstances where the appellant is able to provide relevant testimony or other evidence that (i) was unavailable to the individual submitting the appeal at the time of the adjudication process and (ii) would likely have affected the finding.

Students who meet the above listed criteria must initiate their appeal by notifying the Provost's Administrative Assistant of their intent to appeal within 48 hours of receiving a written sanction or upon receipt of previously unavailable information. Appeal notifications can be sent to provostadmin@simons-rock.edu. The Provost or their designee serves as the Chair of any appeals hearing.

The Provost or their designee serves as the Chair of any appeals hearing. Pending an appeal of suspension or expulsion, the Provost, Vice Provost, or Dean of Students will decide whether a suspended student must leave campus until final disposition of the case. The Dean of Students or their designee will communicate such a decision on behalf of Simon's Rock.

The Appeals Committee, consisting of the Provost or their designee, a faculty member, staff member, and student, determines whether or not there are sufficient grounds for appeal. If the Committee rejects the appeal, the original decision stands and the case is closed. If the Committee determines that the appeal is warranted, they will schedule an Appeals Committee hearing and document any resulting decisions in writing.

When hearing an appeal, the Appeals Committee may request that the Code of Student Conduct Committee chair, members of the Campus Life and Campus Safety staff, and others, either file a written response or appear in person at the hearing.

Whenever possible, the chair will schedule the hearing within seven business days after an appeal is granted. All deliberations and decisions of the Appeals Committee will be confidential.

The Appeals Committee may take any of the following actions:

- Accept the original decision and dismiss the appeal;
- Affirm the original decision but alter the sanction(s) imposed;
- Reverse the original decision and dismiss the case.

Possible Sanctions for Code Violations

The Provost, Vice Provost, the Dean of Students, the Director of Residence Life and Housing, the Title IX Coordinator, a designee of one of these individuals, or the Student Code of Student Conduct Committee may find that a student has violated policy. Sanctions for violations of the Code of Student Conduct may include a disciplinary warning, social probation/loss of privileges, suspension, or expulsion.

Sanctions are described below:

1. **Disciplinary Warning:** A warning letter will be sent to the student via their Simon's Rock email address, informing them that their behavior violated policy and therefore is not acceptable. Multiple disciplinary warnings may lead to social probation/loss of privileges or other additional disciplinary actions.
2. **Social Probation:** Social probation is a sanction imposed for serious or repeated misconduct. This sanction places a student on notice that their behavior is unacceptable and must change; otherwise, the student will face suspension or expulsion. The probationary period may range from one semester through graduation and – depending on circumstances and the student's previous disciplinary record – may come with additional conditions or consequences. When a student is placed on social probation, the action is documented via email to their Simon's Rock email address and copied to parents or guardians, Academic Advisors, and other department heads as appropriate.
3. **Community Service:** The student will be assigned a predetermined number of community work hours, to be overseen by the Dean of Students or their designee. If the student fails to complete these service hours within the time allotted, additional hours or a more severe sanction may be levied including more hours, loss of privileges, suspension, or expulsion.
4. **Loss of Privileges:** The student may lose one or more of the following privileges: operating a motor vehicle on campus; hosting guests on campus; remaining on campus during breaks; or other privileges as deemed appropriate.
5. **Loss of Access to Campus Facilities:** The student may be forbidden access to specific College buildings or facilities.
6. **Fines and Cost of Restitution:** Parking in a fire lane, failure to present an ID card at the Dining Hall, and overdue library books are examples of situations that may result in automatic fines. Sanctions may also mandate restitution of costs for repair or replacement.

A student who is suspended, dismissed, or compelled to withdraw from the institution will receive no refund of any kind. This also is true for a student who is removed from campus housing but allowed to complete classes.

7. Suspension: Disciplinary suspension is total separation from Simon's Rock for a period of one full semester or more. Sanction of suspension may affect a student's future on-campus housing, federal financial aid, or study abroad opportunities but not scholarships awarded by the institution. Suspension includes separation from classes, activities, services, facilities, and grounds for the duration of the suspension period. The Dean of Students or their designee, will document such action in a letter, which they will generally hand-deliver, with copies sent through Simon's Rock email to the student, parents or guardians, Academic Advisors, and other department heads as appropriate. The Dean of Students may choose to require the suspended student to vacate campus immediately upon suspension, regardless of appeal status.

Readmission following a disciplinary suspension is not automatic but is at the will and discretion of the institution. The Academic Affairs office manages the readmission process, how suspension affects financial aid and can provide further information about the process and deadlines upon request. Again, suspension does not affect scholarships awarded by the institution.

8. Expulsion: Expulsion is a complete and permanent separation from the institution. Such action will be documented via letter, generally emailed to the student, parents or guardians, Academic Advisors, and other department heads as appropriate.

In extreme circumstances, the Provost of the College, or their designee, may remove a student from campus immediately and/or file a report with local authorities. Such action will depend upon circumstances and on the judgment of the Provost, in consultation with the Vice Provost, the Dean of Academic Affairs, Dean of Students, or Director of Campus Safety. Others who may be consulted include parents or guardians, College counselors, Wellness Center staff, Community Directors, Campus Safety staff, and/or outside professionals.

Any act that violates federal, state, or local law – including fire safety regulations – may be referred to external authorities at the discretion of the College.

Unless otherwise directed, a student required to leave campus outside normal closure dates, regardless of circumstances (medical or personal leave, withdrawal, suspension, expulsion) must vacate campus within 24 hours. Alternative arrangements for departure must be made directly with the Dean of Campus Life. If a student leaves school during a semester, they or their parent or guardian will need to make arrangements with the Dean of Campus Life or their designee for any personal items left behind to be shipped to the student's home before departing campus. Items left behind without a plan will be considered abandoned property, and may be discarded at will. The cost of shipping and handling is to be borne by the student, or their parent/guardian. The student vacating campus is expected to turn in their ID card, room key, and all other campus keys to the Campus Safety office (via the Campus Life Office during business hours or to the Campus Safety Office at night and on weekends). Failure to do so may affect readmission or return from leave status. Upon scheduled return, students cleared by the dean or director who granted the leave will be allowed to retrieve their ID card and key(s).

Decisions of the Appeals Committee

Decisions of the Appeals Committee are final. The chair will communicate the Committee's decision to the student appellant in writing and will provide any additional documentation necessary for Campus Life files.

Sanction Notifications

Due to the nature and responsibilities of their work, in addition to the Dean of Students, the Director of Residence Life and Housing, the Director of Campus Safety, the Community Standards Coordinator, and Community Directors may be informed of resolutions. Other College officials with a need to know will be informed about the resolution of specific incidents as appropriate. The Dean of Students and/or the Appeals Committee chair, or designee, makes these notifications.

Notification of Parent or Guardian

With some exceptions to be determined by the Dean of Students or designee, a parent or legal guardian will be notified when a second disciplinary warning or greater sanction is issued. In instances of substantial concern, a parent or legal guardian may be notified of a first warning. Typically, this contact is through the student's Community Director, the Community Standards Coordinator, the Director of Residence Life and Housing, or the Dean of Students. Parents may also receive a copy of any letter resolving a disciplinary matter or when fines or fees are assessed to a student account. At the discretion of the Campus Life staff, parents may be contacted to discuss a student's behavior. The Campus Life staff is always willing to speak with parents if they have questions or concerns about their student(s).

Notification of Academic Advisor

The Campus Life staff will contact an Academic Advisor if discussion of a student's behavior is warranted. The Academic Advisor is notified when a student is alleged to have violated College policy and also when a disciplinary matter is resolved. A letter will be emailed by the student's Community Director, the Director of Residence Life and Housing, or the Dean of Students.

Sanction Conditions

In addressing student violations of College policy, the Dean of Students or designee, the Student Code of Conduct Committee, or the Appeals Committee may mandate one or a combination of the following conditions, often in tandem with one of the sanctions discussed previously.

Assessment and/or Counseling: Counseling may be recommended or required, either on or off campus. The student must absorb any costs of off-campus evaluation.

Academic Dishonesty

The Dean of Studies has the authority to adjudicate academic honesty violations, delegate that responsibility to their designee, and/or in cases of repeated or more egregious offenses to refer the matter to the Committee on Standards and Procedures. The members of the Committee on Standards and Procedures are the Dean of Studies, Vice Provost, faculty representatives from each of the four divisions, the Registrars, and the Director of Accessibility and Academic Support.

13. No Contact Directives

A student may request, or Simon's Rock may impose, communication and contact restrictions with another student. These communication and contact restrictions generally preclude in person,

telephone, electronic, third-party (communication through mutual friends, peers, or others), and nonverbal communications. Simon's Rock may also limit an individual or organization's access to certain Simon's Rock facilities or activities as part of the No Contact Directive. No Contact Directives are strictly non-disciplinary and are not meant to or used to implicate that either party (or parties) have done anything that violates Simon's Rock policy or that Simon's Rock is taking a stance in regards to who is right or wrong in a situation. Both students receive the same directive, which puts structures in place to allow for students who may be in conflict to take a break from one another while protecting and supporting all students involved. These directives do not go on a student's permanent record or transcript. No Contact Directives typically remain in place until both or all students involved are no longer enrolled at Simon's Rock or until both or all parties independently request that they be lifted. The steps for requesting and obtaining a No Contact Directive are:

1. Go to or call Campus Safety ('0' or x7291 from any campus phone) and request to speak with the Community Director (CD) on duty.
2. Meet with the CD on duty to discuss your concerns, the CD may suggest a restorative conversation or other actions in lieu of or prior to the issuance of a No Contact Directive.
3. If the CD puts a directive in place, they will discuss the parameters with you and will promptly meet with the other student(s) to review the parameters as well.
4. The following week you will meet with the Director of Residence Life and Housing to go over any questions, discuss potential next steps, and set up future check-in meetings.

If you have questions about the circumstances that may lead to a No Contact Directive, please reach out to a Community Director. If there are questions that a Community Director cannot answer, they may put you in touch with the administrator on call. If you have a No Contact Directive in place and feel that it has been violated, you should go to Campus Safety or meet with a Community Director/ Director of Residence Life and Housing immediately to report the incident.

V. CAMPUS LIFE POLICIES

Much of the student experience at Simon's Rock revolves around time spent outside of the classroom. For this reason, and because of its status as a high school and early college, Bard Academy and Bard College at Simon's Rock is primarily residential in nature.

This residential character permits and encourages students to combine experiences inside and outside the classroom in support of their full personal development. Day students and students who live off campus also are expected and encouraged to take part in activities that are central to the Simon's Rock experience.

All students living on campus, living in the Simon's Rock's leased housing off campus, or who visit campus, and their guests, are subject to Simon's Rock's policies. These include information in this Student Handbook as well as that in all opening, closing, break, and vacation notices, and other

notices sent to all students, or to specific occupants of a residence hall, via their Simon's Rock email account. Violations are prohibited.

A. HOUSING

The residence halls offer a variety of accommodations including double rooms, apartment-style housing for two to four students, and limited singles for upper college students. All residence halls have live-in staff. Select upper college students also work as House Leaders in most of the residences.

Simon's Rock reserves the right to assign and reassign housing at will. The Campus Life staff, under guidance from the Director of Residence Life and Housing or their designee, makes new students' initial assignments. Other students are assigned each spring, for the coming academic year, via a lottery system. The Director of Residence Life and Housing or their designee emails information about the lottery procedures to all returning students late in the Spring semester.

Simon's Rock, in its sole discretion, may terminate any housing agreement and/or temporarily or permanently remove any student from housing or relocate any student to another residence hall or another room (i) in the event of any failure to comply with the policies set forth in this Student Handbook, any other Simon's Rock policies and procedures, or any applicable federal, state, or local law, regulation, or ordinance; (ii) to promote the health, safety, and wellbeing of any student and/or the Simon's Rock community; or (iii) in connection with the review or investigation of a crime or violation of law or policy. If appropriate under the circumstances, Simon's Rock will make reasonable efforts to provide students with advance notice of such termination, removal, or relocation.

To be eligible for housing, a student must be in good standing with the Business Office and must pay the Enrollment Deposit on time. Social probation or other disciplinary status also may affect housing assignment.

1. Assignment and Room Changes

Students are assigned a room for an entire academic year. Occupying a residential unit without proper assignment – or changing occupancy without prior authorization from the Director of Residence Life and Housing – is prohibited. Students who wish to change rooms must submit a petition to their Community Director. Mid-year reassignments are made based on space availability and the housing needs of the campus as a whole.

Students are expressly forbidden to exchange room keys, even when a legal exchange of rooms is involved. Students will be fined if they return a key other than the one assigned to them. Students who make unauthorized moves, or who fail to comply with any part of Simon's Rock's room change procedure, will be fined and may have to return to their original rooms.

Unauthorized moves may result in fines and may affect future housing options.

2. Shared Living Space

In shared campus living units, occupants are entitled to equal access to shared spaces. Any action on the part of one occupant – or their guest – that infringes on the rights of another occupant may violate Academy or College policy.

Occupants of shared living units are held responsible for any prohibited activity or illegal items discovered in the space. This applies whether the occupants are present or not, at the time of discovery. Students will have an opportunity to clarify the extent of responsibility, if any, during follow-up conversations with the Dean of Students, or during the disciplinary process if they are charged with a violation.

3. Residency Requirement

All Bard Academy students must live on campus except day students, who commute from the primary residence of a custodial parent or guardian.

Bard College at Simon's Rock is primarily a residential college. All students must live on campus, with the following approved exceptions:

- Students who commute from the primary residence of a custodial parent or guardian.
- Seniors who choose to live off campus, and record that choice with the Director of Residence Life and Housing.
- Juniors with permission from the Dean of Students.
- Lower college students with permission from the Dean of Students.
- Students 23 years of age or older.

As an early college, Simon's Rock does not have appropriate housing facilities for married students or for students with children.

Students living in the residence halls are expected to take a minimum of 12 credits. Any exceptions to this expectation need prior approval from the Wellness Center, Academic Affairs, Campus Life, and Financial Aid Office.

4. Right to Assign

Simon's Rock reserves the right to assign and reassign space at will. Simon's Rock reserves the right to assign and reassign students' rooms to others for special programs, breaks and vacations, or in the event of emergency situations. Students whose rooms may be used will be given an opportunity to place their personal belongings in a designated storage area as time allows, particularly before a break or vacation.

5. Residence and Room Access

Student rooms will be available at the opening of the school year, as publicized in the Academic Calendar. Housing is provided for students only while the Academy or College are in session, and students are expected to vacate their assigned living units during all scheduled breaks.

6. Residential Accommodations

Requests for disability-related accommodations to these stated housing policies should be made through the Director of Accessibility and Academic Support; jaltshuler@simons-rock.edu. All applications will be evaluated on a case-by-case basis.

Simon's Rock's disability policies, guidelines, and forms, including Simon's Rock Housing Accommodation policy, Service Animal Policy and Emotional Support Animal Policy, are available online at <http://simons-rock.edu/academics/academic-advising-and-support/disability-services.php>.

B. SCHEDULED BREAK PERIODS

Specific break notices, outlining relevant policies, and procedures for that particular break are distributed to all students via email approximately two weeks before each break. During scheduled breaks, Academy and College residence halls close. Students may return when the residence halls reopen. Students are expected to leave and return by the dates published in the specific Break Notice and the Academic Calendar available from Campus Life and the Registrar's offices, respectively. Students who remain in campus housing beyond the published closing time or return early without permission from the Director of Residence Life and Housing will be fined \$100 per day.

1. Break Housing: Academy

During all breaks, the Academy residence halls close and students are expected to leave campus. Students are required to vacate these residences by the date publicized in the Academic Calendar and may not return before the residence halls reopen. More detailed information is distributed in a memo to all students approximately two weeks before break begins. Students are expected to inform Community Directors about their break travel plans (vacating and returning).

2. Break Housing: College

Break Housing is provided at the will of the College. Prior to each break, the Director of Residence Life and Housing will email a Break Notice to all students. All students are encouraged to leave campus for each academic year break. That said, the College understands that there may be some students who need to remain in campus housing over break.

- Students living within the continental USA

Students who live further than 750 miles from the College may request permission to remain on campus during all or part of the scheduled break period. Students must submit a petition to the Director of Residence Life and Housing and receive confirmation that their petition has been granted.

- Students living outside of the continental USA and Legally Emancipated Students

Students whose permanent address is not within the continental United States of America and students who are legally emancipated do not need to petition to stay for October, November, and Spring Breaks. However, these students must notify the Director of Residence Life and Housing about their plans prior to these breaks.

If students expect significant travel time to and from their break destination, they may petition to stay on a campus up to one day after the closing of residence halls or return one day prior to the opening of residence halls.

Students who remain on campus over breaks are expected to uphold all college policies outlined in the student handbook during breaks. The Office of Campus Life has the right to deny any student from remaining on campus during any and all breaks.

a. Student Break Fee

For those students who receive permission to remain on campus over a break, there is a student break fee of \$250 per week to cover the additional expense of housing, meals, and student supports over breaks. Approved students seeking a waiver for financial hardship should petition finaid@simons-rock.edu

b. Break Support Services for Students on Campus

During breaks, there is a decrease in supervision, resources, and support services available since faculty and staff may also be on break. For students who remain on campus, minimal levels of campus services are available and for emergency purposes only.

- Wellness Center (medical and mental health services): Closed during breaks.
- Dining Hall: Reduced hours and services.
- Campus Life: Reduced on-call staff and services.
- Academic Affairs: Reduced staff and services.
- Transportation Office: Office closed and town shuttles reduced.
- Alumni Library: Reduced hours and services.
- Kilpatrick Athletic Center: Hours reduced during holidays.
- Campus Safety: Open 24/7.
- Other offices: May have reduced hours and services.

October Break

The above policies for students living in the continental USA and students living outside of the continental USA and legally emancipated students apply for this break.

November Break

The above policies for students living in the continental USA and students living outside of the continental USA and legally emancipated students apply for this break.

Intersession

All students must leave campus for the Intersession Break.

Spring Break

All students are encouraged to leave campus for the Spring Break due to the length of the break and the reduction of student support services. That said, the above policies for students living in the continental USA and students living outside of the continental USA and legally emancipated students apply for this break.

3. Unscheduled Arrival/Departure

Students who fail to leave campus by publicized closing times, or who return before announced openings, without express permission of the Director of Residence Life and Housing, are in violation of College and Academy policy and subject to disciplinary action and/or fines. Campus Life staff will not be present on campus until the designated arrival date. The fine for unauthorized early or late presence on campus is \$100 per night at the start of semesters and during breaks, and \$250 per night at the end of spring semester. Students may be asked to leave campus if they arrive early. Personal property left after departure time without permission of the Director of Residence Life and Housing will be considered abandoned, and discarded at will.

C. USE AND CARE OF PROPERTY, ROOM, AND RESIDENCE

1. Use of Campus Spaces

Simon's Rock staff members work hard to keep the campus facilities and grounds clean, presentable, and ready for all our daily needs. The campus is well maintained by a small Physical Plant staff of very dedicated individuals. We ask that everyone help them by cleaning up and resetting rooms as we found them.

2. Room Health and Safety Standards

Rooms must be maintained in adherence to health and fire safety standards. Stale food, dirty clothing, and accumulations of trash create conditions detrimental to community living. Rooms found unacceptable must be cleaned by the residents within 24-hours of notification by the Community Director. Failure to do so will result in a fine and can affect future housing options.

A resident who refuses to maintain reasonable cleanliness or causes severe damage to their room may be denied Academy or College housing or be suspended from the Academy or the College.

At the end of a semester, any student who leaves their living quarters in unacceptable condition will be charged for any necessary cleaning or repair. Students who share common space in Pibly, the Mods, and the College's satellite houses will be billed equally for cleaning costs or repair in those areas. In Carriage, Crosby, Dolliver, Kendrick and Hill Houses, charges for cleaning and repair in common areas will be billed to individual students or divided among residents as appropriate. Students occupying these main halls should remember that common spaces are for the use of all residents, and avoid leaving personal effects in these areas or using them in ways that preclude use by others.

3. Personal Property

Simon's Rock assumes no responsibility for theft of, loss of, or damage to a student's personal property. Each student receives a room key, which can be replaced on request for a fee. Students are encouraged to take appropriate steps to safeguard and insure their property. If loss or theft occurs, students should file a theft report with Campus Safety so that an official record is available

Simon's Rock may require that personal furnishings be removed from a living unit if, in the judgment of the Community Directors, they pose a fire or housekeeping hazard. For example: waterbeds are not permitted because of the strain they impose on the building structure and the potential for water damage if there is a leak.

All personal furnishings and belongings must be removed from student residences when they are vacated at the end of the school year. Storage space is limited, and Simon's Rock assumes no responsibility for theft of, loss of or damage to any items stored anywhere on campus. Simon's Rock does not provide long-term or summer storage for students' personal property. Items left at the end of each academic year are considered abandoned property and will be donated to charity or discarded.

Students who are interested in off-campus storage may contact Dorm Room Movers to arrange storage for your items at their own expense. The Director of Residence Life and Housing provides this information to students each spring. Items left at the end of each academic year without written permission from the Director of Residence Life and Housing are considered abandoned and will be donated to charity or discarded.

4. Simon's Rock Property

All students living in Simon's Rock residence halls are individually and collectively responsible for Simon's Rock property. Students are expected to report to the Community Director any damage to their assigned rooms, to rugs, common rooms, hallways, bathrooms and other areas of the residence hall, whether accidental or not, so that immediate repairs can be made. In the case of a facilities emergency, contact Campus Safety at 413/528-7291 (ext. 7291 from any campus phone).

If damage to common areas or regions outside residence halls is not reported, and the person or persons responsible for the damage cannot be determined, all occupants of the building will be charged in equal proportion for repairs. A minimum charge of \$25, or the exact prorated amount per occupant, will be assessed.

Residents found to be responsible for damage or loss will be fined, will be subject to other disciplinary actions, and may be required to pay restitution. Anyone who commits an act of vandalism will be fined in addition to being assessed the cost of the repair or replacement.

Student occupants should email their Community Director to report damaged and/or misplaced furniture, before leaving campus each semester, even if such damage or loss is the responsibility of others. Failure to file such a report will void a student's right to exemption from payment once bills are issued. More information that is specific follows:

a. Damage to College or Academy Property in Assigned Space

When the College or Academy assigns students to rooms, suites or apartments, it provides furniture that ranges from new to reasonably good condition. Students are expected to return the assigned unit and its furniture in a condition similar to the original, less reasonable wear and tear. Furniture returned in unsatisfactory or damaged condition (as determined by Simon's Rock staff) is strictly prohibited.

b. Misplaced College or Academy Property in Assigned Space

When the College or Academy assigns students to rooms it expects all College or Academy-provided furniture in the room on move-in day to be in the same living unit at the end of each semester. Students are prohibited from moving or removing furnishing, which may include beds, mattresses, dressers, chairs, etc. At the end of an academic year, such relocation will require Simon's Rock staff to find and return inventoried items, which is labor intensive and costly. If these items cannot be retrieved in acceptable condition, occupants will be charged for each item.

c. Damage to College or Academy Property Held in Common

All occupants of a College or Academy residence hall share the use of and responsibility for common property in their building. Students are prohibited from damaging items in these spaces. Common property may include but is not limited to furniture, kitchen equipment, computers, and games. When damage occurs, Physical Plant and/or Campus Life staff will determine violations and assess assigned residents.

d. Misplaced College or Academy Property Held in Common

All occupants of a College or Academy residence hall share the use of and responsibility for common College or Academy property in their building. Students are prohibited from moving or removing such items from these spaces. Common property may include but is not limited to furniture, kitchen equipment, computers, TVs, and games. All assigned residents will be held accountable for misplaced common property. The staff of Physical Plant and/or Campus Life will determine violations.

