

# Bard College at Simon's Rock

## Student Handbook

2019-2020

(Updated: 8/23/19)

## Notice of Nondiscrimination

Bard College 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. College 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.

Please address all inquiries or grievances to the College's Title IX Coordinator ([rduvall@simons-rock.edu](mailto:rduvall@simons-rock.edu)), who also serves as the contact for Title VI; the Vice Provost ([slyon@simons-rock.edu](mailto: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](mailto:pmorrison@simons-rock.edu)), who serves as the Section 504 and the Americans with Disabilities Act Coordinator for employees.

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## I. 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 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. 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 THE COLLEGE

### 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 is a private, coeducational, residential college 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, in one or more of the College's 35 concentrations. At each successive transition, we invite reflection, self-assessment, and engaged planning for the next stage of our students' education.



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 wellbeing, concern for others, social justice, and Restorative Practices.

These structures and supports are designed in recognition that the majority of our students are under 18 years old. 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 Lower and Upper Colleges, with greater autonomy assigned to students in the later years. Bard Academy policies are documented separately in the Bard Academy Student Handbook.

### **C. EQUITY AND INCLUSION**

The Council for Equity and Inclusion's goal is to lead, sustain, and institutionalize inclusion and social justice efforts at Simon's Rock. The Council's work 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 Equity and Inclusion;
- 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 relate 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 administrators, faculty, and staff are committed to challenging longstanding 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. Toward that end, administrators, faculty, and staff have created structured situations to promote inclusion, especially of voices from groups traditionally underrepresented on independent school campuses.

Simon's Rock is committed to protecting 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.
- **Won't Cooperate with 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.
- **Support Travel:** Bard College at Simon's Rock provides free legal consultation to students who are concerned about whether they can visit their countries of origin or who are concerned about their status when traveling internationally.
- **International Student Support:** Support for international students includes International Student Orientation, international peer mentors, the Council for Equity and Inclusion, the International 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 makes 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 College is deeply committed to having faculty, staff, and students engage in free inquiry and speech in the service of the College'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 this document.

Any member of the College 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 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 by such documents.

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 will not necessarily indicate the existence of discriminatory harassment or discrimination.

#### **E. RESPONSE TO DISCRIMINATION**

Bard College 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. College 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 Title VI and VII of the Civil Rights Act of 1964.

The College expects that no member of the Simon's Rock community will discriminate against any other member – or any member's guests – based on any of the above traits. 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 College expects that such disagreements will be addressed peacefully, through discussion and debate, rather than through force or confrontation. Therefore, while the institution 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 the College's educational mission and purpose.

Because the College takes allegations of discrimination or discriminatory harassment seriously, we will respond promptly to complaints; 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.

Any retaliation against an individual who has complained about discrimination or harassment, or retaliation against individuals for cooperating with an investigation of discrimination or harassment complaint, is unlawful and will be investigated as a separate incident of harassment.

Students should address questions or concerns about the College's nondiscrimination policy to the Vice Provost or the Dean of Students. Students also have the right to file complaints about all forms of discrimination and discriminatory harassment with these organizations:

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.

## **F. RESTORATIVE PRACTICES**

“Restorative Practices”<sup>1</sup> is an approach to community building that seeks to build relationships and connection 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 early college 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 also serves as a form of discipline that takes the long view to behavioral development, emphasizing instruction over punishment. 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 all members of the community for their differing backgrounds,

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<sup>1</sup>This section of the Student Handbook utilizes and builds upon the ideas articulated by the International Institute of Restorative Practices.

contributions, and abilities, and we believe that our differences can successfully mesh and build a strong and diverse community. While the College seeks to ensure the rights of all to express themselves in words and actions, there are times when we must address behavior that breaches the rights of others or conflicts with the school's educational mission and community expectations.

When conflict occurs, the process of resolution and restoration involves bringing all stakeholders together, actively listening to each other to improve understanding of the issues and harm done, and working together to build a safe and caring community moving forward. The restorative approach is premised on the belief that community members in conflict need to be involved in the process of understanding and repairing the harm done because they are more likely to make positive changes when they are authentically engaged in and held accountable for building and restoring their community. No matter how thought-out, when administrators and other school officials decide punitive responses, they cannot fully address the needs of the harmed party, and this approach neither requires those responsible for the harm to grapple fully with the consequences of their behavior nor participate in the development of resolution.

In some cases, conflict resolution may necessarily involve law enforcement officials or rely on more traditional responses due to the nature of the issue, but Restorative Practices will be a part of the response to conflict that rises to these levels.

## **1. Selection of Restorative Meetings and Responses**

### Community Circles

Community Circles proactively build community and connection between students, faculty, and staff by engaging in conversation about topics and issues that community members are interested in discussing and addressing. Residence Directors, Peer Mentors, students, faculty, and administrators all have the ability to convene and facilitate a circle at their discretion. When circles are convened, they may be facilitated and attended by any of these parties.

### Small Impromptu Conferences

Small Impromptu Conferences are utilized to address smaller issues between two or more people by first talking to the involved parties individually and then as a group about the incident, its impact, and what to do next to make things right. Residence Directors, Peer Mentors, students, faculty, and administrators have the ability to convene Small Impromptu Conferences at their discretion and upon student request.

### Restorative Circle

A Restorative Circle is a community process for supporting those in conflict. It brings together the following parties: those who have acted in a harmful manner, those directly harmed, and the greater Simon's Rock community connected to these individuals. The process allows community members to tell their stories and offer their own perspectives while actively listening to other members sharing their stories and perspectives as they collectively address the issues and develop resolutions. Residence Directors, faculty, and administrators have the ability to convene and facilitate (if trained) or ask trained school officials to facilitate a Restorative Circle at their discretion and upon student request.

### Restorative Conferences

A Restorative Conference is a highly structured meeting between victims, offenders, and both of their communities (a select group of family, friends, supporters), in which they deal with the consequences of the wrongdoing (or, in extreme cases, crime) and decide how to repair the harm that has been done to the victim and community. A Restorative Conference is not mediation. The victim and offender must willingly agree to a conference, acknowledging that the conference will focus on the victim and the resolution that the victim and offender develop in tandem with the

support of their respective communities at the conference and thereafter as the resolution is implemented. Trained administrators have the ability to convene and facilitate a Restorative Conference at their discretion and upon student request.

### Restorative Outcomes

Restorative Outcomes represent a variety of educational and trust-building resolutions that a student must complete to show growth, remorse, and a desire to restore the community and their place in it.

## **2. Restorative Practices and Early College**

Schools are necessarily community-oriented and collaborative endeavors inside and outside of the classroom. Together we work toward realizing the vision for Simon's Rock and early college education. Like early college education, Restorative Practices is a practice and process that we commit to and work on each day. Just as a professor can teach and learn when leading a seminar, Simon's Rock faculty and staff can both model for and learn from students what it looks and feels like to be a strong community member. By both teaching students how to present their best selves and by empowering them to do so through the use of Restorative Practices, Simon's Rock helps students to live up to early college expectations when building or restoring the community rather than revert to the expectations placed upon them by larger society, which tend to infantilize young adults and prevent their development into fully engaged citizens and adults. Simon's Rock has committed itself to the early college education of intellectually curious students inside and outside of the classroom for more than a half-century. Restorative Practices is just one of the newest additions to this commitment, which, as Pat Sharpe writes, continues to "cultivat[e] each student's awareness of the effect of [their] actions on [their]self and on others."<sup>2</sup>

## **G. INDIVIDUAL PRIVACY**

Bard College at 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

The College has designated the following as directory information:

- Student legal name
- Student common use name
- Address (home and email)
- Hometown
- Home telephone number

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<sup>2</sup>Yanoshak, Nancy. *Educating outside the Lines: Bard College at Simon's Rock on a "New Pedagogy" for the Twenty-First Century*. Peter Lang New York. 29 Broadway 18th Floor, New York, NY 10006, 2011, p. 227.

- 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 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.

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

Authorized College personnel may enter any space owned or leased by Simon’s Rock, including student living units, at any time 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, vehicle or belongings—whether or not the student is present—if there is reason to believe a violation of College, state or federal regulations exists.