5. Room Condition Reports

At the beginning of each semester, Community Directors complete a Room Condition Report for each student room and keep them on file. If a student moves out during the year, the room is re-inspected and any damage recorded on the Room Condition Report. Rooms are inspected at the end of each semester, and any damage beyond normal wear and tear is assessed to the student(s) who occupied that room.

All residents should notify the Community Director in writing of any damage or loss that may incur a charge, even if such damage or loss is the responsibility of someone who is not a current occupant. Such notification should be made so that costs can be accurately assessed. If written notification is not submitted before the last day of a student's occupancy, that student and any roommates will be charged, without exception.

6. Shared Living Space

In a shared campus living unit (double room), each assigned occupant, and their property, is entitled to equal respect. Any action on the part of a resident—or a resident's guest—that infringes on the rights of a roommate violates Academy policy.

If there is a room conflict, students are expected to attempt to work together to resolve the conflict. If the students are unable to resolve the situation, Community Directors and/or House Leaders may initiate Restorative Practices to resolve the conflict. At Bard Academy, conflict is viewed as an opportunity for growth and learning.

7. Littering

Maintaining a clean campus environment is a shared value at Simon's Rock. To that end, preventing littering is the responsibility of all members.

8. Climbing on Campus Property

Students may not climb into, out of, or on buildings, walls, windows, utility poles, machinery, or trees.

9. Pets

Other than freshwater fish, which may be kept in student rooms, pets are not allowed on campus. Fish may be kept in rooms. In double rooms, this will require the consent of both residents. Tanks must be made of Plexiglass and be no more than 10 gallons in size. Owners are responsible for arranging for the care of their fish when the owners are away from campus. Fish may not remain on campus over the Intersession or during summer. If fish are abused or neglected, their owners will forfeit the privilege of having them.

a. Visiting Pets

When visiting friends or family members plan to bring a pet, a Campus Safety Officer or Community Director must give permission for the pet to enter the building, and have that authorization documented in the Campus Safety Log. Pets visiting the campus with a parent, guardian or friend must be leashed at all times and are not to be left anywhere unattended. Owners are responsible for proper disposal of pet-related waste, food, water, floor and wall clean-up, waste on campus grounds, or damage caused by their pet.

b. Pet Policy Violations

Unless pre-approved by both the Director of Accessibility and Academic Support and the Director of Residence Life and Housing, pet violations carry an automatic penalty of \$250 per night for the first two instances, and a fine plus disciplinary action for any further breach. Requests for disability-related accommodations to this policy should be made through the Director of Accessibility and Academic Support; jaltshuler@simons-rock.edu. All applications will be evaluated on a case-by-case basis.

In the case of a shared, house or community pet, each student involved will be assessed a fine until the pet is removed or the owner takes responsibility.

10. Remotely Piloted Aerial Vehicles (Drones)

Remotely Piloted Aerial Vehicles (RPAV), including but not limited to remote control planes, helicopters, multi-copters, and drones, are permitted only on the soccer field when no other activity is scheduled. No one other than those using the RPAV should be in the area when the RPAV is flying. **The Campus Safety Department must be informed before any RPAV is flown.** Campus Safety will notify the local airport.

RPAVs may be used in other areas on campus under the direct supervision of staff or faculty. They must be used by FAA regulations for such devices, including being flown within line of sight and below 400 feet of altitude. No RPAVs may exceed 10 pounds in weight or operate using metal propellers. No RPAV may endanger persons or property on the ground. All RPAVs must give way to piloted aircraft. All pilots of RPAVs are subject to legal and disciplinary enforcement for careless or reckless operation. No RPAV may be used during campus-wide events such as Commencement.

All RPAVs must be registered with Campus Safety. A brief description of the RPAV (including the type of vehicle, weight, color, and number of propellers), and your FAA license number must be provided at the time of registration.

D. KEYS, IDs, and LOCKOUTS

1. Room Keys and ID Cards

Room keys are issued at the Campus Life Office. Students sign for and are expected to return the specific key they were assigned. If they do not, a \$100 fee will be charged for missing, late and/or replacement keys. Each student is also given a photo ID/key card. This ID/key card is used to access the exterior doors of a residence hall, the dining hall, the Alumni Library, and Kilpatrick Athletic Center. Students are expected to keep the card on their person while on campus, and to present it to enter the dining hall at each meal. If this card is lost, a replacement card may be obtained at the mailroom in the Livingston Hall Student Union and a fee is charged to the student account. ID cards may not be altered in any way.

2. Lockout and ID Fines

Students are fined on a graduating scale for residence hall/room lockouts and/or for failing to present their ID card at the dining hall before entering for a meal.

Fines are graduated as follows:

Lockouts and ID Violations	Fine
First Offense	\$ 0.00
Second Offense	\$ 5.00
Third Offense	\$10.00
Fourth and Subsequent Offenses	\$20.00

VI. BARD ACADEMY CAMPUS AND RESIDENCE HALL EXPECTATIONS

A. STRUCTURE OF THE ACADEMY SCHOOL DAY

1. Wake-up Knocks

The school day begins for ninth graders with a wake-up knock to their doors at 8:00 am. Tenth graders do not receive wake-up knocks, but may request a wake-up knock from a member of the Community Director staff. In their second semester, ninth graders may elect not to receive a wake-up if they have demonstrated the ability to manage their time in the morning.

Breakfast is available from 8:00am-9:30am in the dining hall. On days when classes begin at 9:00am, all students will be out of the residence hall by 8:45am. On days when classes begin later than 9:00 am, students are required to leave the dorm at least 15 minutes prior to the start of class. However, all students will be required to leave the dorms no later than 11:00am regardless of an individual student's schedule start time for the day.

2. Classes

On most days students will attend class from approximately 9:00am to 4:05pm. Most students will have a lunch break between 11:00am and noon, though the length of lunch may vary, depending on class schedule. During classes (from 9:00am-4:05pm), the residence hall will be closed for reentry. When necessary, students may contact Campus Safety to retrieve necessary items from their rooms during the school day.

3. Dinner

Dinner is available between 4:00pm and 7:00pm on most weekday nights in the dining hall. On the weekend, dinner is available between 4:30 and 6:30pm. Students may also cook meals in the lounge kitchens of the residence hall or get a meal at the Rock Cafe (snack bar) when available.

4. Curfew

Curfew is 10:00pm on school nights (Sunday, Monday, Tuesday, Wednesday, and Thursday) and 11:00pm on weekends (Friday and Saturday). Exceptions may be made for club meetings and other sanctioned events with prior approval from a Community Director.

All students must check in, in person, with a Community Director at curfew. Being out of the residence hall after curfew or leaving the residence hall after check-in without permission is a safety concern and thus a violation of our policy. Repeated instances of tardiness for curfew may warrant disciplinary action.

5. In-Room Time/Room Checks

Students are expected to be wrapping up their weeknight evening activities in the residence hall by 10:00pm. Each student, whether in 9th or 10th grade, is expected to be in their room by 10:30pm on weekday nights (Sunday-Thursday). On weekends (Friday-Saturday), each student is expected to be in their room by 11:30pm. Community Directors will complete rounds of the Academy Residence Halls to verify that students are in their rooms. Students found outside of their room after the expected in-room time may be subject to disciplinary action.

An earnest commitment to Bard Academy culture includes the practice of healthy lifestyle habits, adequate sleep being among those. If Community Directors notice that a student is not getting an appropriate amount of sleep, the student may be sent to meet with Wellness Center professionals for a consultation.

B. ACADEMY DORM ROOM EXPECTATIONS

The following expectations are outlined to create safe and healthy boundaries between students, other students, and their guests to encourage healthy and productive peer relationships. These guidelines are meant to foster a respectful living environment for all Academy students.

Students should not enter or occupy a room if the residing student(s) are not present. In a double occupancy room, guests are only permitted upon the agreement of both roommates. When a student, and roommate when applicable, have fellow students or guests in their room, it is not a private space. A Community Director may request that the door be propped open as wide as the door swings. In these instances, doors to all rooms must be unobstructed and able to swing open fully.

Guests in other students' rooms are expected to conduct themselves respectfully and with care, exactly as they would in a common area. Rough-housing and sexual intimacy are prohibited in students' rooms as they are on the rest of campus.

Community Directors, Academy Proctors, Directors, Deans, and other members of the staff will periodically enter the rooms of Academy students while they are present as part of the normal course of operations. If a member of the Campus Life staff determines that a student's room is not in a clean and healthy state then a plan and follow-up room check will be made with the student(s).

Additionally, there will be a schedule of room inspections announced in advance and conducted by the Community Directors. These will occur before breaks and at other times throughout the semester.

Students are strongly encouraged to lock their dorm room doors when not present in the room.

Removing window screens for the purpose of recreationally climbing in and out of Hill House windows is also prohibited. If a screen is found displaced, Campus Life staff will work with the Academy student(s) to address the situation.

C. ADDITIONAL ACADEMY CAMPUS LIFE POLICIES

1. Noise

Quiet hours are a time of no unreasonable noise in residences, common areas, and parking lots, to ensure that the environment is conducive to study, work, and sleep. Students should at all times demonstrate respect for others by maintaining this atmosphere. Quiet hours begin at 10:00pm and run until 8:00 am the following morning.

Students who disregard regulations governing noise and quiet hours may be required to dismantle any equipment causing the noise and place it in storage for the duration of the semester.

Headphones are strongly recommended during quiet hours.

2. Cooking

Students may not use cooking or heating elements in their residence hall rooms. The Academy provides kitchens for student use. To maintain safety, students are expected to be present in these kitchens at all times while cooking. They also are expected to clean up after themselves before leaving the kitchen. Misuse or abuse of Academy kitchens or communal cookware, or cooking anywhere other than in Academy kitchens, is a violation. Multiple violations may result in Academy kitchen privileges being revoked, until the matter is resolved. Students are asked to report related problems to a Community Director immediately.

3. Laundry

Washing machines and dryers are located in the residence hall and are available for use by all assigned students. Any machine malfunctions should be reported to a Community Director. Students are expected to do their own laundry with an appropriate degree of regularity. Care should be taken

to ensure that all laundry is completed before in-room time. The machines are free of charge (not coin operated).

4. House Meetings

The purpose and role of House Meetings in residence halls is to allow students and Community Directors a major role in defining the character of their immediate community. All boarding students are responsible for managing residence hall life and for contributing to the extracurricular life of the Academy as a whole.

House meetings will be scheduled throughout the school year. House meetings may be called suddenly to address campus and policy changes and to discuss pertinent topics to Bard Academy, the Simon's Rock community, as well as influential national and global topics and events. House meetings are a time to discuss life in the dorm, express challenges faced, plan events, announce upcoming events, discuss helpful strategies to manage life on campus and away from home, and to encourage conversation around student questions and concerns.

House Meetings must include the Community Directors and Academy Proctor; must occur on a regular schedule; and are mandatory for all residents of the house. Minutes of these meetings must be posted in the residence hall.

5. Departures from Campus with an Adult (Non-Guardian)

Prior to any departure from the Simon's Rock Campus by a boarding student with a party other than their legal guardian, parental permission must be received by a Community Director. Students are expected to sign out at the Campus Safety Office before departing campus. The Campus Safety Officer will confirm the identity of the adult taking the student away from campus with the parental permissions relating to the student.

All sign-out information is expected to be specific, accurate, and honest. Any misrepresentation to the school of a student's whereabouts when away from the school constitutes a violation of Academy policy, the result of which is the loss of weekend departure privileges (with anyone other than the student's guardian) for the remainder of the semester, or for the following semester if within four weeks of the end of the academic term.

Students signed out for the weekend are expected to return on Sunday evening. Whenever students return from an overnight away from campus, they are required to check in at the Campus Safety Office.

6. Transportation

Academy students and/or their guardians who are in need of any school-sponsored transportation to and from campus are expected to work directly with the office of Transportation Services. Links to general information, forms, and contact information are listed on the Simon's Rock website.

7. Wellness and Recreation

As part of our commitment to the development of emotional intelligence and commitment to healthy living practices, all Bard Academy students participate in a Wellness and Recreation requirement during J-term. The curriculum covers various health-related topics including tobacco use; alcohol and other drug awareness; sleep and nutrition; human growth and development; mental, emotional

and social health; healthy relationships and sexuality. Students are also encouraged to participate fully in the activities of the Kilpatrick Athletic Center (KAC).

8. Sexual Intimacy

Bard Academy recognizes that sexual intimacy is complicated and often a private matter on a campus comprised of students who may hail from the full range of cultures, beliefs, and values. Abstaining from sexual intimacy while at Bard Academy is essential for our community to function in a manner that supports our core values and allows students the level of independence they desire in their day-to-day life on campus. Therefore, Bard Academy considers intimate sexual contact between students on campus unacceptable and reserves the right for disciplinary action, up to and including dismissal. In addition, public displays of affection that are overly physical or explicit are not appropriate in the environment of the Academy. Students must conduct themselves in a manner in which others are not offended. Responses to such behavior may include, but are not limited to disciplinary action, referral to the Wellness Center, consultation with the Dean of Students, and parental notification. Students should review the Sexual Misconduct Policy for more information.

The Wellness Center provides education, counseling, and support services to help students address all aspects of sexuality. As part of the curriculum, Academy students receive education on such topics as Healthy Relationships, Sexually Transmitted Diseases, Abstinence, etc. The classes are intended to foster thoughtful decision-making and help students create safe and healthy boundaries for their relationships.

Students with questions or concerns are encouraged to have discussions with their families, counselors, Wellness Center staff, or advisors.

Under Massachusetts law, the age of consent for participation in sexual intercourse is sixteen years of age. The age of consent for touching another's private areas is fourteen years of age. Such actions by or with persons under those ages, even if consensual, violate the law and are strictly prohibited by the Academy.

School authorities are considered "mandated reporters" under state law and required by law to report suspected abuse of minors, including sexual abuse, to the Massachusetts Department of Children and Families ("DCF"). If there is reasonable suspicion that a student under 16 has engaged in intercourse, the Academy has a legal obligation to report to DCF. The Academy will cooperate fully with whatever investigation is deemed necessary.

D. ACADEMY DAY STUDENTS

Day students will be placed on a 10 meal/week plan so that they can enjoy meals on campus with their cohort. Additional meals may be purchased by adding declining balance funds to the student's meal card. Cash payment is accepted in the mailroom and the business office. Declining balance funds may also be added using credit/debit cards on the Dining Services website:
<https://simonsrockdining.catertrax.com/>

Day students are not allowed in the Residence Halls during regular class times (9:00am to 3:30pm). There are many common spaces across campus (Student Union, Library, DAC, etc.) for day and boarding students to gather and we encourage them to do so.

In the case of inclement weather, or in order to attend a special event, day students may request to stay on campus on a school night. Permission is at the discretion of the Community Directors, Director of Residence Life and Housing, or the Dean of Students.

E. ACADEMY GUEST POLICY

Visitors and guests include individuals who do not reside on campus and are not enrolled in classes on the day of visitation. This includes parents, guardians, siblings, and friends.

All visitors and guests of current Bard Academy students must sign in upon arrival on campus at the Campus Safety Office in the Livingston Hall Student Union.

All visitors and guests are subject to the same rules that pertain to Academy students. Hosts are responsible for each guest's behavior, and if the guest violates Academy policy, the host will be held accountable as if it were their own offense.

Academy day students are permitted in Academy Residence Halls with permission of a Community Director. Current Bard Academy students are permitted to interact with recent Academy alumni in campus common spaces outside of the residence halls. Siblings of Academy students who attend the College are also permitted to visit in campus common spaces outside of the residence hall. Faculty, other Academy and college professional staff, and approved adult tutors may be checked into the dorm with approval of an on-duty Community Director.

Family members are welcome in the dorm after checking in with Campus Safety. All guests, excluding approved overnight guests, must depart the Academy residence hall by curfew. (10pm Sun-Thurs / 11pm Fri, Sat)

1. Overnight Guest Policy

- Community Directors must be given a minimum advance notice of 24 hours if residential students wish to have overnight guests.
- Residential students must obtain permission from their guardian to have an overnight guest. Students must present notice of permission from the visiting student's guardian.
- Students who share a room must have approval from their roommate to have an overnight guest stay in the room.
- Community Directors must be provided emergency contact information for the visiting student.
- Overnight guests are only permitted on Friday and Saturday nights.
- Residential students may have no more than one overnight guest at a time.
- Residential Students may host no more than three overnight guests per semester.
- Overnight guests may stay a maximum of two consecutive nights.
- Overnight guests must not be older than the age of 15.
- Parents and guardians are not permitted to stay overnight in the dorm.
- Academy day students must adhere to the overnight guest policy and guidelines. Day students may also be granted overnight permission by the Director of Residence Life and Housing in the event of emergency, inclement weather, or other circumstances.

2. Additional Guest Notes:

- Any person who is not a currently-enrolled student must register with Campus Safety and provide photo identification before entering a residential building.
- Deans, Directors, and Community Directors have the discretion to disallow a student to have a guest at any time, even if prior authorization was given.
- Students must register their guests in person at the Campus Safety Office.
- Individuals who are enrolled as college students at Bard College at Simon's Rock are not permitted as overnight guests in Bard Academy.
- Student hosts are responsible for their guests and are expected to be with them at all times.
- Student hosts are held accountable if they or their guests violate any Academy policy.
- Guests who attend publicized events in public spaces on campus are not required to register for the event.

VII. COLLEGE CAMPUS AND RESIDENCE HALL EXPECTATIONS

A. COLLEGE CAMPUS LIFE POLICIES

1. Overnight Sign-out

All first and second year College students must inform their Community Director(s) if they leave the campus for an overnight or extended stay, including vacations. They must also provide the following emergency information before leaving:

- Their overnight destination(s)
- The name(s) of the individual they will be staying with
- A telephone number or numbers where they can be contacted
- Their personal cell phone number (if they have one)
- Expected date and time of return

Students may communicate this information to their Community Director via email. It is recommended that students inform their parent(s)/guardian of your plans in advance. Upper level students are also encouraged to communicate with their Community Director when they will be off campus overnight.

2. Common Areas

Common areas in residence halls are available for the use of occupants first, and then may be used by others with permission from the Community Director.

3. Cooking

Students may not cook in their residence hall rooms. Simon's Rock provides kitchens for student use. To maintain safety, students are expected to be present in these kitchens at all times while they are cooking. They also are expected to clean up after themselves before leaving the kitchen, so that

the area is ready for the next use. Misuse or abuse of kitchens, or cooking anywhere other than in a Simon's Rock kitchen, is a violation.

Students should be sure to read the Fire and Life Safety policies and Procedures above, especially those relating to cooking. Students are asked to report related problems to a Community Director immediately.

4. Laundry

Washing machines and dryers are located in each residence hall and are available for use by all assigned students. Any machine malfunctions should be reported to a Community Director.

5. Noise and Quiet Hours

Quiet hours are a time of no unreasonable noise in residences, common areas and parking lots, to ensure that the environment is conducive to study, work and sleep. Students should at all times demonstrate respect for others by maintaining this atmosphere. Each residence hall sets its own hours during which particular regard for quiet is required (parietals). Audio/video players and televisions may be used in residence halls and houses provided that users respect the rights of other residents and honor quiet hours. Outside antennas are not permitted but indoor antennas may be used if they do not cause damage.

Students who disregard regulations governing noise and quiet hours may be required to dismantle their audiovisual equipment and place it in storage for the duration of the semester. Headphones are strongly recommended.

6. Residence Hall "House" Meetings

Through the annual creation and participation of Residence Hall "House" Meetings students, House Leaders (HLs), and Community Directors (CDs) can come together to define the character of their immediate community. House Meetings create an inclusive space for members within the immediate community to get to know one another, contribute their ideas, coordinate events, and share their concerns.

CDs and HLs must attend all House Meetings in their respective buildings. House Meetings are scheduled regularly and are open to all residents of their particular residence. CDs oversee a house budget drawn from the student activities fee, maintain accurate budgetary records, and process payments and reimbursements promptly under the Campus Life Office and Business Office practices.

7. Parietals

During the academic school year, under the College's parietal system, Crosby, Dolliver, and Kendrick House are closed to nonresidents at midnight Sunday through Thursday, and at 1:00 am on weekends. Others (enrolled students or friends), unless they are guests registered with Campus Safety, are expected to vacate. These buildings reopen to all at 7:00 am.

B. COLLEGE GUEST POLICY

The Campus is private property, and the Provost, the Vice Provost, Dean of Students, Director of Campus Safety, and the nightly Administrator On-Call have the authority to prohibit any individual from coming onto the campus. They may also revoke the visitation privileges of any student or guest at will, and may remove any person from campus. Simon's Rock also reserves the right to alter this policy at will.

Any student or former student who is unclear about whether or not to register or needs clarification on the guest policy should contact Campus Safety at 413-528-7291 before being or bringing a guest to campus.

All visitors and guests of current students who are on campus must sign-in at the Campus Safety Office in the Livingston Hall Student Union. Visitors and guests include individuals who do not reside on campus and are not enrolled in classes on the day of visitation. This includes alumni, former students, parents, guardians, siblings, acquaintances, and friends. A visit during any part of the daily required sign-in period would constitute one visit.

Please note:

- Any person who is not a currently enrolled student must register with Campus Safety and provide photo identification before entering a residential building.
- Students are limited to two overnight guests at any time and must have permission from their roommate(s) before inviting anyone to stay in a shared living unit.
- Parents, guardians, or other family members of currently enrolled students may be permitted to stay overnight in a residence hall or college house with prior permission from the Dean of Students or Director of Residence Life and Housing..
- Students must register their guest(s) in person at the Campus Safety Office, accompanied by the specific guest(s).
- Each guest or visitor must provide a valid photo ID when registering, and must provide vehicle information if they have one on the campus.
- Students living in Crosby or Dolliver House who wish to register a guest of the opposite sex must find an overnight host of the same sex as the guest. The same sex host then must also be present at the time of registration and is accountable for all hosting responsibilities.
- Student hosts are responsible for their guest(s) and are expected to be with the guests throughout their visit.
- The individual guest may visit up to four (4) days per semester, and thereafter must have permission from the Director of Residence Life and Housing or Director of Campus Safety.
- Students are not allowed to have guests on campus until classes resume at the beginning of each semester. Overnight guests are not allowed on campus during move-in, Reading Period, Exams, Breaks, or during the W&T/Orientation period without advanced written permission from the Dean of Students.
- Guests who attend publicized events in public spaces on campus are not required to register for the event.

C. ENROLLED STUDENTS WHO RESIDE OFF CAMPUS

Enrolled students who reside off campus are allowed to be on campus in the library or other public space as long as the building remains open. If they are in a residential building after 9 pm, they must

notify Campus Safety (413-528-7291) of their presence and depart no later than 12 am. If they plan to be in a residential building between the hours of 12 am and 8 am, they must follow the guest registration procedure outlined above.

Students who reside off campus are similarly limited to four (4) overnight visits. They may petition the Director of Residence Life and Housing to request additional overnight visits. Campus Safety, Dean of Students, and the Director of Residence Life and Housing, have the right to revoke visitation permission at will, and current students can be held accountable for any violations of policy.

IX. CAMPUS DEPARTMENTS, OFFICES, AND SERVICES

A. KILPATRICK ATHLETIC CENTER

The Kilpatrick Athletic Center is a focal point for student engagement beyond academic responsibilities. The “KAC” is a world-class facility that offers space to play, compete, relax, and even study. When opened in 1999, it was one of the first college athletic facilities that invited people from the local community to share the space. Since then, the unique community that has risen from this interaction has proven beneficial to everyone who walks through the front doors.

There are many ways for students to get involved at the KAC. Students can take either regularly scheduled classes or special offerings given by fellow students. These include dozens of options from aerobics, yoga, rock climbing, swimming, water fitness, tennis, racquetball, and squash. Our intramural program pits teams of four players against each other in a different activity each week. Playing basketball, indoor soccer, wiffle ball, or Mario Kart, the winning team gets a full course pizza dinner delivered by the KAC staff.

Simon’s Rock, although not a member of a college sports league, still has a vigorous competitive athletics program. The goal of this program is to provide students with a college sports experience as a way to enhance the college experience while not being a burden on academic requirements. Students have the option to play basketball, soccer, swimming, cross country, volleyball, fencing, and rock climbing. All students are welcome to participate in a sport (or sports!) of their choice, regardless of experience. Our coaches are educators dedicated to teaching skills so that even those newest to an activity can enjoy it.

B. CAMPUS MAIL AND TELEPHONES

The Campus Mail Room is located with Campus Safety, behind the mailboxes in the Student Union.

1. Mail Room

Each full-time student is assigned a locking combination mailbox in the Livingston Hall Student Union. Students receive U.S. Postal Service, Federal Express, UOS, and intercampus communications, as well notification of package deliveries from the mailroom. Packages may be retrieved from the mailroom Monday through Friday from 9:00am - 6:00 pm and Saturday between

9:00am and 12:00 pm. Outgoing mail is picked up at 9:30am am and at 3:30 pm Monday through Friday. All packages and mail are subject to search at the college's discretion for our community's safety.

2. Telephone Service

The main Campus telephone number is 413-644-4400. Simon's Rock staff located in the Livingston Hall Student Union answer calls from Monday through Friday, 8 am to 4 pm, while classes are in session.

The Campus Safety staff answer calls during other hours. Since the cell service has gotten better in the Berkshires, Simon's Rock only provides landline connectivity to student rooms upon request.

Incoming calls to students may be transferred directly to a student's room if that student requests to have their room line activated, and they provide their own telephone.

Intercampus phone service is available on hall and lounge phones in the residence halls. In addition, each residence hall room has a telephone line for calling other campus phones and within Simon's Rock's local calling area. Because of the improved but still limited nature of cell phone service on campus, students can choose to bring a landline phone. If you and your roommate wish to receive voice messages from callers, you should plan to bring a telephone that has a built-in answering machine. Text messages can be sent and received from most locations on campus and are a good way to communicate and leave messages. Femtocells will not work on the Simon's Rock wired network.

Should a student choose to use the telephone line provided in their residence hall room, they will be responsible for informing Campus Safety that they are doing so. Campus Safety will ensure that the Simon's Rock's emergency communications system and other systems are updated appropriately. Phone is only one of many options Simon's Rock uses to contact students and to pass along important information.

A student phone list is available to community members online at the campus portal. Students are expected to refer to the student phone list for their personal college use; Switchboard and Campus Safety staff members are not responsible for connecting on-campus calls. Long-distance calls can be made using a prepaid calling card. Questions should be directed to phones@simons-rock.edu or 413-528-7371.

C. CAMPUS LIFE DEPARTMENT

The Campus Life Department is made up of staff from the following areas: Campus Safety (including the mail room and transportation), the Wellness Center, Residence Life and Housing, Student Success, and Student Activities. The Campus Life staff works to support all aspects of life outside the classroom at Simon's Rock. The staff also works to develop and sustain an environment at Simon's Rock that is inclusive, encourages personal growth, and fosters a strong sense of community.

More specifically, the staff is expected to help students with transition to Academy and College life in these ways:

- Plan and execute meaningful educational programs and enjoyable social programs
- Connect students with campus activities, resources and support as needed
- Mediate roommate and other personal conflicts that can arise in close living situations
- Provide a link between student residents and others across the campus
- Intervene in potentially harmful situations

The Campus Life Office is located on the third floor of the Livingston Student Union.

D. CAMPUS LIFE ACTIVITIES

Student sponsored events and activities (whether arranged by individuals, groups, clubs, or organizations) are arranged and managed through the Director of Student Activities. The Director works with students, staff, and faculty to promote activities that allow digression from rigorous academics, and that foster leadership, engagement, inclusion, and the development of strong organizational skills. .

Student input is integral to identifying events that serve an array of interests and constituencies. Biannual fairs involving student clubs and organizations helps to gauge what appeals to current students, in order to create a successful calendar of programs. The breadth of activities may include dances, concerts, films, lectures, intramural matches, as well as community service efforts.

Besides identifying event initiatives, the Director of Student Activities, along with club and organization advisors, helps students address requests for funding of supplies and must approve procurement of space, transportation, audio/visual and tech support as well as the event management plan before funds or reimbursement are released. Use of facilities as well as funding for College programming is coordinated with Physical Plant, Campus Safety, and other offices. To inquire about space availability, please email the Space Coordinators (space@simons-rock.edu).

Events must be planned in advance with the help of the Director of Student Activities to avoid space and scheduling conflicts, gain access to locked areas, arrange for setup, cleanup, and request audiovisual equipment. The events worksheet is available at: portal.simons-rock.edu.

The Director of Student Activities or their designee approves use of space in student residence halls and the Livingston Hall Student Union during the academic year. Common areas in residence halls are available for the use of occupants first, then by others with permission from the Community Director(s). Common space and meeting rooms in the Livingston Hall Student Union are available to all students and will not be designated for any group on a permanent or long-term basis. To reserve a space in the Student Union or for help reserving space in other campus buildings, contact the Director of Student Activities at 413-644-4284 and contact space@simons-rock.edu.

E. COMPUTING SERVICES (ITS: INFORMATION TECHNOLOGY SERVICES)

Simon's Rock is served by a dedicated local area network (LAN) that provides students with access to the Internet and to campus computing resources and numerous printers throughout campus. This network and other campus technology resources are provided explicitly for academic purposes.

The network also supports the academic and communication needs of faculty and staff, including email from professors to their classes. Students are expected to respect fellow users by knowing and obeying Simon's Rock's Network/ITS Acceptable Use Policy, available at <https://simons-rock.edu/aup/acceptable-use-policy>, for all other Simons' Rock policies pertaining to information technologies, network usage, Internet etiquette and applicable law. Violation may result in restriction or suspension of network access, as well as Simon's Rock disciplinary proceedings. Questions about computer and network policies should be addressed to its@simons-rock.edu. The Network/ITS Acceptable Use Policy is not a static document and will likely change as new technology issues arise which are relevant. In the event of a change to the policy, campus wide announcements will be made to alert everyone, but the latest version of the document will always be available at that canonical URL.

Wireless access is available in all campus academic buildings and student residences, as well as most other buildings (e.g., dining hall), although the strength of wireless service may vary by location; wireless access on the campus outside of buildings is limited.

Students are encouraged to bring their own computers to campus. For those who do not, or who require supplemental applications, computer clusters are available at various places on campus including Alumni Library, Daniel Arts Center, and Fisher Science and Academic Center. These buildings house a mix of Windows and Macintosh computers with email, Web browsing and Microsoft Office capabilities.

Specialized graphics, digital photography, computer-aided design, desktop publishing, video editing, and mathematical and statistical modeling programs are available on select computers; write: its@simons-rock.edu or call the ITS Help Desk at 413-528-7371 to determine location(s).

1. Printing

Although Simon's Rock does not charge students for printing, it does use the PaperCut print management system to track usage and reduce paper and toner waste. Rather than sending a job directly to a networked printer, printing is a two-step process.

Students install the PaperCut client on their machines (all public computers on campus have the PaperCut client installed) and add one central printer queue, where all jobs are sent and held for up to 36 hours. The print job can then be released by logging in with a set of Simon's Rock credentials at any Print Release Station, at which time the number of pages is deducted from a student's total allotment. Every student begins each semester with an initial allotment of 400 pages, but this can be refilled by contacting ITS and requesting a refill.

Print Release Stations are available at these campus locations:

- Livingston Hall Student Union
- Fisher Science and Academic Center
- Alumni Library
- Liebowitz Center for International Studies
- Daniel Arts Center
- Pibly Residence Hall

2. Support

Bard Academy and Bard College’s Information Technology Services (ITS) department provides basic support such as installing virus protection, setting up wireless access and print management software, and troubleshooting basic hardware. It is recommended that students have a vendor support agreement to cover repairs and problems that are more complicated.

To get help with basic computer difficulties, students may:

- Send an email to its@simons-rock.edu or call the ITS Help Desk at 413-528-7371 and schedule an appointment between 9 am and 5 pm Monday through Friday.

Students should be ready to work directly with ITS staff or the CA to diagnose and resolve any issues.

F. DINING SERVICES

Parkhurst Dining Services is the food service provider at Bard Academy and Bard College at Simon’s Rock. Parkhurst strives to use fresh, locally grown, sustainable, and organic products. Parkhurst is committed to preparing foods that are delicious and nutritious, supporting our diverse community’s wide-ranging dietary preferences and requirements.

1. Meals and Service Hours

Meals are served buffet style, with a variety of options at each meal, including vegetarian and vegan dishes. Fresh fruit is always available during service hours, as is a large and varied salad bar. Two soups are made daily—one vegan and one vegetarian or protein based. Parkhurst offers several types of house made pizza during lunch and dinner periods Monday through Friday. To enter the dining hall, students must present their ID card.

<u>Monday through Friday</u>	<u>Offerings</u>
8:00 to 9:30 AM	Breakfast
11:00 to 2:00 PM	Lunch
4:00 to 7:00 PM	Dinner
<u>Saturday and Sunday</u>	<u>Offerings</u>
10:00 am to 2:00 PM	Brunch
4:30 to 6:30 PM	Dinner

2. On-Campus Meal Plan Options for Dormitory Housing and Snack Bar Equivalency

All students living on campus pay a residence fee that includes 19 meals per week and \$75.00 per semester in Declining Balance (Rock Dollars). Students may eat as much as they like at each meal. Food may only be removed from the dining hall if students are taking their meal TO GO. In lieu of visiting the dining hall for dinner, each student may exchange a dinner in the dining hall for an equivalency meal at the Snack Bar, Wednesday - Sunday between 7 pm and 10 pm when classes are in session and the Snack Bar is open. The Rock Café snack bar is located in the Livingston Hall Student Union and offers snacks, beverages, and food cooked to order, at a place to relax, study, or socialize. Students may use their Declining Balance (Rock Dollars) to pay for items at the Café, any overage on their equivalency meal, or to treat a friend or visiting family member to a meal in the Dining Hall. Additional Declining Balance funds may be added to your account as needed throughout the year on the Parkhurst Dining website: <https://simonsrockdining.catertrax.com/>

3. On-Campus Meal Plan Options for Apartment Housing

The following is applicable to those currently assigned to Orchard 3, the Mods, and Pibly residents only. All meal options will still be accessible through the use of your ID card, which is the official identification card for Bard Academy or Bard College at Simon's Rock.

The chosen meal plan will apply to your student account on a semester-by-semester basis. If you plan on adjusting your meal plan for the spring semester, you will once again have a chance to indicate/choose your meal plan, so long as you remain in the housing options listed above. Here are the meal plan options:

- Nineteen - any nineteen (19ME) meals a week plan +\$75.00 per semester in Declining Balance
- Fourteen - any fourteen (14ME) meals a week plan +\$50.00 per semester in Declining Balance
- Seven – any seven (07ME) meal per week plan + \$25.00 per semester in Declining Balance

All meal plans begin with Brunch on Sunday and end at dinner the following Saturday. The use of meal equivalencies is available for all meal plans and can be used to exchange a dinner in the Dining Hall for a dinner at the Rock Café Snack Bar in the Student Union.

The Campus Life office needs to receive dining plan selections by the end of business day on the first day of classes. Any student who has not received prior approval to be exempt from the meal plan or those who do not choose a meal plan by the deadline will default to the nineteen-meal plan.

Please note that Declining Balance Dollars included in one of the above meal plans do not roll over to future semesters. Additional DB Dollars added to your account during the semester will carry over to the next semester.

The zero-meal plan (00ME) is not an option. However, the office of Campus Life recognizes that unique circumstances may exempt a student from the required meal plans listed above for documented disability, medical conditions, or religious dietary observance. If you have a disability including a medical condition which rises to the level of disability, you will need to provide documentation of need to the Director of Accessibility and Academic Support. All religious dietary observance requests for exemptions will need to be sent to the Dean of Students.

4. Meal Plans for Off-Campus Students

Day students enrolled in Bard Academy will be placed on a 10 meals per week plan so that they can enjoy meals on campus with their cohort. Additional meals may be purchased by adding a declining balance to the student's meal card. Cash payment is accepted in the mailroom and the business office. Declining Balance funds may also be purchased using a credit/debit card on the dining website: <https://simonsrockdining.catertrax.com/>

Day students enrolled in the College and students living off campus may also participate in the above offered meal plans. All College students residing off-campus will default to the zero-meal (00ME) plan. You may purchase Declining Balance (Rock Dollars) to pay for your meals and/or purchase a meal plan. To participate in a meal plan, please contact the Campus Life office.

5. Declining Balance Meal Account

All students on a 19/14/7 meal plan will have Declining Balance (Rock Dollars) loaded onto their accounts at the beginning of each semester. These Rock Dollars expire at the end of each semester. They do not roll over to the next semester, and are not redeemable for cash. All Day or Off Campus students may initiate a voluntary Declining Balance Meal Account at the Business Office, Monday through Friday from 9 am to 4 pm. Once funds are deposited into a student's account, dining hall and snack bar purchases can be debited. A declining-balance plan is tax-exempt, so students pay no Massachusetts sales tax.

The Declining Balance Meal Account is a supplement to the meal plan for students paying the full residency fee.

All students can use their Declining Balance Meal Account at the Snack Bar, and residential students can use the declining balance to treat friends or visiting family members to meals in the Dining Hall.

Declining Balance Funds may be added to your declining balance account as needed throughout the year on the Parkhurst Dining website: <https://simonsrockdining.catertrax.com/> (preferred) using a credit or debit card to fund your purchase. Additional Bonus Bucks will be loaded depending on the amount you select.

The more you add, the higher the amount of Bonus Bucks added!

Funds can also be added to a student's account either in the mailroom (cash or checks accepted) or at the Business Office (cash or checks accepted) Monday through Friday from 9am to 4pm.

6. Dietary Restrictions and Allergies

Parkhurst will help students to manage dietary restrictions and allergies. Its interactive website, <https://simonsrockdining.catertrax.com/>, is updated regularly during the academic year and offers a nutrition journal, a monthly dining calendar, hours of operation and feedback opportunity. Menu signs in the Dining Hall have icons identifying the most common allergens (if they are present in the item). PLEASE notify your dining team and servers of any serious allergies that you have so we can assist you!

7. Parkhurst Student Jobs

Parkhurst also employs students through the Simon's Rock student payroll office, both work-study and other. For additional information contact Parkhurst at 413-528-7290 or stop by our main office just inside the dining hall entrance, Monday through Friday from 10 am to 6 pm.

G. DISABILITY ACCOMMODATION

Simon's Rock is committed to providing individuals with disabilities equal access to its programs, services and facilities in accordance with Section 504 of the Rehabilitation Act of 1973 and Title III of the Americans with Disabilities Act of 1990.

1. Certifying Eligibility

A student with a disability may be eligible for reasonable accommodation. Disability, as defined by civil rights law, must constitute a mental or physical condition that results in significant impairment in one or more major life functions. Disabilities include, but are not limited to, mobility and orthopedic impairments, sensory impairments, psychological disorders, chronic health impairments, and learning disabilities.

Any student who believes they have a disability not included in this list or who do not have current documentation are nevertheless encouraged to consult the Director of Accessibility and Academic support (413-528-7383; jaltshuler@simons-rock.edu) to determine potential eligibility for services. Accommodation decisions are made on an individual, case-by-case basis.

2. Documentation for Accommodations

All students who request services or accommodation are advised to submit documentation to the Director of Accessibility and Academic Support before, or at the time of, the initial meeting. Students are expected to review and update their information and request each semester. The amount and type of documentation will vary with the nature of the disability and the accommodation requested. Generally, any documentation should (a) be no more than three years old and (b) be provided by a professional with appropriate credentials.

Documentation should include the following information:

- Diagnosis that establishes the existence of a disability and description of the nature of the disability;
- Summary of a comprehensive diagnostic interview; or
- Diagnostic summary based on a comprehensive assessment;
- Specific recommendations for accommodation, and an explanation of need for each.

If the documentation submitted is inadequate in content or scope, reevaluation may be required before services and accommodations are provided.

3. Registering for Disability Accommodation

Students who wish to identify themselves as having a disability should schedule an interview with the Director of Accessibility and Academic Support (413-528-7383; jaltshuler@simons-rock.edu). At the interview, students should provide documentation of their disability, as noted above, and be prepared to discuss appropriate accommodation for that semester. Additional documentation may be requested at that time.

Once accommodation has been agreed on, the student will be asked to authorize a letter to their academic advisor and instructors describing the requested accommodation(s). The Director of Accessibility and Academic Support will provide the student with a formal letter to share with their

instructors and advisor; the student is responsible for meeting with faculty as needed to arrange for particular accommodation(s).

Procedures are in place for resolution, as needed, through the 504/ADA Coordinator for students. The Director of Accessibility and Academic Support will be available to support the student in this process.

4. Reasonable Accommodation

Once students are determined eligible for services, they are entitled to reasonable accommodations. “Reasonable” here is understood to include accommodations which do not place an undue burden on Simon’s Rock or which would require fundamental alteration of Simon’s Rock’s programs or services.

Accommodations may include, but are not limited to:

- Assistive technology
- Digital textbooks for screen readers or audio versions
- Course materials provided in alternative formats
- Provision of open captioning, cart services or interpreters
- Note-taking assistance
- Testing modifications, such as extended time or reduced distraction location

Simon’s Rock reserves the right to refuse a specific accommodation request if other accommodation will serve the student’s needs equally well and place less burden on the institution. However, any student who believes they have been discriminated against on the basis of disability, or denied reasonable accommodation, may file a grievance. Simon’s Rock’s Disability Accommodations Grievance Procedure for Students applies to disability accommodation requests and other concerns regarding disability accommodations specifically. This policy can be found in the internal portal under “Forms and Manuals” for students.

Individuals who file such reports are protected from any form of retaliation.

For more information on adaptive technologies, certifying eligibility, reasonable accommodation and registering for accommodation, contact the Director of Accessibility and Academic Support.

H. EMERGENCY ASSISTANCE

1. While ON Campus

Dial “0” from any campus phone to reach Campus Safety 24/7.

Dial 9-911 from any campus phone to reach local emergency services.

2. While OFF Campus

Dial 911 from any campus phone to reach local emergency services.

3. What To Say

Tell the dispatcher the following:

This is an Emergency; I need help. My name is . . .
I am calling from . . .

When needed, Campus Safety can contact local Emergency Services (9-911) and the Wellness Center staff.

4. Campus Staff on Duty 24/7

Bard Academy and Bard College at Simon's Rock's on-call staff (24/7) includes:

- Campus Safety
- Campus Life Staff (Community Directors)
- Nurse
- Counselor
- Administrator
- Executive

I. FINANCIAL SERVICES COORDINATION

Students who have questions about their personal student account, or who need help with purchasing and budgeting for student organizations, should visit the Financial Services office in Blodgett House. Financial Services staff can supply purchase orders, check requisitions and reimbursement forms, and will process legitimate, complete requests.

1. Student Billing

Tuition, special instructional charges, a campus residence fee, an enrollment fee, and the student activity fee are billed to each student's home address each term. Charges for books and other miscellaneous items are shown separately on the same bill. All bills are due when presented. A finance charge of 1.5% per month, with a minimum finance fee of \$75, will be assessed on outstanding balances. A student whose account is in arrears will not be permitted to register for the coming term until the bill is paid in full. Additionally, transcripts will not be forwarded to other institutions, and grades or academic comments will not be released.

2. Special Charges

Some courses carry extra fees to cover special instruction, supplies, or equipment. These charges are clearly published in the College catalog and will be billed to students as appropriate following course selection.

An activity fee of \$200 per academic year for the College and \$400 per academic year for the Academy will be charged to each student account.

Simon's Rock charges all students a Health Services fee that covers all the basic services provided by the Wellness Center.

Student Health Insurance is required for all students and will be billed for the academic year with the Fall semester billing. Any waivers of the Student Health Insurance must be approved in writing by the Wellness Center.

Following reports of residence hall damage – or at the end of an academic term – all student occupants may be billed for destruction or loss. Simon’s Rock will attempt to determine individual responsibility but, when this is not possible, costs will be prorated among assigned students.

Prorating may also be employed for vandalism in other areas on campus.

Students are expected to clean their dorm rooms of all trash and personal items following the end of the term/semester. Uncleaned rooms will be assessed a minimum fine of \$300 plus the cost of any additional time needed.

3. Financial Aid

Returning students must meet an April 12 application deadline for financial aid. Any student may apply for financial aid. Those who receive aid must reapply each year and must adhere to these guidelines to remain eligible:

- Students must maintain satisfactory academic progress;
- Students must not be on academic or social probation.

4. Refund Policy and Schedule

Following registration, no refund of any fees will be made if a student withdraws from the College for any reason, except as stated in the College catalog and restated in the Withdrawal Refund Schedule below. Federal aid will be adjusted based on a federally mandated formula.

Below is the College’s refund schedule:

- Prior to arrival, the College retains the \$500 non-refundable enrollment fee and fully refunds all other charges.
- Within the first week after classes begin: 80% of tuition and the campus residence fee are refunded.
- Within two weeks after classes begin: 60% of tuition, and the campus residence fee, are refunded.
- Within four weeks after classes begin: 30% of tuition, and the campus residence fee, are refunded.
- Beyond four weeks of classes: No refunds will be given.
- Upon Suspension or expulsion: No refunds will be given.