### **III. ACADEMIC AFFAIRS**

The Office of Academic Affairs at Simon’s Rock is the source of essential academic resources and information. Located in the Hall College Center, it houses the Registrar, the Assistant Registrar, The coordinator of the Applied Music Program and of International Student Support, the Academic Affairs Assistant and the Dean of Academic Affairs. The Vice Provost, the Dean of Bard Academy, and the Dean of the Bard Early Colleges have offices nearby.

The College catalog, academic calendar, course schedules, student information, and academic policies all originate from here. Most of these documents are also available at: [my.simons-rock.edu/group/mycampus/academics](http://my.simons-rock.edu/group/mycampus/academics); see Forms & Manuals for Students.

#### **A. ACADEMIC RESOURCES**

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 at: [my.simons-rock.edu/group/mycampus/academics](http://my.simons-rock.edu/group/mycampus/academics), and is also available in the Academic Affairs Office at Hall College Center.

Students will be held responsible for these and other procedures and deadlines:

- Course add/drop deadlines
- College course withdrawal deadlines
- Other academic deadlines (e.g., course grade change, course level change, incomplete)
- Filing for an exception to College 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 fulfill the College's program requirements. New students 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 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.

### **2. Class Planning**

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

### **3. Course Loads**

Full-time students must maintain a course load between 12 and 18 credits. Students must receive permission from the Dean of Academic Affairs 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.

### **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 Self-Identified First Name/Self-Identified Gender or Gender-Neutral Pronoun form. There are certain instances in which the College must use a legal name and gender pronoun, and this is detailed on the above-mentioned form. The form is available at [my.simons-rock.edu/group/mycampus/academics](http://my.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 for Postsecondary Institutions). 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.

### **7. Special Study Opportunities**

Forms for eligible 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: [my.simons-rock.edu/group/mycampus/academics](http://my.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: [my.simons-rock.edu](http://my.simons-rock.edu), see Calendars). Information on Special Study Opportunities is also provided in the College Catalog, which is available at: [my.simons-rock.edu/group/mycampus/academics](http://my.simons-rock.edu/group/mycampus/academics).

### **8. Transcripts**

Simon's Rock has partnered with Parchment, Inc. for transcript service. All students can place their transcript orders on line. Students can find the information and link for online ordering at: [my.simons-rock.edu/group/mycampus/academics](http://my.simons-rock.edu/group/mycampus/academics), 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 with questions or concerns.

## **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 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**

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. Statute On Absences Due To Religious Beliefs**

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. The institution for making available to the said student such opportunity shall charge no fees of any kind. No adverse or prejudicial effects shall result to any student because of his or her availing him or herself of the provisions of this section.”

#### **4. 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.

#### **5. 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 advisor and Residence Director, 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.

A student who fails to respond to the Notice, to improve attendance, or take steps to address the concerns indicated 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 Academic Affairs.

#### **6. 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 college staff member working with the student may request assistance from the Dean of Academic Affairs 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.

### **C. WIN STUDENT RESOURCE COMMONS**

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, a study abroad program, or career opportunities. Win Commons staff will be present on Arrival Day to speak with students and families about accommodations for students with disabilities and resources available to Simon’s Rock students outside the classroom.

#### **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 at the College to support students throughout their time at Simon's Rock.

## **2. Peer Tutoring and Writing Center**

The Tutoring and Writing Center at 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
- Transfer search and application support
- Fellowship/scholarship information and application support
- Graduate school application assistance
- Student and alumni networking opportunities

# **IV. CODE OF STUDENT CONDUCT**

Outlined below and in the appendices that follow is the College's 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.

The College 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.

The College notifies enrolled students of official College 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 College 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 Academic Affairs or the Vice Provost address allegations of academic dishonesty.
- The Title IX Coordinator, or designated Deputy, addresses allegations of sexual misconduct.
- The Dean of Students or their designee address all other alleged violations of the College's Code of Student Conduct.

The Deans 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 Academic Affairs, Dean of Students, 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 College'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 CAMPUS 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 Campus 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 toward College property and/or resources is prohibited at Simon's Rock. 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 college, 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. College disciplinary action is not dependent on separate civil or criminal prosecutions by other non-College authorities. The College's judicial process is separate from and independent of civil or criminal prosecution or its timetables.