A student who is considering voluntary withdrawal may wish to confer with the Business Office and/or the Financial Aid Office about potential refunds. The Dean of Studies must receive written notification of all withdrawals. The Business Office must approve all refunds, based on withdrawal date.

5. Tuition Insurance

The College offers all students a tuition and refund insurance plan through A.W.G. Dewar, Inc. This plan, which requires a premium payment, complements the College’s refund policy. A brochure with details is available in the Business Office.

J. INSTITUTIONAL ADVANCEMENT

The Office of Institutional Advancement fosters continuing, lifelong relationships among alumni, parents, faculty, staff, students, and other friends of the College. It helps alumni stay in touch with each other, assists faculty, or students seeking alumni connections, and serves as a place for alumni, parents, and friends to learn about the College's current initiatives.

Institutional Advancement – with the help of volunteers and the Board of Overseers – raises several million dollars each year to support scholarships, academic programs, internships, study abroad opportunities, and the physical plant at Simon's Rock. The Fund for Simon's Rock ("the annual fund") provides a reliable source of annual income for Bard Academy and Bard College at Simon's Rock.

Students are welcome to stop by the office to find out how Institutional Advancement can serve them.

K. INTERNATIONAL STUDENT SERVICES

The Academy and the College provide information and support to international students attending Simon's Rock on F-1 and other visas. We strive to be an advocate in interactions with the Simon's Rock community and with U.S. governmental agencies. Students attending Simon's Rock on an F-1 student visa will need to meet regularly with a Designated School Official (DSO) to maintain their status:

- On arrival at campus as a new student
- At the beginning and end of each semester thereafter
- Before seeking on-campus employment (note: international students generally cannot be employed off-campus)
- When seeking government authorization for off-campus Optional Practical Training (OPT)
- For an internship in the U.S., and applying for Curricular Practical Training (CPT)
- Before leaving the United States at any point during a Simon's Rock program of study

International students must maintain a passport from their country of origin that is valid for at least 6 months in the future at all times. They are responsible for notifying a Designated College Official if their student status changes. For assistance with F-1 and other visa issues, contact Kristy McMorris in the Academic Affairs Office, Hall College Center, 413-528-7240, kcmorris@simons-rock.edu.

In addition to the support afforded all students, international student support includes the International Student Support Team, which is comprised of administrators, faculty and staff from various offices. Contact isst@simons-rock.edu. For assistance with all other matters relating to life on campus, contact the Dean of Studies, Kristy McMorris, in the Academic Affairs Office, Hall College Center, 413-528-7240, kcmorris@simons-rock.edu.

L. LIBRARY SERVICES

The Alumni Library staff is dedicated to helping students find personal and academic success at Simon's Rock and beyond. The library responds to the needs of students by:

- Engaging with students and faculty through individualized, in-depth services
- Teaching students to be proficient, ethical information seekers
- Facilitating equitable access to information resources
- Providing welcoming spaces for intellectual discovery

To achieve these outcomes, library staff expect behavior that enables all library users to enjoy a safe library environment that contributes to academic excellence, research, reading, and study. All library users are expected to demonstrate respect, consideration, and courtesy to others through their behavior in the library.

1. Library Resources

The library's collections contain more than 75,000 books, DVDs, CDs, periodicals, and other media, augmented by an extensive suite of electronic information resources. The library home page provides a portal to all these resources. In addition to these collections, the building contains group and individual study areas and lounges.

2. Circulation and Reserves

Student ID cards serve as library cards and must be presented when borrowing library materials. Circulating materials (books, DVDs, scores, etc.) can be borrowed at the circulation desk in the main lobby. Materials placed on reserve by a faculty member for a course are available from the circulation desk as well, but loan periods for items on reserve are limited to 4 hours.

3. Reference and Interlibrary Loan Services

The library staff is dedicated to helping students make best use of library resources and students are encouraged to ask staff for help. Resources not available in the library or online may be obtained via interlibrary loan at no charge to students. Interlibrary loan requests can be submitted via the library website.

4. Food and Beverages in the Library

Small snacks (such as a piece of fruit or a granola bar) and beverages in closed containers (covered cups or bottles with caps) are allowed in the library if consumed responsibly. Meals may not be delivered to the library from restaurants or other food vendors or carried in from the Snack Bar or Dining Hall. Students are expected to clean up after themselves, discard trash and recyclables in appropriate containers, and notify staff immediately of any spills.

Check the library website at: www.simons-rock.edu/academics/academic-resources/library for further information and hours of operation.

N. CAMPUS SAFETY (24/7/365)

The Campus Safety office in the Livingston Hall Student Union is staffed by a trained group of officers that serve all members of the Simon's Rock community. The Campus Safety director and officers work closely with the Director of Residence Life and Housing, the Wellness Center,

Physical Plant, the Dean of Students, and other members of the faculty and staff to maintain 24-hour coverage of the campus.

Campus Safety officers respond to all emergencies and maintain a regular patrol of the campus. Several officers are trained EMTs, and all officers participate in ongoing and safety training programs.

We believe that campus safety is a collective responsibility. The Campus Safety Staff asks that everyone play an active role, immediately reporting suspicious activity, emergencies, and potentially unsafe conditions to a Campus Safety Officer or to a Community Director. In case of a facilities emergency, contact Campus Safety at 413-528-7291.

Information about personal safety, fire safety, vehicle registration, and parking is outlined elsewhere in this Student Handbook and on the Simon's Rock website. For more information, contact any Campus Safety officer or the Campus Life Office.

O. STUDENT EMPLOYMENT AND PAYROLL

The Employment & Payroll office is located on the second floor of Blodgett House. This office is where students, who plan to seek employment on campus, can pick up a listing of available jobs and pick up/turn in required payroll forms. It is the students' duty to reach out to the supervisor of the department where they would like to work to inquire about a campus job.

At Simon's Rock, there is never enough student employment to meet the demand. We recommend that students who plan to seek employment do so quickly after they arrive. Most jobs will be offered for the fall term and fewer openings are available for the spring term.

NOTE: It is the practice of Bard College at Simon's Rock to give employment priority to work-study eligible students. Work-study eligibility is noted on award letters from the Office of Financial Aid. Students who are offered campus employment but are not work-study eligible will need to have the hiring supervisor first receive authorization from the College's Director of Finance and Administration.

1. Hiring Process

Once students are offered employment they will need to complete the payroll forms, noted below, and turn them into the Payroll Office along with a form(s) of ID as required by federal law. The required payroll forms are available for download and printing online. Payroll forms should be submitted prior to starting work.

In order to be paid by the College a student will need to have a Social Security number.

International students can contact Academic Affairs to inquire how one would go about getting a social security number for employment.

Students who previously worked on campus should contact the Payroll Office letting the office know who they will be working for and if there is any change in the prior information given when first

signed up for payroll. This is especially important for students who have been LTSA and now have returned to the Simon's Rock campus.

Required payroll forms:

- W-4 (Federal Income Tax Withholding form)
- M-4 (Massachusetts Income Tax Withholding form) as applicable Students must complete this form only if their withholding allowance for Massachusetts' income tax will differ from that for federal income tax.
- Employment Permit Application for 14 through 17 year olds – Promise of Employment section should be filled out by the supervisor of the position student is being hired for.
 - For 14 and 15 year olds the Physician's Certificate of Health needs to be filled out by a student's physician or filled out by the Wellness Center. Contact the Wellness Center to schedule a time to do so. Also, a parent/guardian/custodian must also sign this form if they are approving the issuance of a work permit.
 - Direct Deposit Form – Simon's Rock mandates that student employees receive their wages or hours worked to be deposited into a checking or savings account. The following info is needed:
 - Bank's 9-digit routing number
 - Bank account number
 - Indicate if the account is a Checking or Savings account
 - Routing & account numbers are generally not the numbers listed on an ATM debit or check card. Banks will provide this information to customers by request. Students who intend to open a checking or savings account locally should do so before visiting the Payroll Office.
 - Typically, a parent or guardian must be present for signature approval on such an account.
- EEO-1 Self-Identification Form (Voluntary) – The College is subject to certain government recordkeeping and reporting requirements for the administration of Civil Rights laws and regulations. To comply with these laws, the College invites employees to voluntarily self-identify their race and ethnicity. Refusing to provide either will not be cause for any adverse treatment. All information is kept confidential and, when reported, will not identify any specific individual. Please submit the blank version of this form if you are declining to self-identify.

Students should pay close attention to the signature requirements for each form above. Once all necessary forms are complete, the payroll manager or assistant will issue a work authorization. That authorization must be presented to the hiring supervisor before employment can begin.

For further information or assistance, please contact the payroll office at payroll@simons-rock.edu, or 413-528-7206 or 413-528-7415 or fax to 413-528-7446.

Collection, maintenance, and disclosure of personal information is conducted in accordance with Massachusetts' privacy laws.

2. Allowable Work Hours

The College's Director of Finance and Administration and/or the Payroll Manager will determine the average hours per week a student may work each semester. This will be a rolling calculation based on Federal Work-Study award amount (if applicable), departmental budgets, number of workable weeks left in the semester, and employment start date. In most cases, student employees will not be allowed to average more than 5 to 8 hours per week (6 days a week) per semester regardless of how many student jobs they hold. The College will comply with the Massachusetts Laws Regulating Minors' Work Hours and Occupation Restrictions.

House Leaders may not hold additional student employee jobs without permission from their supervisor(s).

3. Wages

Student employees are paid bi-weekly on Thursdays, at the Massachusetts minimum hourly rate, for hours worked the previous two weeks. Each week runs from Sunday to Saturday. Certification can be obtained through the Kilpatrick Athletic Center.

Time sheets should be signed by the student and the authorizing supervisor. All time sheets should be turned in on a weekly basis by 9:00 am on Monday mornings.

P. TRANSPORTATION

1. Airlines, Airports, and Break Shuttles

Please refer to www.simons-rock.edu/transportation

2. Area Ground Transportation (taxi, rail, bus)

Please refer to www.simons-rock.edu/transportation.

3. Personal Motor Vehicles

The Campus Safety Department (413-528-7291) in Livingston Hall Student Union enforces motor vehicle and parking regulations on campus. Students receive an emailed copy of these regulations at the beginning of each academic year and can view them online at any time. All student drivers are expected to review and comply with them.

4. Driver Policies

Students are reminded that they are to abide by the conditions of their licensure and the laws of the Commonwealth and local jurisdictions apply to all drivers. In Massachusetts, licensed drivers between the ages of 16-1/2 and 18 may not operate a motor vehicle between midnight and 5 am unless accompanied by a parent or legal guardian.

Students are permitted to keep a motor vehicle on campus after successfully completing two semesters in residence. First-year students of age 18 or older who are in good academic and social standing may petition for an exception in their second semester. Exceptions require approval from the Dean of Students and the Director of Campus Safety. Other students are permitted to bring motor vehicles to campus subject to Simon's Rock's's motor vehicle policies. Students may register 1 motor vehicle only.

5. Vehicles Privileges

The receipt of a permit to operate a motor vehicle while at Simon's Rock is a privilege and may be revoked at any time if the motor vehicle regulations, other College or Academy Policy, or state laws are not followed. Revocation of privileges will apply to both driving and parking on College or Academy property. Student drivers will be held responsible for transporting, or attempting to transport, onto the campus alcohol/drugs, weapons or persons banned from campus. In limited cases, a student on academic or social probation will not be allowed to have a car on campus during the probationary period.

6. Vehicles Registration

Student drivers must register personal vehicles with Campus Safety within the first seven (7) days of each semester. To register, a student must present their driver's license, vehicle registration papers, and evidence of liability coverage for any authorized operator. When the registration process is complete, the student will receive a Simon's Rock decal, which must be displayed on the vehicle. A vehicle without a current registration decal will receive a written warning; further violation will result in monetary fines.

Students who need additional time to obtain required documentation must apply for an extension from Campus Safety. Maximum extension time is two (2) weeks. Students whose vehicles are unregistered after that period may lose their driving privileges, and their vehicles will be subject to towing at the owner's expense.

7. Parking

Drivers must park in designated areas and must respect spaces made available for handicapped individuals. Do not park in the fire lanes, in front of buildings, or on the lawns at any time. Illegally parked vehicles will be ticketed and/or towed at the owner's expense.

8. Campus Speed Limit

The campus speed limit is 15 mph with the exception of the area between Kellogg and the lower gate on Fox Run, which has a speed limit of 5 mph.

9. Motorcycles and Mopeds

The operation of motorcycles, mopeds, and e-bikes on campus is confined to designated roadways. Drivers must abide by the campus speed limit and by campus motor vehicle policies, including parking and registration. In accordance with Massachusetts's law, drivers and passengers must wear protective helmets at all times. No covered area is available to store motorcycles or mopeds, and they may not be parked in residence halls or other College or Academy buildings. All motorized vehicles must be street legal according to Massachusetts law.

10. Vehicle Violations

Individuals who park in unauthorized areas, or who fail to register their vehicles, will receive a written warning for a first offense, a \$25 fine for a second, and a \$50 fine for any subsequent violation. Students who receive more than four tickets for parking unregistered vehicles during a semester may lose the privilege of having a vehicle on campus.

Violation of the campus speed limit will result in a \$50 fine for a first-time offense and an additional \$50 fine for each subsequent offense. A third speeding violation may result in loss of vehicle

privileges. Unsafe driving may result in a first-offense fine of \$50, and immediate suspension of vehicle privileges for a second offense.

Within 48 hours, students whose permission to have a motor vehicle has been revoked will be required to either (a) remove their vehicle from campus or (b) place the vehicle in a parking area, under the direction of Campus Safety, and file their license plates with the Director of Campus Safety.

If after one week a vehicle owner does not respond, the vehicle will be considered abandoned and towed off campus. Towing and storage charges will be the responsibility of the vehicle's owner.

11. Religious Services

Bard Academy and Bard College at Simon's Rock recognize and respect that religious observance is part of the life of many Simon's Rock students. Anyone who needs information about places of worship in Berkshire County or assistance with transportation to services may contact the Director of Student Activities or CEI Office.

Q. WELLNESS CENTER

The Wellness Center (Health and Counseling Services) is located on the 3rd floor of the Livingston Hall Student Union, above the mailroom.

The Wellness Center is staffed by the director, nurses, mental health counselors, consulting physicians, a consulting psychiatrist, and a front office administrator, who work collectively to foster a healthy living/learning community through high-quality care for students. Within the context of a preventive health model, individual student needs are assessed. The services include the treatment of acute illness, treatment of minor illness, laboratory testing, contraception, health care education, mental health counseling, crisis intervention and assessment, psychiatric medication management and referral to outside specialists as necessary.

In addition to one-on-one care, staff provides educational programs, literature, workshops and group discussions. Topics have included student health issues, stress reduction, building resilience, by-stander training, substance use, body image concerns, gender diversity, grief and loss, mindfulness and meditation.

1. Wellness Center Hours

Offices are open from 9AM to 5PM, Monday through Friday, when the College or Academy is in session. The Wellness Center is closed nights, weekends and during academic breaks. However, counselors and a nurse triage team remain on call nights and weekends when the College or Academy is in session for urgent care needs. Outside of open hours, any student who is feeling ill and/or in crisis may ask a Community Director or contact Campus Safety (413-528-7291 or dial 0/zero from any campus phone) to discuss their concerns. The Community Director and/or Campus Safety will discuss the situation with the student and connect the student to the appropriate resource on campus.

2. Counseling Services

The Wellness Center provides counseling services that support the successful experience of being at Bard College at Simon's Rock and Bard Academy. We work with students to navigate the numerous challenges faced while adjusting to campus life and help students to move towards growth and empowerment.

Some common counseling issues include, but are not limited to: anxiety, depression, campus life adjustment; family/relationship issues; racial/cultural/ethnic realities, experiences and challenges; LGBTQ+ support and advocacy; academic difficulties; stress-related concerns; self-esteem; body image and eating disorders; substance use; self-harm; trauma; sexuality; and social/interpersonal struggles.

Counseling is free for all currently enrolled students. Appointments for psychiatric evaluation and medication management are available only for those students covered by the school insurance plan and are billed through that plan. Applicable co-pays and missed session fees for psychiatrist appointments are included on family invoices through the business office. Psychiatric appointments are scheduled by referral from a Counseling Services clinician.

To request a counseling appointment, please complete and submit online the Counseling Request Form on the Wellness Center pages of the Simon's Rock website.

3. Health Services

A nurse will assess each presenting student and recommend a course of action. A nurse triage team is available after open hours when the College or Academy is in session for urgent care needs. After a nurse consultation, an appointment with a physician at the Wellness Center can be arranged.

Macony Pediatrics, a local pediatric practice affiliated with both Fairview Hospital in Great Barrington and Berkshire Medical Center in Pittsfield, MA, provides medical backup to the Wellness Center. Macony physicians will see students with scheduled appointments at the Wellness Center after nurse triage. Macony physicians are on-site at the Wellness Center for appointments two, half-days per week. Outside of the on-site hours, Macony is available for consultation to the nurses and for student appointments in the Great Barrington office, as appropriate and needed after a nurse assessment.

4. Immunizations and Medical Records

To register for classes, all first-year students must submit specific health information forms to the Wellness Center. By Massachusetts's regulation, a record of required immunizations must be received before a student can occupy campus housing or attend classes. All medical forms can be completed and/or downloaded from the Simon's Rock College portal. For information on connecting with the portal, please contact Admissions.

5. Health Services Fee and the Student Health Insurance Plan

The Health Services Fee and the Student Health Insurance Plan are required for all enrolled students at Bard Academy and Bard College at Simon's Rock. Our students are younger than most who arrive on college campuses, and often require increased attention and support. In addition, our students

have generally not yet managed their own healthcare. As such, the College and Academy assume unusual responsibility for their wellbeing and service needs.

The Health Services Fee and the Student Health Insurance Plan help to cover services offered on and off campus, including a broad spectrum of health and counseling interventions while the College and Academy are in session. These services include:

- Health support, assessment and intervention with staff nurses during open hours.
- Appointments with consulting physicians, as referred by the nursing staff.
- Ongoing, scheduled counseling sessions with staff clinicians.
- Counseling support for urgent concerns during open hours.
- Emergency access to on-call health and counseling staff, outside of open hours.
- Psychiatric evaluation and medication management, as recommended by the counselor and authorized by parents/guardians, as appropriate. Co-pays and missed session fees apply.
- Basic lab tests on the premises, while other necessary lab work can be drawn and sent out.
- Notification and collaboration with parents/guardians in emergency/urgent situations.
- Collaboration with parents in other situations, as clinically appropriate, and with proper authorization to release/obtain information.
- Referral, coordination and collaboration with local hospitals, providers and specialists.

Please note:

- Families will be responsible for the payment of services outside of the Wellness Center, if not covered by the student's insurance plan.

6. Confidentiality

Records and the information discussed are kept confidential and are not disclosed to anyone outside of the Wellness Center without proper written consent. There are some specific exceptions within federal confidentiality guidelines, which will be reviewed with students utilizing Wellness Center services.

The Wellness Center encourages students to keep their families apprised of their personal wellbeing. However, due to confidentiality guidelines, the staff will not automatically notify parents or guardians of office visits. While this may represent a change in how families have approached the student's healthcare, it is important that students learn to access care themselves and that they feel free to discuss personal concerns with our healthcare staff.

The Wellness Center will notify parents or guardians when a student is treated in the emergency room or is hospitalized for any reason regardless of age. Family/guardians will also be informed, if their student has an illness that may require an extended absence or withdrawal from the College or Academy.

7. Health Related Leave and Withdrawal

In unusual circumstances, the Wellness Center professional staff, in consultation with the Dean of Students, may recommend that or compel a student to take a health-based extended absence or withdrawal for the student's own wellbeing and safety, or for the wellbeing and safety of the

community. For students enrolled in the Academy, deans may compel such a leave or withdrawal as warranted. For full information about the policy on leave and withdrawal, see III Academic Affairs.

8. Prescription Medication Policies

a. Academy Prescription Medication Policy

The Academy forbids the misuse or misappropriation of prescription drugs. Misuse includes taking a prescription drug or being in possession of a prescription drug that has been prescribed for a different person. Misappropriation includes acquiring drugs from any source other than the student's healthcare provider or the Wellness Center; it also includes cases when a student provides a prescription drug to another student who is not the intended recipient of that drug. Psychotropic medication, a class of medication that requires special supervision, may only be used in strict accordance with the Psychotropic Medication Policy, which is available upon request from the Wellness Center and is outlined below.

Residential students of the Academy are permitted to have prescription medications in their rooms with the exception of psychotropic medications, such as:

- Stimulants (Ritalin, Concerta, Vyvanse, Adderall, etc.)
- Opiate pain medication (Percocet, Codeine, Vicodin, etc.)
- Anxiety medications that are benzodiazepines (Xanax, Ativan, Klonopin, etc.)
- Antipsychotics (Seroquel, Abilify, etc.)
- Sleeping pills (Ambien, Restoril, etc.)

Psychotropic medications will be dispensed by the Wellness Center staff weekly at a time determined with the student. It is the responsibility of the student to pick up the medication and take it at the prescribed time. Parents/guardians will be notified, if student compliance is inconsistent.

b. College Prescription Medication Policy

College students are allowed to keep their personal prescription medication in their assigned living unit, and are expected to manage it, as would any reasonable person under the proper care of a physician. Misuse or abuse of any medication is a violation of the Code of Student Conduct and will be addressed accordingly. The College is not responsible for replacing prescription medication that is lost or stolen from living units or personal belongings.

The College forbids the misuse or misappropriation of prescription drugs. Misuse includes taking a prescription drug or being in possession of a prescription drug that has been prescribed for a different person. Misappropriation includes acquiring drugs from any source other than the student's healthcare provider or the Wellness Center; it also includes cases when a student provides a prescription drug to another student who is not the intended recipient of that drug.

9. Prescription Refills

Students can work with the Wellness Services staff to arrange for prescription refills at a local pharmacy. The College works directly with Lenox Village Integrative Pharmacy in Lenox, MA, which will deliver individually packaged medications to the Wellness Center Monday through Friday. To arrange such service, students should contact the Wellness Center via email or phone to

arrange a consultation with a nurse. Alternatively, students may choose to pick up their own prescription medication from other pharmacies in Great Barrington.

10. Transportation to Health Related Appointments

By request, the staff can assist students as they arrange their own transportation to off- campus medical appointments. The transportation is typically arranged with a transportation service and will be contingent on the available transportation options at the time of the request. The Wellness Center works in collaboration with Campus Safety to assess available options. Transportation costs are the responsibility of the student and/or family.

APPENDIX A: NOTIFICATION OF RIGHTS UNDER FERPA

The Family Educational Rights and Privacy Act (FERPA) protects the privacy of student education records. FERPA gives parents certain rights with respect to their children's education records. These rights transfer from the parent to the student when the student reaches the age of 18 or attends a postsecondary institution at any age. Students to whom the rights have transferred are "eligible students."

Parents or eligible students have the following rights:

- The right to inspect and review the student's education records within 45 days after the day that Simon's Rock receives a request for access. A parent or eligible student should submit to the registrar or dean, a written request that identifies the record(s) the parent or eligible student wishes to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected. If the records are not maintained by the school official to whom the request was submitted, that official shall advise the parent or eligible student of the correct official to whom the request should be addressed.
- The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate, misleading, or otherwise in violation of the privacy rights under FERPA. A parent or eligible student who wishes to ask Simon's Rock to amend a record should write to the Dean of Studies, clearly identify the part of the record that they want changed, and specify why it should be changed. If Simon's Rock decides not to amend the record as requested, Simon's Rock will notify the parent or eligible student in writing of the decision and the parent or eligible student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- The right to provide written consent before Simon's Rock discloses Personally Identifiable Information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. Simon's Rock discloses education records without a parent or eligible student's prior written consent under the FERPA exception for disclosure to school officials with legitimate educational interests. A school official is typically a person employed by Simon's Rock in an administrative, supervisory, academic, research, or support staff position (including Campus Safety, Campus Life, and the Wellness Center staff); a person serving on the board of trustees; or a student serving on an official committee, such as a disciplinary or grievance committee. A school official also may include a volunteer or contractor outside of Simon's Rock who performs an institutional service or function for which the school would otherwise use its own employees and who is under the direct control of the school with respect to the use and maintenance of PII from education records, such as an attorney, auditor, or collection agent or a student volunteering to assist another school official in performing their tasks. A school official typically has

a legitimate educational interest if the official needs to review an education record in order to fulfill their professional responsibilities for Simon's Rock.

- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Simon's Rock to comply with the requirements of FERPA.

The name and address of the office that administers FERPA is: Family Policy Compliance Office
U.S. Department of Education 400 Maryland Avenue,
SW Washington, DC 20202

FERPA permits the disclosure of PII from students' education records, without consent of the parent or eligible student, if the disclosure meets certain conditions found in § 99.31 of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent or eligible student, § 99.32 of FERPA regulations requires the institution to record the disclosure. Parents or eligible students have a right to inspect and review the record of disclosures. A postsecondary institution may disclose PII from the education records without obtaining prior written consent of the parent or eligible student —

- To other school officials, including teachers, within Simon's Rock whom the school has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the school has outsourced institutional services or functions, provided that the conditions listed in § 99.31(a)(1)(i)(B)(1) - (a)(1)(i)(B)(3) are met. (§ 99.31(a)(1))
- To officials of another school where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of § 99.34. (§ 99.31(a)(2))
- To authorized representatives of the U. S. Comptroller General, the U.S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as a State postsecondary authority that is responsible for supervising the university's State-supported education programs. Disclosures under this provision may be made, subject to the requirements of §99.35, in connection with an audit or evaluation of Federal- or State- supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of PII to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf. (§§ 99.31(a)(3) and 99.35)
- In connection with financial aid for which the student has applied or which the student has received, if the information is necessary to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. (§ 99.31(a)(4)) To organizations conducting studies for, or on behalf of, the school, in order to: develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction. (§ 99.31(a)(6))
- To accrediting organizations to carry out their accrediting functions. (§ 99.31(a)(7))

- To parents of an eligible student if the student is a dependent for IRS tax purposes. (§ 99.31(a)(8));
- To comply with a judicial order or lawfully issued subpoena. (§ 99.31(a)(9));
- To appropriate officials in connection with a health or safety emergency, subject to § 99.36. (§ 99.31(a)(10));
- Information the school has designated as “directory information” under § 99.37. (§ 99.31(a)(11))
- To a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense, subject to the requirements of § 99.39. The disclosure may only include the final results of the disciplinary proceeding with respect to that alleged crime or offense, regardless of the finding. (§ 99.31(a)(13))
- To the general public, the final results of a disciplinary proceeding, subject to the requirements of § 99.39, if the school determines the student is an alleged perpetrator of a crime of violence or non-forcible sex offense and the student has committed a violation of the school’s rules or policies with respect to the allegation made against him or her. (§ 99.31(a)(14))
- To parents of a student regarding the student’s violation of any Federal, State, or local law, or of any rule or policy of the school, governing the use or possession of alcohol or a controlled substance if the school determines the student committed a disciplinary violation and the student is under the age of 21. (§99.31(a)(15))

1. Disclosure of Directory Information

In addition, Simon’s Rock may disclose, without consent, student “directory” information to third parties and has designated the following as directory information:

- Student name
- Address (home and email)
- Hometown
- Home telephone number
- Concentration or field of study
- Date and place of birth
- Full-or part-time status
- Current class year (e.g., sophomore)
- Dates of enrollment
- Date of graduation (past or anticipated)
- Graduation information as published in the College commencement program
- Academic awards and honors
- Most recent previous educational institution attended
- Study abroad programs

Third parties include but are not limited to:

- Prospective employers
- Other institutions of higher education
- Honor societies
- Licensing agencies
- Government agencies

- Lending agencies
- Insurance companies

Under FERPA, parents and eligible students have the right to withhold the disclosure of directory information. Requests to withhold must be filed with the Office of the Registrar within 10 days of the start of an academic semester. The form for making such requests can be obtained from the Registrar.

APPENDIX B: EQUITY AND TITLE IX: POLICIES AND PROCEDURES

NOTE: Bard Academy and Bard College at Simon's Rock share a unified campus, faculty, staff, and administration. As such, a single Title IX and Equity Policy will apply equally to both institutions. Where there are procedural differences depending on the status of the student, such differences will be noted. For the purposes of these policies, "the Institution" or "Simon's Rock" will be understood to comprise both Bard College at Simon's Rock and Bard Academy at Simon's Rock. "Student" will be understood to describe either a student of Bard College at Simon's Rock or a student of Bard Academy at Simon's Rock.

A. INTRODUCTION

Bard Academy and Bard College at Simon's Rock expect that no member of the Simon's Rock community will discriminate against any other member – or any member's guests. We see all community members as interdependent, yet functioning in roles that are far from interchangeable. We believe in respecting members of the Simon's Rock community for their differing abilities, differing backgrounds, and differing contributions. We also believe that these differences can successfully mesh for a greater common good.

Within our diverse community, members will disagree from time to time. Simon's Rock expects that such disagreements will be addressed peacefully, through discussion and debate, rather than through force or confrontation. Therefore, while Simon's Rock seeks to ensure the rights of all to express themselves in words and actions, it also prohibits behavior that infringes on the rights of others or that digresses from Simon's Rock's educational mission and purpose.

Because Simon's Rock takes allegations of discrimination, harassment, and sexual misconduct seriously, we will respond promptly to complaints in accordance with the procedures set forth herein; if such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Simon's Rock, as well as state and federal laws, also prohibits retaliation against any person who, in good faith, reports, assists in reporting, or participates in an investigation of possible gender-based misconduct. Any retaliation against an individual who has complained about discrimination or harassment, or sexual misconduct or retaliation against individuals for cooperating with an investigation of a discrimination, or harassment, or sexual misconduct complaint is unlawful and will be investigated as a separate incident of harassment.

While overt forms of discrimination and harassment may be obvious, more subtle forms may be difficult to identify. It is also possible for words or behavior to be misunderstood, for personal conflicts to be misconstrued as harassment based on racial, sexual, or other differences, or for legitimate disagreement to feel like harassment to a person who holds an unpopular opinion. It is therefore incumbent on all members of the Simon's Rock community to recognize the seriousness of discriminating against or harassing someone and the seriousness of charging someone with these acts.

To ensure compliance with federal and state civil rights laws and regulations, and to affirm its commitment to equity in all aspects of its educational program or activity, Simon’s Rock has developed the following internal policies and procedures that provide a prompt, fair, and impartial process for those involved in an allegation of discrimination or harassment on the basis of protected class status, allegation of sexual misconduct, or allegation of retaliation.

B. REPORTING HARASSMENT, DISCRIMINATION, OR SEXUAL MISCONDUCT

Any person may report harrasment or discrimination whether or not the reporting individual is the person alleged to be the victim of conduct that could constitute discrimination, harassment, or sexual misconduct. Simon's Rock will respond promptly and meaningfully to any report. Additionally, all persons have the right to notify campus safety, local law enforcement, and/or state police; All persons option to notify proper law enforcement authorities, including public safety and local police; to be assisted by campus authorities in notifying law enforcement authorities if the individual so chooses; and to decline to notify such authorities. Students also have the right to receive assistance from appropriate Simon’s Rock in accessing off-campus resources to assist them in initiating legal proceedings in family court or civil court.

Any report of harassment or discrimination on the bases of a protected class other than sex may be directed to either:

Isabel Filkins
Title IX Coordinator
Building: Livingston Student Union
Email: ifilkins@simons-rock.edu
Phone Number: (413) 644-4252

Tracey Cameron
Dean of Students
Building: Livingston Student Union
Email: tcameron@simons-rock.edu
Phone Number: (413) 644-4711

Reports of sexual harassment, discrimination on the basis of sex, or sexual misconduct may be directed to:

Isabel Filkins
Title IX Coordinator
Building: Livingston Student Union
Email: titleix@simons-rock.edu
Phone Number: (413) 644-4252

Mary Budzn
Deputy Title IX Coordinator
Building: Hall College Center
Email: titleix@simons-rock.edu
Phone Number: (413) 528-7622

Reports concerning harassment or discrimination of or by an employee on the bases of a protected class other than sex may additionally be directed to:

Phillip Morrison
Director of Finance and Administration
Building: Blodgett House
Email: pmorrison@simons-rock.edu
Phone Number: (413) 528-7204

Brendan Mathews
Dean of Faculty
Building: Hall College Center
Email: bmathews@simons-rock.edu
Phone Number: (413) 644-4710

Bill of Rights

All Students have the right to :

1. Make a report to local law enforcement and/or state police;
2. Have disclosures of domestic violence, dating violence, stalking, and sexual assault treated seriously;
3. Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution;
4. Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard;
5. Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available;
6. Be free from any suggestion that the reporting individual is at fault when these policy violations are committed, or should have acted in a different manner to avoid such policy violations;
7. Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident;
8. Be protected from retaliation by the institution, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the institution;
9. Access to at least one level of appeal of a determination;
10. Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process including during all meetings and hearings related to such process; and
11. Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the institution.
12. Be presumed not responsible for the alleged conduct until a determination of responsibility is made at the conclusion of the grievance process.

Privacy and Parent Communication: Simon's Rock will make every effort to preserve the privacy of a report made to the Title IX Office. Simon's Rock will not share the identity of any individual who has made a report or is named in a report except as permitted by FERPA, as required by law, or as necessary in order to carry out a Supportive Measure, Alternative Resolution, Investigation, Informal Resolution, or hearing resulting from these policies and procedures. The circle of people with this knowledge will be kept as tight as possible to preserve the parties' rights and privacy.

Due to the nature of the Title IX and/or Equity Investigative and Resolution procedures, Simon's Rock recognizes that students may benefit from additional communication with parents and/or guardians. As permitted by FERPA, Simon's Rock may communicate with parents/guardians in the following circumstances, but will usually consult with the student first before doing so:

- When there is a significant and articulable health and/or safety risk to a student;
- When an Academy student who is under the age of 16 seeks supportive resources related to a matter that could rise to the level of a formal policy violation;
- When any Academy student participates in a Title IX and or Equity process as a Complainant, Respondent, or as a Witness;

- When a College student who is under the age of 18 participates in a Title IX and or Equity process as a Complainant or Respondent;
- When any student receives a disciplinary sanction of Social Probation or higher, with some exceptions to be determined by the Title IX Coordinator and/or the Dean of Students or designee.

Time Limits on Reporting: There is no time limitation on providing notice/complaints to the Title IX Coordinator. However, if the Respondent is no longer subject to Simon's Rock's jurisdiction and/or significant time has passed, the ability to investigate, respond, and provide remedies may be more limited or impossible. When notice/complaint is affected by significant time delay, Simon's Rock will typically apply the policy in place at the time of the alleged misconduct and the procedures in place at the time of notice/complaint.

Requests for Anonymity: A Complainant may remain anonymous for the purposes of receiving Supportive Measures. However, upon the filing of a Formal Complaint (either by the Complainant directly or as signed by the Title IX Coordinator) triggering a formal grievance process, the process must commence with both parties receiving written notice of the pertinent details of the incident under investigation, which will include the identity of the Complainant, if known.

Filing an Anonymous Report: Anyone with knowledge of a potential violation of these policies may submit an anonymous report by visiting the Title IX Office's page on the Campus Portal.

24/7 Reporting Access: Community members may contact the Title IX Coordinator or Campus Safety during non-business hours, in order to file a report. In such circumstances, the reporting community member will be given information regarding their options, including the importance of preserving evidence and obtaining a sexual assault forensic examination. Such official will be provide privacy, but will need to inform the Title IX Coordinator regarding the disclosure.

C. REPORTING OBLIGATIONS

Any employee with knowledge of sexual harassment or sexual misconduct involving members of the Bard College at Simon's Rock community must notify the Title IX Coordinator. In addition, employees who are designated as Campus Safety Authorities under the CLERY Act must provide the following information to the reporting individual at the first instance of disclosure of sexual assault, domestic violence, dating violence, or stalking:

- You have the right to make a report to campus safety, local law enforcement, and/or state police, or choose not to report.
- You have the right to report the incident to your institution, Bard College at Simon's Rock.
- You have the right to be protected by Simon's Rock from retaliation for reporting an incident.
- You have the right to receive supportive measures, assistance and resources from Simon's Rock.

Employees are not, however, mandated to disclose when they themselves are a target of harassment or other misconduct under this policy.

Generally, in the College program, the following will not trigger a reporting obligation unless the Complainant clearly indicates that they desire a report to be made or seek a specific response from the College:

- Disclosures in climate surveys,
- Disclosures classroom writing assignments or discussions,
- Disclosures made as human subjects research.

Privacy vs. Confidentiality: Most employees cannot offer full confidentiality. Confidentiality refers to the ability of identified confidential resources to not report crimes and violations to law enforcement or campus officials without permission from the disclosing party.

However, campus employees who cannot guarantee confidentiality will maintain privacy to the greatest extent possible. Information disclosed will be shared as necessary. Simon's Rock will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Mandated Reporter: Members of the Simon's Rock community who hold certain positions are considered "mandated reporters" under state law and required by law to report suspected abuse of minors, including sexual abuse, to the Massachusetts Department of Children and Families. These positions include, but are not limited to, teachers, educational administrators, police officers, physicians, nurses, medical treatment providers, social workers, preschool and after-school program staff, child-care providers, clergy, and guidance or family counselors. Reporting suspected abuse to Simon's Rock does not fulfill a mandated reporter's responsibility to report the abuse to the state.

D. EQUITY POLICY

1. Applicability and Scope

Who This Policy Applies To: All members of the Simon's Rock community, including students, faculty, staff, and applicants for admission or employment, regardless of sexual orientation or gender identity; and third parties (i.e., visitors, independent contractors, and others who are neither students nor employees), where their conduct is directed toward or otherwise affects Simon's Rock community members.

Where This Policy Applies To: Conduct that occurs on campus, including online or electronic conduct initiated or received on campus or through use of College computing or network resources; and Conduct that occurs off campus, including online or electronic conduct, when the conduct: occurs in the context of an employment or education program or activity of Simon's Rock; has, or may have, the effect of continuing adverse effects on campus, including adverse impact on any member of the Simon's Rock community; has continuing adverse effects in an off campus employment or education program or activity, such as travel abroad, research, or internship programs; or has, or may have, the effect of contributing to a hostile environment in a Simon's Rock program or activity.

2. Prohibited Conduct

a. Discrimination

Bard campus at Simon's Rock does not discriminate in admission, employment, education, or services on the basis of:

- Race;
- Color;
- Sex;
- Creed;
- Age;
- Gender identity or expression;
- Sexual orientation;
- Religion;
- National or ethnic origin;
- Disability;
- Marital status;
- Genetic information;
- Previous military service; or
- Any other class protected under state or federal law.

This policy is consistent with state mandates as well as federal statutes and regulation, including but not limited to, Executive Orders 11246 and 11375 as amended, Massachusetts Executive Order 74, Section 504 of the federal Rehabilitation Act of 1973, the Americans with Disabilities Act, Title IX of the Education Amendments of 1972, and Titles VI and VII of the Civil Rights Act of 1964.

Any member of the Simon's Rock community whose acts deny, deprive, or limit the admission, employment, education, services, benefits, and/or opportunities of any member of Simon's Rock community, guest, or visitor on the basis of that person's actual or perceived membership in the protected classes listed above will be considered in violation of this policy.

b. Discriminatory Harassment

Discriminatory harassment is defined as unwelcome conduct by any member or group of the community on the basis of actual or perceived membership in a class protected by policy or law. Simon's Rock does not tolerate discriminatory harassment of any employee, student, visitor, or guest. Such conduct violates campus policy if it has the purpose or effect of creating a hostile environment.

For the purposes of this definition, a hostile environment is one that unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities. This discriminatory effect results from harassing verbal, written, graphic, or physical conduct that is severe or pervasive and objectively offensive.

Simon's Rock will act to remedy all forms of harassment when reported, whether or not the harassment rises to the level of creating a "hostile environment."

c. Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.

- For the purposes of this definition, course of conduct means two or more acts, including, but not limited to acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

d. Sexual Misconduct

Sexual misconduct is a broad term encompassing any unwelcome behavior of a sexual nature that is committed without consent or by force, intimidation, coercion, or manipulation. Sexual misconduct can be committed by a person of any gender, and it can occur between people of the same or different gender. Sexual Misconduct does not include acts covered under the Title IX Sexual Harassment policy. Examples of Sexual Misconduct may include but are not limited to:

1. *Sexual Exploitation*: Sexual exploitation refers to a person taking sexual advantage of another, for their own benefit or for the benefit of anyone other than the person being exploited, without that person's consent.

Examples of behavior that could rise to the level of sexual exploitation include:

- Invasion of sexual privacy;
 - Prostituting or soliciting another person or causing the prostitution of another person;
 - Causing, or attempting to cause, a person to become incapacitated in order to take sexual advantage;
 - Exposing one's genitals outside of consensual circumstances, or compelling another to expose their genitals;
 - Viewing, video-recording, audio-recording or photographing sexual activity without consent of the all persons engaged in the sexual activity or enabling the same;
 - Allowing third parties to observe consensual or non-consensual sexual acts;
 - Knowingly infecting another person with a sexually transmitted infection or disease;
 - Engaging in voyeurism;
 - Distributing intimate or sexual information about another person without their explicit permission or consent.
2. *Non-consensual Sexual Contact*: Non-consensual sexual contact involves intentional and unwelcome sexual touching, however slight, usually but not necessarily involving contact with genitals, breasts, groin, or buttocks by a body part or object, that is without consent. This definition includes making someone touch you or themselves on these same body parts or making intentional physical contact in a sexual manner, even if it does not involve contact with or by these body parts.

3. Instances of Sexual Assault Rape; Fondling; Sexual Assault, Non-Forcible; Dating Violence; Domestic Violence; or Stalking as defined in the Title IX Sexual Harassment policy when such conduct occurs off-campus or against a person not in the United States, but nonetheless has the impact of effectively denying a person equal access to Simon's Rock's educational programs or activities.

e. Retaliation:

Retaliation constitutes any action that would intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Such action will constitute a violation of this policy regardless of whether or not the action itself constitutes discrimination or harassment. Because Simon's Rock is obligated to ensure that the grievance process is not abused for retaliatory purposes, when a counterclaim is filed Simon's Rock will assess whether the allegations in the counterclaim are made in good faith or made for purposes of retaliation.

E. TITLE IX SEXUAL HARASSMENT POLICY

1. Applicability and Scope

Who This Policy Applies To: All members of the Simon's Rock community, including students, faculty, staff, and applicants for admission or employment, regardless of sexual orientation or gender identity; and third parties (i.e., visitors, independent contractors, and others who are neither students nor employees), where their conduct is directed toward or otherwise affects Simon's Rock community members.

Where This Policy Applies To: Conduct that occurs within Simon's Rock's educational program or activities (as defined below). This includes conduct that occurs on campus, including online or electronic conduct initiated or received on campus or through use of campus computing or network resources; and conduct that occurs off campus, including online or electronic conduct, when Simon's Rock has control over the location or activity.

2. Prohibited Conduct

a. Title IX Sexual Harassment:

- i. An employee of Simon's Rock conditioning the provision of an aid, benefit, or service of Simon's Rock on an individual's participation in unwelcome sexual conduct;
- ii. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Simon's Rock's education program or activity;
- iii. A single instance of Sexual Assault (rape, fondling, incest or statutory rape), Domestic Violence, Dating Violence, or Stalking.

1. Sexual Assault: Any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent including:
 - a. Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Attempts or assaults to commit rape are also included; however, statutory rape and incest are excluded. This definition of rape includes:
 - i. The slightest penetration of the vagina by a penis without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity;
 - ii. Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity; or
 - iii. To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. An “object” or “instrument” is anything used by the offender other than the offender’s genitalia, e.g., a finger, bottle, stick etc.
 - b. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will or not forcibly or against the person's will in instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
 - c. Sexual Assault, Non-Forcible: Unlawful, non-forcible sexual intercourse including:
 - d. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - e. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent, 16 in Massachusetts, in which there is no force or coercion used.
2. Domestic Violence: An act of violence committed:
 - a. By a current or former spouse or intimate partner of the victim;

- b. By a person with whom the victim shares a child in common;
 - c. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - d. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
 - e. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the act of violence occurred.
3. Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. For the purposes of this definition:
- a. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
 - b. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
 - c. Dating violence does not include acts covered under the definition of domestic violence.
4. Stalking: Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition:
- a. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
 - b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
 - c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

b. Retaliation

Retaliation constitutes any action that would intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Such action will constitute a violation of this policy regardless of whether or not the action itself constitutes discrimination or harassment. Because Simon's Rock is obligated to ensure that the grievance process is not abused for retaliatory purposes, when a counterclaim is filed Simon's Rock will assess whether the allegations in the counterclaim are made in good faith or made for purposes of retaliation.

Acts of Sexual Harassment may be committed by any person upon any other person, regardless of the sex, sexual orientation, and/or gender identity of those involved.

F. ADDITIONAL DEFINITIONS

1. Complainant

Complainant means an individual who is alleged to be the victim of conduct that could constitute a violation of the Title IX and/or Equity policy. For the purposes of Title IX Sexual Harassment, a Complainant must be participating in or attempting to participate in an Education Program or Activity at Simon's Rock at the time the Formal Complaint is filed.

2. Formal Complaint

Formal Complaint means a document filed by a Complainant or signed by the Title IX Coordinator alleging a violation of the Title IX and/or Equity policy against a Respondent and requesting that Simon's Rock investigate the allegation.

3. Respondent

Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute a violation of the Title IX and/or Equity policy.

4. Parties

Refers to Complainant(s) and Respondent(s) involved in a formal grievance process.

5. Consent

Consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions. For behavior that is classified as sexual activity as defined below, consent must be affirmative which means that those words or actions create clear permission regarding willingness to engage in the sexual activity. In all circumstances, the following principles underscore the definition of Consent and Affirmative Consent:

- Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging consent.
- Silence or lack of resistance, in and of itself, does not demonstrate consent.
- Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act.
- Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol.
- Consent may be initially given but withdrawn at any time.
- Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.
- Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm.