# **C. LISTED CODE OF STUDENT CONDUCT POLICIES**

The College's Code of Student Conduct policies and processes used to investigate and resolve alleged violations are provided below.

Policies regarding sexual misconduct are outlined in Appendix B.

## **1. Academic Dishonesty**

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

Information about the proper use and acknowledgment of source material is available in the College library and from the faculty. The library has resources available to aid students in finding appropriate materials through Internet research. An approved style manual also should be consulted to avoid unintentional plagiarism. It is the student's responsibility to consult with the faculty member involved whenever there is a question about the right way to handle the use of source material or what collaboration is permissible on a given assignment.

A student who submits, without acknowledgment, work that is not their own has committed plagiarism. An example of plagiarism is the submission of a paper with content that is wholly or partially taken from another's work, including that found on the Internet. Plagiarism occurs even when a single sentence, phrase or wording is copied without attribution. Special care should be taken when engaging in research on the Internet, as there are a vast number of sources that are designed to aid students in committing academic dishonesty, or that are otherwise unsuitable for academic pursuits.

A first offense will usually result in at least a grade of F on the assignment or exam in question, and may result in a semester grade of F for the course. The student will receive a written warning (although nothing will go on the student's academic record) and parents or guardians will be notified. Any subsequent offense will become part of the student's record and will result in further consequences, which may include failure in the course, academic probation, or suspension from the College.

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 the College's policy on academic dishonesty should be directed to the Dean of Academic Affairs.

## **2. Prohibited Substances**

The College's Campus Life and Campus Safety 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, the College's first concern will always be the physical and psychological wellbeing of the student, and the wellbeing 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. College 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 College must abide by federal law, including the Drug-Free Schools and Communities Act, in order to remain eligible for federal funding to the College, including student financial aid. Therefore, the College must continue to maintain and enforce its prohibition on the use of marijuana. This means that for all students, regardless of age, the College prohibits the use, sale, manufacturing, distribution, possession, or facilitation of the use of marijuana on campus, or as part of any College 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 College 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, College policy strictly prohibits any person 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 College sponsored activity.

## **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 Residence 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 Residence Director or Campus Safety staff member, the usual disciplinary process and consequences for the use/possession of prohibited substances will not apply to any students involved. Again, the College’s first concern will always be the physical and psychological wellbeing 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 college 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. Discrimination/Discriminatory Harassment**

Bard College 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, ability, marital status, genetic information, previous military service or any other class protected by state or federal law. At Simon’s Rock, we reaffirm our commitment each school year to a community free from discrimination and harassment. We embrace diversity, value individual differences, and work to remain open to all perspectives and contributions that enrich our individual and collective academic, intellectual, and social experiences.

The College may respond to Discrimination/Discriminatory Harassment with one or a combination of these actions:

- Restorative meeting/s, disciplinary warning or social probation
- Required or suggested counseling, on or off campus
- Loss of campus housing
- 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 will face more severe sanctions and conditions, including the possibility of immediate removal from campus via suspension or expulsion.

Allegations of discrimination and discriminatory harassment involving a student(s) as the alleged perpetrator, including the alleged discrimination and discriminatory harassment of an employee by a student, are delegated to the Dean of Equity and Inclusion or their designee to investigate and adjudicate in accordance with College policy. The policies and procedures used to investigate and adjudicate violations of this policy are outlined below. (Note: sexual harassment is addressed under the College’s Title IX/Sexual Misconduct policies and procedures. See Appendix B.).

Alleged discrimination and discriminatory harassment by an employee toward a student or another college employee are a personnel matter that will be referred to the Director of Finance and Administration for investigation. In disputes between a student and a College employee regarding academic or residential disability accommodation the Vice Provost, who is the 504/ADA coordinator for students.

## **5. 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 has the potential to compromise safety and/or interfere with an employee's ability to fulfill essential responsibilities. The College's response in such instances may include restorative meeting, disciplinary warning, or social probation/loss of privileges. It may also include 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.