- When consent is withdrawn or can no longer be given, sexual activity must stop.
- Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent.
- Consent cannot be obtained when a person has a mental, intellectual, or physical disability which limits their capacity to give consent or is under the legal age to give consent. The legal age of consent for non-penetrative sexual touching in Massachusetts is 14. The legal age of consent for penetrative sexual activity in Massachusetts is 16.
- The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression.

The burden of proof of consent or non-consent is not placed on either party involved in a case. Rather, the burden remains on Simon's Rock to determine whether policy has been violated.

6. Sexual Activity

Sexual Activity is defined as:

- Contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight;
- Contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus;
- The penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or
- The intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

7. Incapacitation

Incapacitation is the inability to make informed, rational, reasonable judgments and decisions, because the person lacks the ability to understand their decision. Someone who is unconscious, asleep, or involuntarily restrained cannot consent to sexual activity. If alcohol or drugs are involved, incapacitation may be measured by evaluating how the substance affects a person's decision-making capacity, awareness, and ability to make informed judgments.

Incapacitation is a state beyond drunkenness or intoxication. The impact of alcohol and drugs varies from person to person; however, warning signs of possible incapacitation include but are not limited to; slurred speech, unsteadiness, impaired coordination, inability to perform personal tasks such as undressing, inability to maintain eye contact, vomiting, and sudden change in emotion.

With regard to consent, the question is whether the Respondent knew, or a sober, reasonable person in the position of the Respondent should have known, that the other person was incapacitated by alcohol or otherwise.

Incapacitation is determined by a student conduct or investigation process based on available evidence, acknowledging that in almost no cases will scientific evidence of alcohol or drug level (such as a breathalyzer taken at the time of the assault) be available. There is no single standard or number of drinks that leads to incapacitation. This level varies for different people, and may depend in part on their age, gender, height, weight, metabolism and whether and how much they have

recently eaten. This provision does not mean that individuals cannot affirmatively consent to sexual activity or contact when they have been drinking or using drugs. Such individuals may still affirmatively consent through words or actions that clearly indicate interest in engaging in the activity.

8. Coercion

Coercion is unreasonable pressure used to compel someone to engage in sexual activity against their will. Coercion may include intimidation, manipulation, or threats. Coercion is evaluated by assessing the duration, frequency, and intensity of the verbal and/or physical conduct, as well as the degree of isolation or confinement. When a person makes clear that they do not want to participate in sexual activity, that they want to stop sexual activity, or that they do not want to go past a certain point of sexual interaction, continued pressure can be coercive.

9. Hostile Environment

An intimidating or offensive environment that causes a person to be fearful or a setting that denies, limits, or interferes with a person's ability to participate in or benefit from a program, activity, or job.

10. Educational Program or Activity:

Education Program or Activity broadly includes all operations of Simon's Rock in the United States, including: (a) any academic, extracurricular, research, employment, or other program or activity operated by Simon's Rock; (b) locations, events, or circumstances over which Simon's Rock exercises substantial control over both the Respondent and in which the alleged Title IX Sexual Harassment occurred; (c) any building owned by Simon's Rock; (d) any building owned or controlled by a student organization that is officially recognized by Simon's Rock; and (e) activities occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of, Simon's Rock.

11. Title IX Coordinator

The Title IX Coordinator has the primary responsibility for coordinating Simon's Rock's efforts related to the intake, investigation, resolution, and implementation of supportive measures to stop, remediate, and prevent discrimination, harassment, and retaliation prohibited under this policy.

12. Hate Crime

A hate crime is motivated by bias and can include the types of incidents described in these policies, but it includes a definable crime, such as: threats of violence, property damage, personal injury, and other illegal conduct. If you think you have been the victim of a hate crime you may, in addition to the reporting mechanisms described herein, file a report with the Massachusetts State Police or local law enforcement agency. What constitutes a criminal act will be defined by the penal code of the jurisdiction in which the misconduct allegedly occurred. The Simon's Rock system and the legal system have investigation processes that work independently of each other and can happen concurrently.

13. Bystander

Bystander means a person who observes a crime, impending crime, conflict, potentially violent or violent behavior, or conduct that is in violation of rules or policies of an institution.

G. RESPONDING TO REPORTS

Supportive Measures

Simon's Rock will provide supportive measures to the complainant whether or not a formal grievance process is initiated. In the case that a formal grievance is filed, these supportive measures will also be offered to the Respondent if known. Supportive measures are non-disciplinary, non-punitive individualized services designed to restore or preserve equal access without unreasonably burdening the other party. Confidentiality as to any supportive measures provided will be provided to the extent that maintaining such confidentiality would not impair the ability of Simon's Rock to provide the supportive measures. Simon's Rock will determine the necessity and scope of any supportive measure and has the discretion to issue, modify, or remove any supportive measure or accommodation due to new information or change in circumstances. Supportive measures may be offered at Simon's Rock's discretion regardless of whether or not the alleged conduct would constitute a violation of the Title IX and/or Equity policy. The range of supportive measures may include but are not limited to:

- Restorative response through the Bias Response Team if appropriate;
- Academic accommodations, including a change in class schedule, taking an incomplete, dropping a course without penalty, attending a class via Skype or other alternative means, providing an academic tutor, or extending deadlines for assignments;
- Change of residence hall assignment;
- Change in work assignment or schedule;
- Counseling available to students through our Wellness Center;
- Safety Planning

Both the Respondent and the reporting individual shall, upon request and consistent with the Simon's Rock's policies and procedures, be afforded a prompt review, reasonable under the circumstances, of the need for and terms of any such supportive measure and accommodation that directly affects him or her, and shall be allowed to submit evidence in support of his or her request.

Mutual No-Contact Directives

When the Respondent or Complainant is a student, the Complainant or Respondent may request that Simon's Rock issue a "no contact order" consistent with institution policies and procedures, whereby continued intentional contact with the other party would be a violation of institution policy subject to additional conduct charges.

Simon's Rock may establish an appropriate schedule for the Respondent and Complainant to access applicable institution buildings and property at a time when such buildings and property are not being accessed by the other party.

Both the Respondent and the Complainant shall be afforded a prompt review, reasonable under the circumstances, of the need for and terms of a no contact order, including potential modification, and shall be allowed to submit evidence in support of his or her request.

Protective Orders

No contact orders are institutional documents that do not have the legal effect of orders of protection, which are obtained through a court. Students have the right to be assisted in obtaining a

protective order or, if outside of the Commonwealth of Massachusetts, an equivalent protective or restraining order.

When a student, either Complainant or Respondent, receives a copy of an order of protection or equivalent, they will be given an opportunity to seek assistance in connecting with an appropriate resource, either on-campus through Campus Safety or off-campus through the Elizabeth Freeman Center, to explain the order and answer questions about it, including information from the order about the accused's responsibility to stay away from the protected person or persons.

Bias Response Team

The Bias Response Team is a campus resource designed to help to restore relationships and promote cultural competency education and training on campus. The BRT is a non-judicial, non-investigatory, and non-punitive group of staff, students, and faculty that listens to and advocates for members of the Simon's Rock community who believe they may have experienced discrimination and/or bias. The Team works to address bias through community engagement, resource information, restorative practices, and education, and serves to make recommendations through those frameworks.

Simon's Rock community members are encouraged to view the BRT as a resource that is available in addition to more formal procedures for filing complaints and addressing issues. The Team does not act as, or in place of, Human Resources or the Title IX Coordinator. The Bias Response Team does not respond to allegations that would raise to the level of a formal policy violation and refers the response and adjudication of those matters to the Title IX Coordinator.

Any documentation related to support provided by the Bias Response Team will not be made available at any investigation or hearing. However, this documentation can be subpoenaed if a criminal investigation is initiated. If any party were to threaten harm to themselves or others, however, information may then be released to the appropriate campus Officials only to safeguard the welfare and safety of parties involved and/or the person threatened. Members of the Bias Response Team will not submit to cross-examination or serve as witness to an investigation concerning conversations conducted in their role as members of the Bias Response Team.

Amnesty

The health and safety of every student is of utmost importance. Bard College and Bard Academy at Simon's Rock recognize that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that violence, including but not limited to domestic violence, dating violence, stalking, or sexual assault occurs may be hesitant to report such incidents due to fear of potential consequences for their own conduct. Bard College and Bard Academy at Simon's Rock strongly encourage students to report any potential domestic violence, dating violence, stalking, or sexual assault to institution officials. A bystander acting in good faith or a reporting individual acting in good faith that discloses any incident of domestic violence, dating violence, stalking, or sexual assault to Bard College and Bard Academy at Simon's Rock's officials or law enforcement will not be subject to Bard College and Bard Academy at Simon's Rock's code of conduct action for violations of alcohol and/or drug use policies occurring at or near the time of the commission of the domestic violence, dating violence, stalking, or sexual assault.

Further, such amnesty will be additionally extended 1) to protect any bystander acting in good faith or a reporting individual acting in good faith that discloses a potential violation of any other provision contained within the Title IX or Equity policy and 2) to provide amnesty for any other minor policy violations of the Student Code of Conduct or Employee handbook as deemed appropriate by the Title IX Coordinator.

Simon's Rock may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs. The amnesty policy applies to Simon's Rock's student conduct process and processes pursuant to the Employee Handbook. The Title IX Coordinator, Deputy, or designee will determine what policy violations will be considered "minor" and therefore eligible for amnesty in this context.

H. CONFIDENTIAL RESOURCE PROVIDERS

Confidential Resource Providers (CRPs) are designated individuals who can connect students with supportive measures and information about the policies and processes within the Title IX Office. If you report an incident to a CRP, that individual will not contact the Title IX Office without your permission. A CRP will:

- Provide required information to the reporting party, including the reporting options and information on the disciplinary process and legal processes.
- Review a reporting party's rights and the institution's responsibilities regarding a protection order, no-contact order and any other lawful orders issued by the institution or court.
- Coordinate on-campus or off-campus sexual assault crisis service center or domestic violence program.
- Arrange possible interim school-based supportive measures to allow the reporting party to change academic, living, campus transportation, or working arrangements in response to the alleged sexual misconduct.

Students may submit a request to meet with a CRP at the Wellness Center via the request form located at portal.simons-rock.edu.

I. FILING A FORMAL COMPLAINT

In cases where Students, Faculty, or Staff have experienced misconduct prohibited under the Title IX Policy and/or the Equity Policy they may file a Formal Complaint by:

- Meeting in person with the Title IX Coordinator and submitting a written and signed Formal Complaint
- Meeting with the Title IX Coordinator and dictating a Formal Complaint, which they then sign
- Emailing a written and signed Formal Complaint to the Title IX Coordinator
- Mailing a written and signed Formal Complaint to the Title IX Coordinator

Isabel Filkins
Title IX Coordinator
Building: Student Union
Email: titleix@simons-rock.edu
Phone Number: (413) 644-4252
Address: 84 Alford Road, Great Barrington MA 01230

Simon's Rock has determined that the following administrators are Officials with Authority who may also accept Formal Complaints on behalf of the Title IX Coordinator:

Mary Budzn
Deputy Title IX Coordinator
Building: Hall College Center
Email: titleix@simons-rock.edu
Phone Number:
Address: 84 Alford Road, Great Barrington MA 01230

Tracey Cameron
Dean of Students
Building: Livingston Student Union
Email: tcameron@simons-rock.edu
Phone Number: (413) 644-4711

Brendan Mathews
Dean of Faculty
Building: Hall College Center
Email: bmathews@simons-rock.edu
Phone Number: (413)644-4710
Address: 84 Alford Road, Great Barrington MA 01230

Phillip Morrison
Director of Finance and Administration
Building: Blodgett House
Email: pmorrison@simons-rock.edu
Phone Number: (413) 528-7204
Address: 84 Alford Road, Great Barrington MA 01230

In instances where the person who has experienced the alleged conduct is enrolled in the Academy or seeking to access the educational programs of the Academy, Simon's Rock recognizes that the parent or legal-guardian of that student may file a Formal Complaint on behalf of their student and represent their student during any investigation or proceedings.

Any Formal Complaint must be explicitly labeled as a Formal Complaint regardless of the form of transmission. When submitting a Formal Complaint, the Formal Complaint should take care to describe the incident in as much detail as possible including full names (when known), dates, times and locations.

Simon's Rock does not limit the timeframe for filing a Formal Complaint. Individuals may come forward at any time, including after they are no longer enrolled or employed. Simon's Rock may pursue a report made at any time; however, the passage of time may limit Simon's Rock's ability to investigate and respond.

In light of the known circumstances, the Title IX Coordinator may determine that a formal grievance process is necessary even when the Complainant does not want such a formal grievance process. In such cases, the Title IX Coordinator will sign the complaint. The Complainant will still be treated as a party in the grievance process. Factors used in this determination will include:

- Whether there have been other reports about the same individual;
- Whether circumstances suggest that there is a risk that the responding party will commit additional acts of harassment or discrimination;
- Whether there was a weapon or force used in connection with the alleged act;
- Whether Simon's Rock has other means of obtaining relevant evidence;
- Whether the reporting party is a minor;
- Whether available information reveals a pattern of perpetration at a particular location or by a particular group;
- The seriousness and/or severity of the reported misconduct; and
- The right of the responding party to receive information about the allegations in an institutional investigation.

Filing a Criminal Report

Formal Grievance proceedings under this policy are not criminal proceedings. To file a criminal report, individuals may contact:

Great Barrington Police Department
465 Main Street
Great Barrington, MA 01230
Business Line: (413) 528-0306
For emergencies, dial 911

Massachusetts State Police
Phone: (508) 820-2300
470 Worcester Road, Framingham, MA 01702

J. PRELIMINARY REVIEW AND NOTIFICATION

All Formal Complaints will be reviewed by the Title IX Coordinator. At their discretion, the Title IX Coordinator may convene a panel to consider whether or not a Formal Complaint describes a potential violation of either the Title IX policy and/or the Equity policy. Members of this panel may include but are not limited to: the Deputy Title IX Coordinators, the Director of Finance and Administration, the Vice Provost, the Dean of Students, the Dean of Studies, the Dean of Faculty, and the Dean of Equity and Inclusion. Any member of this panel who is also an eligible Decision-Maker would not be eligible for such an appointment in regards to that matter.

1. Acceptance of a Formal Complaint

If the Title IX Coordinator determines that a Formal Complaint describes a potential violation of the Title IX and/or Equity Policy, the Title IX Coordinator will notify both the Complainant and Respondent. This notification will include:

- Notice of Simon's Rock's Title IX and Equity Policy and Formal Grievance Process.
- Notice of the allegations and sufficient details known at the time the notice is issued, such as the identities of the parties involved in the incident, if known, including the Complainant and the date and location of the alleged incident, if known.
- A statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an Advisor of their choice, who may be, but is not required to be, an attorney.
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which Simon's Rock does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source.
- A statement that Simon's Rock prohibits knowingly making false statements or knowingly submitting false information during the grievance process.
- Notice of the grievance process including the possibility of both alternative and informal resolution.
- Notice that if during the course of the investigation additional allegations give rise to additional Formal Complaints, the parties will be notified in writing.

2. Ongoing Notice

If, in the course of an investigation, Simon's Rock decides to investigate allegations about the Complainant or Respondent that are not included in the Notice of Allegations or a new Formal Complaint is submitted in relation to the same matter, the College will notify the parties whose identities are known of the additional allegations. The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

All notices provided throughout the process will be delivered by campus email. Students are therefore expected to remain diligent in checking their campus email each day. Failure to check a campus email account will in and of itself not constitute a reasonable cause for delay.

3. Dismissal of Formal Complaint

Any Formal Complaint in which the alleged conduct does not constitute a violation of these policies will be dismissed but may be addressed under the student code of conduct or employee handbook. Simon's Rock may dismiss any Formal Complaint if at any time:

- The Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein,
- The Respondent is no longer enrolled or employed by Simon's Rock, or

- If specific circumstances prevent Simon's Rock from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

Further, a complaint alleging Title IX Sexual Harassment (as defined below) will be dismissed for the purposes of Title IX if:

- The alleged conduct did not occur in Simon's Rock's education program or activity;
- The alleged conduct did not occur against a person in the United States; or
- The Complainant is not currently attempting to participate in Simon's Rock's academic program.

Such a dismissal does not preclude action under another provision of the employee handbook, the student code of conduct, or the equity policy.

Upon a dismissal, written notice of the dismissal and reason(s) will be provided simultaneously to the parties and will contain written notice of their right to appeal.

In the interest of preserving a fair process for all involved and the timely resolution of Formal Complaints, instances where a Formal Complaint is dismissed in response to a request to withdraw the Formal Complaint by the Complainant, the Formal Complaint may not be reinstated at a latter date if the matter has already proceeded to investigation at the time that the request to withdraw the Formal Complaint was submitted.

K. ADVISORS OF CHOICE

Both the Respondent and the Complainant have the right to one Advisor of their choice. An Advisor serves as a support person for the parties during investigative meetings and undertakes cross-examination in the case of a live hearing. If requested, the Title IX Coordinator will work with the Complainant and the Respondent to connect each with a faculty or staff member who can act as an Advisor. Advisors are not permitted to advocate for their party or speak on their behalf during any meeting with the investigator or the Title IX Coordinator. During the hearing process. Advisors may not interject, coach, advocate for, or otherwise speak on behalf of the party they represent while that party is being questioned.

Simon's Rock will not intentionally schedule meetings or hearings on dates where the Advisors for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

Simon's Rock's obligations to investigate and adjudicate in a prompt timeframe under Title IX and other campus policies apply to matters governed under this Policy, and Simon's Rock cannot agree to extensive delays solely to accommodate the schedule of an Advisor. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. Simon's Rock will not be obligated to delay a meeting or hearing under this process more than five (5) business days due to the unavailability of an Advisor, and may offer the party the opportunity to obtain a different Advisor or utilize one provided by Simon's Rock. The Title IX Coordinator will consider requests made to delay or reschedule a meeting or other proceedings and will make the final determination with respect to that request.

The Advisor's name and relationship to a party (e.g., student, faculty member, family member, attorney, etc.) will be disclosed to the investigator or Decision-Maker 24 hours prior to any meeting with the investigator or Decision-Maker.

L. EMERGENCY REMOVAL AND ADMINISTRATIVE LEAVE

1. Emergency Removal

Simon's Rock retains the authority to remove a Respondent from Simon's Rock's program or activity on an emergency basis, where Simon's Rock (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual, including the Respondent, arising from the allegations of covered sexual harassment justifies a removal. This safety and risk analysis may be performed by or in consultation with Title IX Coordinator, the Director of Wellness, the Dean of Students, the Director of Campus Safety, or any of their designees. Emergency removals include but are not limited to:

- Restricting a student's access to campus as a whole;
- Restricting access to Simon's Rock's campus and educational program as a whole,
- Restricting participation in extracurricular activities, student employment, student organizational leadership, or athletics.

When an emergency removal is performed in response to a report of sexual misconduct, the Complainant will be informed of the emergency removal of the Respondent.

2. Safety and Risk Analysis

When performing a safety and risk analysis, Simon's Rock will consider many factors relevant to the individual circumstances. These factors may include but are not limited to:

- The existence of an immediate threat to the physical health or physical safety of one or more individuals, including threats of physical self-harm.
- The Respondent's propensity, opportunity, and ability to effectuate a stated or potential threat.
- Risk and protective factors;
- Objective evidence;
- Current medical knowledge or information provided by a licensed evaluator.

The determination will be fact-specific and nuanced, subject to a careful evaluation whether appropriate supportive measures are a more appropriate and less restrictive means to negate or sufficiently minimize the likelihood of a threat's occurrence.

If Simon's Rock determines such Emergency Removal is necessary, the Respondent will be provided notice and an opportunity to challenge the decision immediately following the Emergency Removal.

When the Respondent is given notice of the Emergency Removal, such notice will include a written summary of the basis for the emergency removal and the opportunity to appeal the emergency removal through a meeting with the Title IX Coordinator where the Respondent will be given the opportunity to show cause as to why the removal should not be implemented.

In order to avoid conflicts of interest or bias, the appeal will not be heard by the same individual who made the determination of emergency removal. Neither 1) the individual who hears the appeal of the emergency removal determination nor 2) the individual who made the original determination of emergency removal will serve as a Decision-Maker on any hearing resulting from the same circumstances which led to these decisions.

3. Administrative Leave

Simon's Rock retains authority to place a non-student employee Respondent on administrative leave during any Formal Grievance Process, consistent with the Employee Handbook.

M. ALTERNATIVE RESOLUTION

The Alternative Resolution process is designed to eliminate prohibited conduct, prevent its recurrence, and remedy its effects in cases where both a Complainant and Respondent do not wish to pursue an investigation and wish instead to proceed through a non-disciplinary and non-adjudicatory model. When a Complainant initiates a formal grievance process by filing a Formal Complaint and expresses an interest in the Alternative Resolution process, or where a Respondent expressed interest in the Alternative Resolution process following receipt of a Notice of Investigation and Allegations, the Title IX Coordinator may offer an Alternative Resolution instead of proceeding to a Formal Investigation. In such cases, the Title IX Coordinator will provide parties a written notice disclosing:

The requirements of the Alternative Resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations; Notice of the records that will be maintained or could be shared in regards to the Alternative Resolution.

Factors that Simon's Rock may take into account when determining if a case is eligible for Alternative Resolution include but are not limited:

- Likelihood of potential resolution
- Power dynamics between the parties
- Safety and Risk Analysis
- Past disciplinary history
- Complexity of the complaint
- Severity of the complaint
- Goals of the parties

Simon's Rock is not responsible for providing an explanation to the parties if it deems a complaint ineligible for Alternative Resolution.

Alternative Resolutions may be facilitated by the Title IX Coordinator or their designee, or jointly by the Title IX Coordinator along with a member of the Bias Response Team. Simon's Rock will not require participation in the Alternative Resolution by any party. At any point before the Alternative Resolution agreement is signed, either party may withdraw from the Alternative Resolution process. A request for an Alternative Resolution may be made at any point up until the conclusion of the investigation.

Before proceeding with an Alternative Resolution, the Title IX Coordinator will obtain the parties' voluntary, written consent to the Alternative Resolution process.

1. The Alternative Resolution Process

Both the Complainant and Respondent must agree to the following terms should they wish to participate in the Alternative Resolution process.

- Both the Complainant and Respondent must participate in individual meetings with the Title IX Coordinator to learn more about the Alternative Resolution Process before proceeding.
- If the resolution facilitator is unable to establish recommendations laid out in a Resolution Agreement that are amenable to both the Respondent and Complainant, the resolution facilitator will deem the case ineligible for Alternative Resolution and suspend the process.
- Either party may be charged with Failure to Comply with a Directive of a Campus Official under the Student Conduct Code for failure to meet the requirements laid out in the Agreement.
- Once an Alternative Resolution Agreement is signed by both parties, parties cannot pursue a Formal Investigation concerning the same incidents of conduct addressed by the Alternative Resolution Agreement.
- Participation in this process is not reflected on a disciplinary record.

2. Alternative Resolution Conference and Agreements

After initial meetings with the Complainant and with the Respondent, the resolution facilitator will have a final meeting with the Complainant and a final meeting with the Respondent in which the resolution facilitator will establish actions, exercises, and/or educational activities to acknowledge and address the harm their actions caused. The Alternative Resolution conference will result in an Alternative Resolution agreement. Activities or exercises required by the resolution agreement may include but are not limited to:

- Informal Restorative Statements including structure letters responding to questions posed by the Complainant to the Respondent. Such statements may include a request to take responsibility for incidents of misconduct and to acknowledge harm that has occurred.
- Educational curriculum
- Counseling Sessions
- Permanent extension of a No Contact Directive
- Restriction from participation in specific clubs and/or organization
- Community service

3. Privacy

All meetings and communications completed throughout an Alternative Resolution process are documented. This documentation includes when and where the meeting took place, who was present at the meeting, and a brief summary of what was accomplished or agreed to during the meeting. The purpose of this documentation is to ensure the integrity of the resolution process. This documentation will not be made available at any investigation or hearing following a suspended Alternative Resolution Process. However, this documentation can be subpoenaed if a criminal investigation is initiated.

The Title IX Office may share records internally and with other campus officials when appropriate. Simon's Rock may release documented information as required by state or federal law. If any party were to threaten harm to themselves or others, information may then be released to the appropriate Campus Officials only to safeguard the welfare and safety of parties involved and/or the person threatened.

Resolution facilitators will not submit to cross-examination or serve as witness to an investigation concerning conversations conducted during the Alternative Resolution process. Resolution facilitators may, however, choose to submit records of such conversations during any determination regarding Emergency Removal or Administrative Leave initiated at any point during the Formal Grievance Process.

N. FORMAL INVESTIGATION

When a Formal Complaint is accepted and is not resolved through Alternative Resolution, Simon's Rock will open a Formal Investigation. Investigations will be conducted by a trained, impartial investigator who may, at times, be assisted by one other investigator. The investigator(s) will either be an employee of Bard College or Bard College at Simon's Rock trained to conduct such investigations; the Title IX Coordinator or Deputy Title IX Coordinator themselves; or a neutral third party selected by the Title IX Coordinator.

The investigator will speak with the parties, as well as all relevant witnesses, and will gather and review all information and evidence.

After speaking with each individual, the investigator will document the conversations for the record. The Investigator will also provide the parties and witnesses with an opportunity to review and verify the Investigator's summary notes from interviews and meetings with that specific party or witness. Each party will be allowed the opportunity to suggest questions they wish the Investigator(s) to ask of the other party and witnesses. Conversations with the investigator are not confidential and information disclosed to the investigator may be incorporated into the investigative report regardless of whether or not the witness or party participates in the review process. While the decision to participate in any interview with the investigatory is voluntary, requests to withdraw testimony once provided to the investigator will not be granted.

The investigator will also gather any available physical or medical evidence, including documents, communications between the parties, and other electronic records each as provided by the parties or witnesses, as appropriate. In gathering such information, the investigator will comply with applicable laws, regulations, and campus policies. As part of the investigation, Simon's Rock will provide an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. The investigation will be thorough, impartial, and fair, and all individuals will be treated with appropriate sensitivity and respect.

1. Notice

Parties whose participation is invited or expected will be given written notice of the date, time, and location of any meeting with the investigator with sufficient time for the party to prepare.

2. Evidence Review

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

- Evidence that is relevant, even if that evidence does not end up being relied upon by Simon's Rock in making a determination regarding responsibility;
- Inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

All parties must submit any evidence they would like the investigator to consider prior to when the parties' time to inspect and review evidence begins.

Simon's Rock will provide the evidence to each party and each party's Advisor, if any, to inspect and review through an electronic format or a hard copy. Simon's Rock is not under any obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties' written responses before completing the Investigative Report. Simon's Rock will provide copies of the parties' written responses to the investigator to all parties and their advisors, if any.

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will not be disclosed, or may be appropriately redacted before the parties' inspection to avoid disclosure of personally identifiable information of other students.

All parties and Advisors must agree to the conditions put forth in the Agreement Regarding Evidence Disclosed (Appendix B.1).

3. Follow-up Interviews

If additional evidence is proposed by either party in response to the Evidence Review or if new witnesses are identified, the investigator may determine that it is necessary to interview further witnesses or that it is necessary to re-interview witnesses and parties involved in the investigation. Summaries of additional interviews will be provided to both parties and they will have ten (10) business days to submit a written response which the investigator will consider prior to completion of the Investigative Report.

4. Final Report

The investigator will create an Investigative Report that fairly summarizes relevant evidence. At least ten (10) business days prior to a formal adjudication, the Title IX Coordinator will provide to both Complainant and Respondent and their Advisors the Investigative Report in an electronic format or a hard copy for their review and written response.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence. Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations) will be referenced in the Investigative Report. All related and relevant evidence will be included in the report's appendices.

The investigator may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant.

O. INFORMAL RESOLUTION

The Informal Resolution process is designed to eliminate prohibited conduct, prevent its recurrence, and remedy its effects in cases where both a Complainant and Respondent do not wish to proceed to a formal hearing. Once an investigation has concluded and the Investigative Report has been reviewed by the parties and Advisors, the Title IX Coordinator or their designee may offer an Informal Resolution as an alternative to a formal adjudication of the Formal Complaint when either party expresses an interest in such a process. In such cases, the Title IX Coordinator will provide Parties a written notice disclosing:

The requirements of the Informal Resolution process including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations;
Notice of the records that will be maintained or could be shared.

Requests from Complainants and Respondents to participate in an Informal Resolution when offered by the Title IX Coordinator must be received during the same ten (10) business days during which the parties are reviewing the final Investigative Report. If one party makes such a request, the other party will be informed and will have three (3) business days to decide if they wish to submit a concurrent request to participate. If both parties do not submit such a request, the Informal Resolution will not proceed and the matter will instead proceed to formal adjudication.

Informal Resolutions may be facilitated by the Title IX Coordinator or their designee, or jointly by the Title IX Coordinator along with a member of the Bias Response Team. Simon's Rock will not require participation in the Informal Resolution by any party.

If both parties request to pursue an Informal Resolution, the resolution facilitator will meet independently with each party to ensure their full understanding of the process. At any point before the Informal Resolution agreement is signed, either party may withdraw from the Informal Resolution process.

In the case that an Informal Resolution process is attempted and then suspended, any days between the commencement of the process and its termination will not count towards the allotted 10 days of evidence review before any formal adjudication without the written consent of both parties. If at any

point the resolution facilitator determines that Informal Resolution is no longer appropriate, the resolution facilitator may suspend the process.

The Informal Resolution process will follow the same model as the Alternative Resolution process except for the fact that an Informal Resolution contract can result in disciplinary sanctions when the Respondent admits responsibility. In such cases, the Parties will receive simultaneous written notification of the acceptance of responsibility.

1. Administrative Resolution

When an Informal Resolution results in an agreement to pursue Administrative Resolution, the Title IX coordinator will appoint a decision-maker to determine the Respondent's sanction and other remedies, as appropriate and consistent with institutional policy. The decision-maker will have access to the investigative report and all related evidence. The parties will be given an opportunity to provide impact statements. The parties will receive simultaneous written notification of the decision regarding sanctions and remedies. Sanctions and remedies imposed by a decision-maker during Administrative Resolution are not subject to appeal.

P. FORMAL ADJUDICATION: INDIRECT HEARING

Except for cases involving allegations of Title IX Sexual Harassment affecting participation in the undergraduate educational program at Simon's Rock, adjudication of Formal Complaints will proceed under an indirect hearing process. Simultaneous with the ten (10) days in which they are reviewing the final Investigative Report, the parties will have ten (10) days to submit (i) a written adjudication statement; and (ii) additional written, relevant questions that a party would like to want asked of any party, witness, or investigator to a Decision-Maker (the "Equity Decision-Maker"). The Equity Decision-Maker, joined by two non-voting panelists from the Code of Conduct Committee or from the Adjudicatory Pool (the "Equity Hearing Panel") will then conduct follow up interviews and pose any questions asked by the parties that are determined to be relevant by the Equity Decision-Maker during a live meeting. In most cases, parties and their advisors will be provided with written summaries of answers simultaneous with the delivery of the determination regarding responsibility. In extraordinary circumstances where the content of such answers warrants further review, the decision-maker may determine that it is necessary to provide such written summaries simultaneously with a limited opportunity for follow-up questions from each party may be permitted. A reasonable timeline for such an exchange will be determined at the sole discretion of the Decision-Maker. Both the Equity Decision-Maker and the Title IX Coordinator each have the discretion to shift the adjudication to a live hearing. In the event of such a shift, the Equity Decision-Maker will act as the Title IX Decision-Maker in the live hearing model described below.

1. Appointment of the Equity Decision-Maker

For every case that proceeds to an indirect hearing, the Title IX Coordinator or their designee will designate an Equity Decision-Maker. The Equity Decision-Maker will either be an employee of Simon's Rock trained in adjudications of misconduct, or, at the discretion of the Title IX Coordinator, a neutral third party selected by the Title IX Coordinator or their designee. The Equity Decision-Maker will not be the Title IX Coordinator or the investigator assigned to the same matter.

Should a party wish to object to the Equity Decision-Maker or any of the panelists on the grounds of bias or conflict-of-interest, such notice must be delivered to the Title IX Coordinator within five (5) business days of the hearing

2. Evidentiary Standard

In any formal adjudication under either the Title IX Policy or the Equity Policy, the Respondent's responsibility will be determined by a preponderance of the evidence standard, which is whether the information provided supports a finding that it is "more likely than not" that the Respondent is responsible for the alleged violation(s).

3. Notice of Hearing

At least ten (10) business days prior to the hearing, the Title IX Coordinator or the Chair will send notice of the hearing to the parties including:

- Notice of Simon's Rock's Title IX and Equity Policy and Formal Grievance Process;
- The time, date, and location of any meeting conducted as part of the hearing;
- A list of all those who will attend any meeting conducted as part of the hearing, including the names of the Equity Decision-Maker and panelists.;
- A statement that if any party or witness does not appear at a meeting conducted as part of this hearing, the hearing may continue in their absence at the Title IX Coordinator's discretion;
- Instructions on how to arrange for disability accommodations in regards to the hearing.

4. Determination of Relevance

Only relevant questions may be asked of a party or witness. In determining whether a question is relevant, the Decision-Maker will focus on evidence pertinent to proving whether facts material to the allegations under investigation are more or less likely to be true.

Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless (1) such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or (2) if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. This bar on questions and evidence about a Complainant's sexual predisposition or prior sexual behavior does not apply to Respondents, and any such questions, if deemed relevant, may be asked.

Similarly, evidence and information is not relevant if (a) the information protected by a legally recognized privilege; or (b) relates to any party's medical, psychological, and similar records unless the party has given voluntary, written consent. Questions that are duplicative or repetitive may fairly be deemed not relevant and thus excluded.

Q. FORMAL ADJUDICATION: LIVE HEARING

In cases involving allegations of Title IX Sexual Harassment in the undergraduate program at Simon's Rock, the matter will proceed straight to the hearing panel model for adjudication. Hearing panels will be chaired by a Title IX Decision-Maker appointed by the Title IX Coordinator or designee. The Title IX Decision-Maker will either be an employee of Simon's Rock trained in

adjudications of Title IX Sexual Harassment under these policies, or, at the discretion of the Title IX Coordinator, a neutral third party selected by the Title IX Coordinator or their designee

The Title IX Decision-Maker, joined by two non-voting panelists from the Code of Conduct Committee or from the Adjudicatory Pool, will convene a hearing. The Title IX Decision-Maker will permit each party's Advisor to ask the other party and any witnesses (including the investigator) all relevant questions and follow-up questions, including those challenging credibility. Cross-examination will never be conducted by a party personally.

1. Appointment of Decision-Maker

For every case that proceeds to a live hearing, the Title IX Coordinator or their designee will designate a Title IX Decision-Maker. The Title IX Decision-Maker will either be an employee of Simon's Rock or Bard College at Simon's Rock trained in adjudications of misconduct, or, at the discretion of the Title IX Coordinator, a neutral third party selected by the Title IX Coordinator or their designee. The Title IX Decision-Maker will not be the Title IX Coordinator or the investigator assigned to the same matter.

Should a party wish to object to the Title IX Decision-Maker or any panelist on the grounds of bias or conflict-of-interest, such notice must be delivered to the Title IX Coordinator within five (5) business days of the hearing;

2. Evidentiary Standard

In any formal adjudication under either the Title IX Policy or the Equity Policy, the Respondent's responsibility will be determined by a preponderance of the evidence standard, which is whether the information provided supports a finding that it is "more likely than not" that the Respondent is responsible for the alleged violation(s).

3. Notice of Hearing

At least ten (10) business days prior to the hearing, prior to the hearing, the Title IX Coordinator or the Chair will send notice of the hearing to the parties including:

- Notice of Simon's Rock's Title IX and Equity Policy and Formal Grievance Process;
- The time, date, and location of the hearing;
- Any necessary instructions pertaining to the use of any technology that will be used to conduct the hearing;
- Information about the right to request that the hearing be conducted virtually to the extent that parties may remain in separate rooms for the duration of the hearing;
- A list of all those who will attend the hearing, including the names of the Decision-Maker and panelists;
- A statement that the hearing will be recorded;
- A statement that if any party or witness does not appear at the scheduled hearing, the hearing may be held in their absence at the Title IX Coordinator's discretion;
- A statement that cross examination may only be performed by an Advisor and never by the party directly; and
- Instructions on how to arrange for disability accommodations in regards to the hearing.

4. Live Hearing Procedure

All live hearings will be conducted according to the following:

- Title IX Decision-Maker will open and establish rules and expectations for the hearing;
- The parties will each be given the opportunity to provide opening statements of no more than five minutes;
- Direct examination of parties by their own Advisors will not be permitted;
- Decision-Maker will ask questions of the parties and Witnesses (including the Investigator);
- Each party's advisor will be given the opportunity for live cross-examination after the Title IX Decision-Maker conducts its initial round of questioning;
- During this live-cross examination the Advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.
- During the parties' cross-examination, the Title IX Decision-Maker will have the authority to pause cross-examination at any time for the purposes of asking the Decision-Maker's own follow up questions; and any time necessary in order to enforce the established Rules of Decorum (Appendix A);
- Should a Party or the Party's Advisor choose not to cross-examine a party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the Title IX Decision-Maker. A party's waiver of cross-examination does not eliminate the ability of the Title IX Decision-Maker to use statements made by the Party.
- Anyone appearing at the hearing to provide information will respond to questions on their own behalf. No Advisor may answer a question on behalf of a party.

5. Determination of Relevance

Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-Maker will first hear the question and determine whether the question is relevant and explain any decision to exclude a question as not relevant. For the purposes of a timely hearing, parties are encouraged but not required to present relevant questions that a party wants asked of any party or witness to the Title IX Decision-Maker in advance of the hearing. Advisors will not, however, be limited to anythe list of questions submitted in advance.

In determining whether a question is relevant, the Decision-Maker will focus on evidence pertinent to proving whether facts material to the allegations under investigation are more or less likely to be true. Questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant, unless (1) such questions and evidence about the Complainant's prior sexual behavior are offered to prove that someone other than the Respondent committed the conduct alleged by the Complainant, or (2) if the questions and evidence concern specific incidents of the Complainant's prior sexual behavior with respect to the Respondent and are offered to prove consent. This bar on questions and evidence about a Complainant's sexual predisposition or prior sexual behavior does not apply to Respondents, and any such questions, if deemed relevant, may be asked.

Similarly, evidence and information is not relevant if (a) the information protected by a legally recognized privilege; or (b) relates to any party's medical, psychological, and similar records unless the party has given voluntary, written consent.

Cross-examination questions that are duplicative of those already asked, including by the Decision-Maker may be deemed irrelevant if they have been asked and answered

6. Explaining Relevance Decision

Decision-Makers are not required to give lengthy or complicated explanations in support of a relevance determination. Rather, it is sufficient, for example, for a Decision-Maker to explain that a question is irrelevant because the question calls for prior sexual behavior information without meeting one of the two exceptions, or because the question asks about a detail that is not probative of any material fact concerning the allegations.

7. New Evidence

No new evidence, including new witness testimony, may be presented at the hearing. Any evidence or witnesses who were not included in the investigation must be brought to the attention of the investigator prior to the hearing. In the event that such new evidence or new witness is presented, the investigator will re-open the investigation for the limited purpose of including such evidence or witness testimony, which each party shall have the opportunity to review.

8. Advisor for the Purposes of Cross-Examination

Parties may opt to have the same Advisor during investigatory meetings and during cross-examination or may opt for a different Advisor during cross-examination. If a party does not have an Advisor present at the live hearing, Simon's Rock will provide without fee or charge to that party an Advisor to conduct cross-examination on behalf of that party. For the purposes of conducting cross-examination, an Advisor need only be a person willing to conduct this function on behalf of the party. Should a party wish for Simon's Rock to provide such an Advisor, they must inform the Title IX Coordinator five (5) business days before the hearing is scheduled to commence. If a party has not chosen an Advisor or asked that Simon's Rock provide an advisor within (2) business days of a hearing, Simon's Rock will appoint an Advisor for the party.

The Advisor is not prohibited from having a conflict of interest or bias in favor of or against Complainants or Respondents generally, or in favor or against the parties to the particular case. The Advisor is not prohibited from being a witness in the matter. If a party does not attend the live hearing, the party's Advisor may appear and conduct cross-examination on their behalf. If neither the party's Advisor nor the party appear at the hearing, Simon's Rock will provide an Advisor to conduct cross-examination of the other party and any witnesses.

9. Failure to Appear

The parties cannot waive the right to a live hearing. Simon's Rock will not threaten, coerce, intimidate or discriminate against any party or witness in an attempt to secure the party's participation in the hearing.

Simon's Rock may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence.

The Title IX Decision-Maker cannot draw an inference about the determination regarding responsibility based solely on a party's absence from the live hearing or refusal to answer cross examination or other questions.

10. Virtual Hearings

Upon a party's request, the live hearing will be conducted with the parties located in separate rooms with technology enabling participants to see and hear each other. Upon the decision of the Title IX Coordinator, any hearing may be conducted virtually via audio and visual conferencing software.

11. Recording

An audio recording of any live hearing will be made available to the parties for review.

12. Participant Conduct

Participants in the live hearing, including Advisors, must conduct themselves appropriately and respectfully towards all other participants. Participants may not act, and Advisors may not question parties or witnesses in a way that may be considered by a reasonable person to be abusive, intimidating, harassing, or disrespectful. Advisors, witnesses, and parties shall be subject to Simon's Rock's Rules of Decorum (Appendix A), and may be removed upon violation of those Rules. The Title IX Decision-Maker, in their sole and absolute discretion, may respond to violations of the Rules of Decorum (Appendix A) by adjourning the hearing and excluding the offending person. Repeat offenders of such conduct may face additional sanctions under other campus policies.

13. Time Limitations

Questioning by a party Advisor of a witness or party may not last longer than two (2) hours. The Decision-Maker, in their sole and reasonable discretion, may allow the Advisor to continue questioning past the two (2) hour mark for any party or witness. Any such extension of time will similarly be granted to the other party's Advisor.

R. DETERMINATION OF RESPONSIBILITY

The Decision-Maker will reach a determination of responsibility by a preponderance of the evidence standard. Once they have reached a determination, they will provide written notice to both parties including:

- Identification of the allegations potentially constituting harassment or discrimination
- A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and method of adjudication.
- Findings of fact supporting the determination
- Conclusions regarding the application this policy to the facts
- For each allegation, a statement of, and rationale for, a determination regarding responsibility;
- A statement of, and rationale for, any disciplinary sanctions Simon's Rock imposes on the Respondent;

- A statement of, and rationale for, whether remedies designed to restore or preserve equal access to Simon's Rock's education program or activity will be provided by Simon's Rock to the Complainant;
- Procedures for appeal

Notice of the determination regarding responsibility will be provided to the parties simultaneously. The determination regarding responsibility becomes final either on the date that Simon's Rock provides the parties with the written determination of the result of an appeal if an appeal is filed. If an appeal is not filed, the determination becomes final on the date by which an appeal would no longer be considered timely. Any remedies or sanctions provided in the determination of responsibility will not take effect until the determination of responsibility becomes final. The Title IX Coordinator is responsible for effective implementation of any remedies.

Timeline of Determination Regarding Responsibility: If there are no extenuating circumstances, the determination regarding responsibility will be issued by Simon's Rock within fifteen (15) business days of the completion of the hearing.

S. SANCTIONS

The following sanctions may be imposed following a formal adjudication in regards to a student Respondent:

Disciplinary Warning: A warning letter will be sent to the student via their Simon's Rock email address, informing them that their behavior violated campus policy and therefore is not acceptable. Multiple disciplinary warnings may lead to social probation/loss of privileges or other additional disciplinary actions.

Social Probation: Probation is a sanction imposed for serious or repeated misconduct. This sanction places a student Respondent on notice that their behavior is unacceptable and must change; otherwise, the Respondent will face termination or expulsion. The probationary period may range from one semester through graduation and – depending on circumstances and the student Respondent's previous disciplinary record – may come with additional conditions or consequences.

Campus Service: A student Respondent may be assigned a predetermined number of campus work hours, to be overseen by the Dean of Students or their designee. If the student Respondent fails to complete these service hours within the time allotted, additional hours or a more severe sanction may be levied including more hours, loss of privileges, suspension, or expulsion.

Loss of Privileges: A student Respondent may lose one or more of the following privileges: operating a motor vehicle on campus; hosting guests on campus; remaining on campus during breaks; attending commencement proceedings; or other privileges as deemed appropriate.

Suspension: Disciplinary suspension is total separation from Simon's Rock for a period of one full semester, two full semesters, three full semesters, or four full semesters. A sanction of suspension may affect a student Respondent's future on-campus housing, scholarships, federal financial aid, or study abroad opportunities but not scholarships awarded by Simon's Rock. Suspension includes separation from classes, activities, services, facilities, and grounds for the duration of the suspension

period. Readmission following a disciplinary suspension is not automatic but is at the will and discretion of Simon's Rock. The Academic Affairs office manages the readmission process, how suspension affects financial aid and can provide further information about the process and deadlines upon request. Again, suspension does not affect scholarships awarded by Simon's Rock.

Expulsion: Expulsion is a complete and permanent separation from Simon's Rock. Such action will be documented via letter, generally emailed to the student, parents or guardians, Academic Advisors, and other department heads as appropriate. For information about departing campus after expulsion, see Vacating Campus for Leave or Withdrawal.

Sanctions may also be accompanied by: a change in academic or employment schedule, change in residence, removal from on campus or institution-owned housing, a permanent No Contact Order, educational programming, counseling, a combination of these, or any sanction deemed just and proper.