## **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 College's Campus Safety, Physical Plant, and Campus Life Office staffs make daily rounds in College 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, Residence 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 College 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 College kitchens, such as leaving ovens or stoves unattended, or cooking anywhere on campus other than in College kitchens, is a violation of College 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 Residence 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, 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 Associate 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. In rare cases, students may be able to request lofting or bunking, but they must receive approval from Physical Plant and Campus Life before a change is made. In these rare cases, Physical Plant staff and only Physical Plant staff would be responsible for lofting or bunking.

### Candles for Religious Observances

For the purposes of religious observance, students may burn candles in the common area of a residential building under the following parameters: Permission must be obtained beforehand from the Director of Campus Safety. The Residence 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. And, a staff member must be present while the candles are burning. Candles must be stored by the College employee while not in use.

The College'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 effected community members

Major or repeat offenders may be suspended from campus. The College 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; the College 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 colleges and universities across the country. Such illegal acts may result in criminal proceedings against both participants and the College. Massachusetts requires that the text of its law prohibiting hazing be posted at every college in the state (see Appendix C).

### **8. 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 Bard College at 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.

College administrators' primary concern will be to restore the safety and wellbeing of everyone involved. Only then will the Provost or their designee consider disciplinary action, based on College guidelines.

### **9. Motor Vehicles**

All enrolled students and their guests are subject to the College'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.

### **10. Campus Network**

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

#### 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 College 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.

### **11. Sexual Misconduct**

The College is committed to providing a safe, healthy, and respectful living and learning environment for all students. Sexual misconduct, including exploitation and any non-consensual sexual act or behavior, is incompatible with the values and standards of the campus community. Further, sexual misconduct creates a hostile environment for those who experience it and is considered sex discrimination under Title IX of the Higher Education Amendments of 1972, which prohibits discrimination based on sex in educational programs and activities. Simon's Rock does not tolerate discrimination in any form.

The College encourages students to consider all possible remedies available to them on and off campus, including referral to authorities.

The College's policy and procedures used for investigation and adjudication of alleged violations of the sexual misconduct policy are outlined in Appendix B.

### **12. Smoking**

Smoking poses known and preventable health risks. Therefore, smoking, ingesting, or otherwise consuming smoking-related products in College buildings or on College grounds are strictly prohibited.

That said, the College has designated areas on campus where smoking cigarettes is allowed within 10-foot range of the designated site. The sites include: Picnic tables behind the Hall College Center and near the Mods, the gazebo on upper campus, and the area to the left of the Daniel Arts Center building near the kiln. Vape pens, or similar devices (i.e. e-cigs), are strictly prohibited on campus.

Smokers are responsible for the area and are expected to dispose of trash properly. Smoking in any College building results in a \$250.00 fine. The penalty for smoking elsewhere on the Simon's Rock campus, other than the designated smoking areas is \$250.00 per person, per occurrence, and repeated violations may lead to additional disciplinary action.

### **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 wellbeing 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. The College does not consider any of these items decorative or necessary on our campus, and therefore they are strictly prohibited.

Exception 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 College policy, will be addressed to the Director of Campus Safety. Students who have questions about this policy should consult with the Director or 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, self-defense or 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 or 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. Restorative Practices**

Members of the Campus Life Staff have been trained in Restorative Practices and have the approval from the Dean or Associate Dean of Students to address lower level breaches of our community standards in accordance with College policy.

##### *Restorative Circles*

The process, known as a Restorative Circles, involves a Campus Life staff member acting as a facilitator and bringing the stakeholders together for a discussion on the matter (i.e. a circle). The stakeholders, including all who are impacted by a particular offense, come together to identify collectively and address the harm done to individuals directly affected and the greater Simon's Rock community.

Stakeholders are each given an opportunity to discuss the particular harm done, hear the impact the event had on the others, and address the harm. Next, they determine and document whatever action is needed to fix the damage, the timeline to complete this work, and those responsible for completing the task(s) in order to move forward.