Sanctions may also be accompanied by the following conditions:

- Educational programming
- Counseling
- Required letter acknowledging impact of the misconduct

The following sanctions may be imposed following a formal adjudication in regards to an employee Respondent:

For employees, disciplinary action may call for any of four steps—verbal warning, written warning, suspension with or without pay, or termination of employment—depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed. Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment.

Simon's Rock recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

Sanctions may also be accompanied by the following restrictions:

- Change in employment schedule
- Loss of supervisory or oversight responsibilities
- Removal from on campus or institution-owned housing,
- Permanent No Contact Order

Sanctions may also be accompanied by the following conditions:

- Educational programming
- Counseling
- Required letter acknowledging impact of the misconduct

T. APPEAL PROCEDURE

Both parties will be offered an appeal from a determination regarding responsibility or non-responsibility, and from Simon's Rock's dismissal of a Formal Complaint or any allegations therein, on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- That Title IX Coordinator, investigator(s), or Title IX Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

Dissatisfaction with the outcome does not constitute grounds for appeal.

The Title IX Coordinator or designee will appoint an appeal officer to determine the viability of the Appeal, who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or Decision-Maker in the same matter. Should an appeal be filed on the grounds that the Title IX Coordinator was biased, the Vice-Provost will designate an appeal officer to determine the viability of the appeal. In either case, anyone who has served as the Decision-Maker for a particular matter will not be appointed as the appeal officer for that same matter.

Parties will have five (5) business days to file an appeal following receipt of the written notice of determination of responsibility. Appeals must be filed in writing and describe the eligible grounds on which the party wishes to appeal. In order to effectuate an appeal, the parties may request to review a copy of the Investigative Report, any adjudication statements, and the live hearing audio recording, as applicable, all pursuant to campus policy governing privacy and access to personal information within five (5) business days from the date of the outcome notification. Parties may request to have the time period for submitting an appeal extended to five (5) business days from the date of their review of the audio- recording of the hearing. The Title IX Coordinator or designee will notify the other party in writing when an appeal is filed.

If an appeal is determined by the appeal officer to meet one or more of the bases stated above the appeal will be shared with both parties and both will have five (5) business days to submit a written statement in support of, or challenging, the outcome. If both the Complainant and the Respondent appeal, the appeals will be considered concurrently.

The appeal officer will consider the appeal, the statements filed by the parties upon the acceptance of the appeal, and any documentation or evidence pertaining to the original investigation and hearing. The purpose of the appeal is not to re-weigh evidence. If an appeal is granted, the appeal officer will either:

- Issue a decision advising that the appeal was granted and which, if any, sanctions or determinations of responsibility are upheld, overruled, or modified; or
- Remand the case for a new hearing or further investigation if the appeal officer determines that new evidence should be considered or that a procedural error has occurred

If an appeal is denied or results in no alteration of the original outcome, the parties will be notified and the matter will be closed. When an appeal is remanded for a new hearing, the finding or sanction can be appealed one final time on the grounds listed above and in accordance with these procedures.

T. EXCLUSIONS AND OTHER PROVISIONS

1. Ensuring Impartiality: Any individual materially involved in the administration of the resolution process may not have nor demonstrate a conflict of interest or bias for a party generally, or for a specific Complainant or Respondent. The parties may, at any time during the resolution process, raise a concern regarding bias or conflict of interest. The Title IX Coordinator will determine whether the concern is reasonable and supportable. If supportable, the Title IX Coordinator will remove that person from the process.
2. False Allegations and Evidence: Deliberately false and/or malicious accusations under this policy will be subject to appropriate disciplinary action.
3. External Remedies: Members of the Simon's Rock community are always subject to local, state, and federal laws, and nothing in these procedures is intended to limit or postpone the right of an individual to file a complaint or charge with appropriate federal, state, or local departments or agencies. An individual is not required to use this complaint resolution procedure before pursuing other remedies. Inquiries or complaints that involve potential violations by Simon's Rock may also be referred to: Department of Education, Office of Civil Rights, 617-289-0111; The Equal Employment Opportunity Commission, 800-669-4000; and The Massachusetts Commission Against Discrimination, 413-739-2145.
4. Reasonably Prompt Timeframes: Simon's Rock will attempt to resolve a Formal Grievance process within ninety (90) business days. Both parties will be informed, in writing, if a reasonable delay is to occur. Each party may request a one-time delay in the Formal Grievance Process of up to five (5) days for good cause provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties. For example, a request to take a five (5) day pause made an hour before a hearing for which multiple parties and their Advisors have traveled to and prepared for shall generally not be granted, while a request for a five (5) day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted. The Title IX Coordinator shall have sole judgment to grant further pauses in the process.
5. Disability Accommodations: This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Formal Grievance Process that do not fundamentally alter the Process.

The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the parties, even where the parties may be receiving accommodations in other institutional programs and activities. If a party or Advisor discloses a disability under the Americans with Disabilities Act (ADA) or Section 504 that requires accommodations, Simon's Rock will work with that party or Advisor to provide a reasonable

accommodation. Parties or Advisors may contact the Title IX Coordinator to disclose a disability and request accommodations. Disclosures and requests must be made timely. Simon's Rock will agree to short delays to ensure access for a covered disability, but this must not be used as a tactic for delay of the proceedings.

6. Consolidation of Investigations: The Title IX Coordinator reserves the right to consolidate Formal Complaints against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances. The Title IX Coordinator reserves the right to consolidate investigations of a Formal Complaint with investigations under the student code of conduct where the allegations arise out of the same facts or circumstances. If the alleged conduct, if true, includes conduct that would constitute Title IX Sexual Harassment and conduct actionable under the Equity Policy, the Title IX hearing process may be applied in the investigation and adjudication of all of the allegations. When the same set of facts and circumstances gives rise to both a potential violation of the bullying policy in the Academy and a potential violation of the Equity and/or Title IX policies, the investigation may be consolidated and conducted according to the procedures set forth herein.
7. Effect of Legal Proceedings: Because the standards for finding a violation of criminal law differ from the standards for finding a violation of these policies, criminal investigations are not determinative of whether misconduct, for purposes of these policies, has occurred. Conduct may constitute misconduct under these policies even if law enforcement agencies lack sufficient evidence of a crime or decline to prosecute. The filing of a complaint of misconduct under these policies does not depend on any criminal investigation or proceeding and, except in limited and extenuating circumstances, Simon's Rock will not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation; to implement supportive measures; or to implement disciplinary proceedings.
8. Withholding Diploma: Simon's Rock may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities if the student has an allegation pending against them. Such action will be subject to the same form of appeal as an Emergency Removal.
9. Recordkeeping: Simon's Rock will maintain for a period of seven years records of any actions, including any supportive measures, taken in response to a report or Formal Complaint of harassment or discrimination. Additionally, Simon's Rock will maintain for a period of seven years records of each investigation including:
 - Any determination regarding responsibility;
 - Any audio recording of any hearing;
 - Any disciplinary sanctions imposed on the Respondent;
 - Any remedies provided to the Complainant designed to restore or preserve equal access to Simon's Rock's education program or activity;
 - Any appeal and the result therefrom;
 - Any informal or Alternative Resolution and the result therefrom.

These records will include those resulting from truncated investigations that led to no adjudication because the acts alleged did not constitute a violation of these policies and in which the Formal Complaint (or allegation therein) was dismissed.

10. Recording: No unauthorized audio or video recording of any kind is permitted during any meeting held pursuant to the procedures outlined in this policy including investigation interviews.
11. Federal Timely Warning Obligations: Parties reporting sexual assault, domestic violence, dating violence, and/or stalking should be aware that under the Clery Act, Simon's Rock must issue timely warnings for incidents reported to them that pose a serious or continuing threat of bodily harm or danger to members of the campus community. Simon's Rock will ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.
12. Federal Statistical Reporting Obligations: Certain campus officials – those deemed Campus Security Authorities – have a duty to report the following for federal statistical reporting purposes (Clery Act) including homicide, sexual assault, robbery, aggravated assault, burglary, motor vehicle theft, and arson; hate crimes; domestic violence, dating violence, and stalking; arrests and referrals for disciplinary action for weapons-related law violations, liquor-related law violations, and drug abuse-related law violations. All personally identifiable information is kept private in Clery reports.
13. Academic Freedom: These policies are not intended to restrict teaching methods or freedom of expression, nor will it be permitted to do so. Offensiveness of conduct, standing alone, is not sufficient for the conduct to constitute prohibited misconduct. The conduct must be sufficiently serious to interfere with an individual's ability to participate in employment or educational programs and activities from both a subjective and objective perspective.
14. Revision of this Policy and Procedures: These policies and procedures may be amended at any time. Any amendments will be published widely to the Simon's Rock community.
15. Transcript Notations for Suspension, Expulsion, and Withdrawal: For crimes of violence (as defined below), Simon's Rock will make a notation on the transcript of students found responsible after a Title IX or Equity process that they were "suspended after a finding of responsibility for a code of conduct violation" or "expelled after a finding of responsibility for a code of conduct violation." Except for charges under the Title IX policy, for a student who withdraws from Simon's Rock while such charges are pending, and declines to complete the disciplinary process, Simon's Rock shall make a notation on the transcript of such student that they "withdrew with conduct charges pending." The student may seek removal of a transcript notation for a suspension one year after conclusion of the suspension or for withdrawal one year following the withdrawal by requesting a meeting with the Dean of Students where the student will be given the opportunity to show cause as to why the transcript notation should be removed. Notations for expulsion shall not be removed. If a finding of responsibility is vacated for any reason, any such transcript notation shall be removed. "Crimes of Violence" shall include the conduct violations which correlate with:

Criminal Homicide, Rape, Fondling, Incest, Statutory Rape, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, and Arson.

U. APPENDIX B.1: Rules of Decorum Concerning Hearings with Cross Examination

Note: While the following language refers to Title IX hearings, these Rules will be understood to apply to any hearing that is conducted under the live hearing model.

Title IX hearings are not civil or criminal proceedings, and are not designed to mimic formal trial proceedings. They are primarily educational in nature.

At base, these Rules of Decorum require that all parties, advisors of choice, and staff treat others who are engaged in the process with respect.

The rules and standards apply equally to all parties and their Advisors regardless of sex, gender, or other protected class, and regardless of whether they are in the role of Complainant or Respondent.

Rules of Decorum: The following Rules of Decorum are to be observed in the hearing and applied equally to all parties (meaning the Complainant and Respondent) and advisors:

- Questions must be conveyed in a neutral tone.
- Parties and Advisors will refer to other parties, witnesses, advisors, and staff using the name and gender used by the person and shall not intentionally mis-name or mis-gender that person in communication or questioning.
- No party may act abusively or disrespectfully during the hearing toward any other party or to witnesses, advisors, or Decision-Makers.
- While an Advisor may be an attorney, no duty of zealous advocacy should be inferred or enforced within this forum.
- The advisor may not yell, scream, badger, or physically “lean in” to a party or witness’s personal space. Advisors may not approach the other party or witnesses without obtaining permission from the Decision-Maker.
- The Advisor may not use profanity or make irrelevant ad hominem attacks upon a party or witness. Questions are meant to be interrogative statements used to test knowledge or understand a fact; they may not include accusations within the text of the question.
- The Advisor may not ask repetitive questions. This includes questions that have already been asked by the Decision-Maker or the Advisor in cross-examination. When the Decision-Maker determines a question has been “asked and answered” or is otherwise not relevant, the advisor must move on.
- Parties and Advisors may take no action at the hearing that a reasonable person in the shoes of the affected party would see as intended to intimidate that person (whether party, witness, or official) into not participating in the process or meaningfully modifying their participation in the process.

Warning and Removal Process: The Decision-Maker shall have sole discretion to determine if the Rules of Decorum have been violated. The Decision-Maker will notify the offending person of any violation of the Rules.

Upon a second or further violation of the Rules, the Decision-Maker shall have discretion to remove the offending person or allow them to continue participating in the hearing or other part of the process.

Where the Decision-Maker removes a party's Advisor, the party may select a different Advisor of their choice, or accept an Advisor provided by Simon's Rock for the limited purpose of cross-examination at the hearing. Reasonable delays, including the temporary adjournment of the hearing, may be anticipated should an Advisor be removed. A party cannot serve as their own Advisor in any circumstance.

The Decision-Maker shall document any decision to remove an Advisor in the written determination regarding responsibility.

Evidence of violation(s) of these policies will be gathered by the Title IX Coordinator. The Advisor accused may provide an explanation or alternative evidence in writing for consideration by the Director of Finance and Administration for cases involving employees. Such evidence or explanation is due within fifteen (15) business days of receipt of a notice of a charge.

The finding shall be issued in writing to all parties and Advisors within thirty (30) business days unless extended for good cause. There is no appeal of this finding.

Relevant Questions Asked in Violation of the Rules of Decorum: Where an Advisor asks a relevant question in a manner that violates the Rules, such as yelling, screaming, badgering, or leaning-in to the witness or party's personal space, the question may not be deemed irrelevant by the Decision-Maker simply because of the manner it was delivered. Under that circumstance, the Decision-Maker will notify the Advisor of the violation of the Rules, and, if the question is relevant, will allow the question to be re-asked in a respectful, non-abusive manner by the Advisor (or a replacement Advisor, should the Advisor be removed for violation of the Rules).

V. APPENDIX B.2: Agreement Regarding Evidence Disclosed

What does this Agreement cover?

This Agreement governs access to evidence as specifically provided for under the Title IX and Equity Policies and Procedures.

The Agreement does not prohibit the Parties from generally discussing the allegations under investigation with a parent, friend, or other source of emotional support, or with an advocacy organization, nor otherwise prohibit the Parties from speaking with their Advisor or Advisors about the facts and evidence of this case.

However, this Agreement clarifies that the Parties may not discuss information that does not consist of the allegations under investigation, including evidence related to the allegations that has been

collected and exchanged between the Parties and their Advisors during the investigation, or the Investigative Report summarizing relevant evidence sent to the Parties and their Advisors.

This Agreement shall survive any amendments to or withdrawal of the Title IX Final Rule published by the U.S. Department of Education in the Federal Register on May 19, 2020 and/or any amendments to or withdrawal of campus policy. It is binding upon heirs and assigns. It may not be revoked.

Parties are Responsible for their Advisors' Conduct

Parties are responsible for themselves, their Advisor or Advisors, anyone who has access to their computers or other devices that may be used to access the evidence and records covered by this case, and anyone who has access to their Advisor's computers or other devices that may be used to access the evidence and records covered by this case. Penalties for violations, whether knowing or negligent, include sanctions under other provisions of the Code of Conduct, and for Advisors, ineligibility for a term or permanent ineligibility to serve as an Advisor of Choice in future cases.

The rules and standards apply equally to all parties and their Advisors regardless of sex, gender, or other protected class, and regardless of whether they are in the role of Complainant or Respondent.

Waiver of Disclosure to Advisors

By default, access to records will be shared separately with parties and Advisors who have been designated in writing by the party. If the party DOES NOT want the records shared with their Advisor, they must indicate such a request in writing to the Title IX Coordinator. If the party does so, they may not share or disclose the records to their Advisor or any other person.

Evidence Sharing Process

Simon's Rock will provide access to the Investigation Report and Evidence prior to the hearing. Access to the records will be provided by the Title IX Coordinator. Parties and Advisors are barred from printing, copying, taking photos or videos of the screen, audio or video recording a reading of the material, or otherwise using analog or technological methods, known or unknown to capture the content of the records.

Upon request, Simon's Rock shall provide paper copies of the records at a hearing which may be utilized by parties and Advisors.

Security and Confidentiality Protocols

By signing below, the party or Advisor is agreeing that they will maintain a password or other security on any device that they are using to access the records, and that they will not share or disclose access to the records or their password or security process used to access the records to any person, including family, friends, those with whom they live, witnesses, other parties, or their Advisor/Advisee. Each party and Advisor shall receive a separate link and links should not be shared or forwarded to anyone.

Further, parties and Advisors agree that they will not physically share the space for review with any other person with the limited exception that Advisors may physically share the space looking at the records with other persons in their professional capacity who are assisting them in preparing for their role as an Advisor in this case (for instance, an Associate in a law firm). The Advisor, and the party

in turn, is responsible for that additional person or persons who access the content alongside the Advisor.

Disability Accommodations

If a Party or Advisor discloses a disability under the Americans with Disabilities Act (ADA) that requires a different method of providing access to the records in place, Simon's Rock will work with that Party or Advisor to provide reasonable accommodations pursuant to the Policy.

Discipline and Sanctions for Violations of the Agreement

If Simon's Rock learns of a re-disclosure, it may bring charges under the Student Code of Conduct or Employment Handbook for Parties or Advisors, may review the Degree or credits earned of former students/alumni, and may undergo a process to bar permanently or temporarily Advisors from serving in that role.

APPENDIX C: HUMAN SUBJECTS RESEARCH AND ANIMAL RESEARCH AND ACTIVITIES GUIDELINES

Human subjects research is systematic investigation designed to develop or contribute to generalized knowledge, and which involves the collection of data from living human beings.

Animal research is systematic investigation designed to develop or contribute to generalized knowledge, and which involves the collection of data from living beings (other than humans). Animal activities are defined as any activity involving the housing, use, care and keeping of animals on campus. (Note: the care and use of therapeutic, companion or service animals are not under the purview of the Institutional Animal Care and Use Committee.)

In accordance with state and federal regulations, as well as professional standards of ethical conduct, it is the Institution's policy to ensure that the rights and welfare of human and animal subjects are protected in research conducted at or by individuals identified with, Simon's Rock. The primary responsibility for protecting human and animal subjects, however, rests with each individual researcher or animal caretaker.

All individuals submitting a proposal to the Bard College at Simon's Rock Institutional Research Board (IRB), need to complete the College's online research ethics training via CITI (Collaborative Institutional Training Initiative). There are specific trainings for those engaging in human subject research (vs. animal research or research that may involve conflicts of interest). A member of the IRB and or IACUC can help you to know which CITI training(s) you will need to complete. Contact the IRB chair at aodwyer@simons-rock.edu for more information.

1. The Institutional Review Board (IRB)

The Simon's Rock Academic Senate has established the institution's Institutional Review Board (formerly called the Human Research Review Committee) to review all research involving human subjects conducted at the College, or by individuals associated with the College, regardless of the source of funding.

The Institutional Review Board (IRB) has a minimum of five members, including faculty who engage in human subjects research, those who are not researchers, and a community member. The committee may, if necessary, also call on a student aged 18 or older – who has been involved in human subjects research—to assist in the process. An institutional consultant may also be called in if the committee is concerned about the procedures in a particular study, or aspects of a study, and cannot agree on how to proceed.

The researcher, in consultation with a member of the Institutional Review Board, initially determines whether a project should be considered human subjects research.

Some activities involving human subjects are not considered research (as defined above) need not be reviewed by the Institutional Review Board. In general, research involving data gathered solely for internal program evaluation and improvement, and which poses no risk to participants or

respondents, such as course evaluations or confidential surveys on innocuous topics for an in-class project, paper, or demonstration, need not be reviewed. Authority for the determination of if a survey requires Institutional Review Board review and approval rests with the Institutional Review Board.

If research results are to be disseminated outside the Simon's Rock community, the research regardless of topic or scope must receive prior Institutional Review Board approval. Research which is intended for dissemination of the findings, but which poses no risk to subjects, may also qualify for expedited review by the Institutional Review Board. Authority for the determination of if a research study requires expedited or a full review rests with the Institutional Review Board.

Researchers should expect at least a month for Institutional Review Board review, longer for research projects that involve vulnerable populations or that pose risks to potential participants' safety or wellbeing.

More information on Institutional Review Board policies and procedures are available at my.simonsrock.edu/group/mycampus/academics; see Forms & Manuals for Students. Faculty representatives on the IRB committee are:

Chair: Anne O'Dwyer, Faculty in Psychology
Nancy Bonvillain, Faculty in Anthropology & Linguistics
Katie Boswell, Faculty in Anthropology
Brian Conolly, Faculty in Philosophy
Colette van Kerckvoorde, Faculty in Languages & Linguistics

2. The Institutional Animal Care and Use Committee (IACUC)

The Simon's Rock Academic Senate has established the institution's Institutional Animal Care and Use Committee to review all research conducted at the College that involves animal subjects and all activities and use of animals in its programs, as well as individuals associated with the institution who interact with animals in the institution's care and use, regardless of the source of funding.

The Institutional Animal Care and Use Committee has a minimum of five members, including faculty who engage in animal research, those who are not animal researchers, a local veterinarian, and a community member. The committee may, if necessary, also call on a student age 18 or older – who has been involved in animal subjects research or care—to assist in the process. An institutional consultant may also be called in if the committee is concerned about the procedures in a particular study, or aspects of a study, and cannot agree on how to proceed.

The researcher, in consultation with a member of the Institutional Animal Care and Use Committee, initially determines whether a research project or activity is under the purview of the Institutional Animal Care and Use Committee. Authority for this determination rests with the Institutional Animal Care and Use Committee.

Researchers should expect at least a month for Institutional Animal Care and Use Committee review, longer for research projects that involve vulnerable populations or that pose risks to potential the safety or wellbeing of the animals involved.

More information on Animal Research and Activity policies and procedures are available at my.simonsrock.edu/group/mycampus/academics; see "Forms & Manuals" for Students.

Faculty representatives on the IACUC committee are:

Chair: Sarah Snyder, Faculty in Biology

Anne O'Dwyer, Faculty in Psychology

Brian Conolly, Faculty in Philosophy

APPENDIX D: LEGAL AND DELEGATED AUTHORITY

Bard College at Simon's Rock is a unit of Bard College, a New York-based nonprofit educational institution. Legal responsibility for the governance of the College is vested in the Board of Trustees of Bard College. Simon's Rock has its own campus, administrative Officers, faculty, staff, student body, and appointments and other contracts.

The president of Bard College shall be the chief executive Officer of Bard College at Simon's Rock. Subject to the control and direction of the Board of Trustees, the president shall have and exercise general charge and supervision over the operation of Simon's Rock and its affairs not otherwise delegated by the bylaws of Bard College or by its Board of Trustees. The president may from time to time delegate, retake, and/or re-delegate to the Simon's Rock community or to any committee or to any constituent part or person thereof such of the president's powers as the president may determine.

The Academic Senate, the Student Government, and the Faculty Senate of Simon's Rock receive such authority, as defined below, by virtue of the power of delegation.

1. Members of the College Community

The faculty shall consist of the President of Bard College, the Executive Vice President, the Provost and Vice President of the College, the Dean of Studies, the Dean of Faculty and Curricular Development, all persons appointed to teach on at least a half-time basis, and such other appropriate educational personnel as the president may designate.

The administration shall consist of those Officers of the College appointed by the president to administer its various activities and shall include the Executive Vice President, the Provost and Vice President of the College, the Vice Provost, the Dean of Studies, the Dean of Faculty and Curricular Development, the Dean of Students, the Dean of Equity and Inclusion, et al.

The students shall be those persons matriculated at Simon's Rock as degree candidates and considered to be "in residence" (including students who live off campus and those on Leave to Study Away).

The staff shall consist of all those persons not specified above who are employed by the College.