The facilitator sends the stakeholders a synopsis of the incident and the proposed restoration plan(s). The Dean and Associate Dean of Students and the Dean of Students have two business days in which to accept or reject the plan; no response defaults to acceptance. If rejected, the Dean of Students or their designee informs the stakeholders of the reasons for the decision and a sanction notice will be issued in accordance with the disciplinary procedures described below.

##### *Circle Outcomes*

Once a resolution plan has been accepted, and the Respondent stakeholder(s) complies with all agreed terms and conditions, the matter is closed.

If there is no resolution or the respondent fails to comply with the agreed terms and conditions, a notice is issued, in accordance with the disciplinary procedures outlined below.

#### **15. 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 Area Coordinator, the Director of Campus Safety, a Residence Director, or an Academic Dean.

In the event of egregious or repeated violations, or if a student persists in violating regulations or shows contempt for the wellbeing of the community and its governing policies, the Dean of Students may take direct action, and then refer the case to the Appeals Committee for resolution.

Campus Life and Campus Safety staff members who respond to an incident will first be concerned with the physical safety and wellbeing of students. Once safety is assured, staff members will investigate the incident and report findings to the Dean of Students and the Area Coordinator.

#### Disciplinary Sanction

If, after reviewing any report from the Campus Life or Campus Safety staff and exploring the details of the incident with the party involved, the Dean of Students, the Area Coordinator, or their designee believes a sanction is warranted, they will produce a disciplinary sanction. Once the student receives the notice, they are asked to read and respond to the sanction within two business days of the date and time issued. The named student may meet with the Dean of their designee to ask clarifying questions before responding.

If a student fails to respond to a sanction notice within two business days of the date and time issued, the sanction notice defaults to acceptance, and the student waives their right to contest the sanction as presented.

#### Resolving the Disciplinary Sanction

After reviewing the student's response to the claim, the Dean and the Area Coordinator determine how to resolve the matter. They may adjudicate the case or may delegate that responsibility. The Dean and the Area Coordinator 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.

If a student is determined to be a danger to themselves or others, the Dean and the Associate Dean of Students may take immediate action, including removing the student from campus.

The disciplinary entity or individual responsible for formal action will document the matter and the outcome in writing. They will then share that information with the student, their parents or guardians, and College staff members in accordance with and as permitted by College policy and the law.

If the student: a) accepts responsibility, b) accepts responsibility with a comment or c) is found responsible by either the Dean or the Code of Student Conduct Committee, 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.

All College disciplinary proceedings 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.

The College 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 and the Area Coordinator.

This process is designed to offer a student charged with violating College policy the opportunity to reflect on and respond to sanctions. Questions regarding the College's Code of Student Conduct, the disciplinary process, or the scheduling of a hearing should be directed to the Dean of Students.

Please note: Cases alleging academic dishonesty will be referred to the Dean of Academic Affairs. Cases alleging sexual misconduct, discrimination, and/or discriminatory harassment will be referred to the Title IX coordinator.

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

#### Code of Student Conduct Committee

The Dean of Students, or their designee may refer a case under their jurisdiction to the Code of Student Conduct Committee for adjudication.

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

The Code of Student 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 Community Council 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 Community Council before selection. Faculty and staff nominate and elect their representative committee members. The Dean of Academic Affairs, the Dean of Students, or the Director of Finance and Administration may fill any vacancy remaining on or after the fourth week of the fall or spring semester. If the Dean of Students is not available, the Area Coordinator or Director of Campus Safety will act in their stead.

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

A faculty member 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, the Dean of Students, or their designee may remove and replace any committee member if needed.

#### Code of Student Conduct Committee Training

Sitting members of the Code of Student Conduct Committee are educated on the Code of Student Conduct policies, conducting fair hearings, and the "preponderance of evidence" standard, which the College 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 the College, 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 the Dean's 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 College's preponderance of evidence standard. If the sanction meets the standard, the circle 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.

#### 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 College 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](mailto:provostadmin@simons-rock.edu).

The Provost or their designee serves as the Chair of any appeals hearing.

For complete information about appeals of sexual misconduct cases, see Appendix B. Student members are excluded from hearing Title IX appeals and Discrimination and/or Discriminatory Harassment appeals in which allegations are directed toward an employee.

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 decision on behalf of the College.

#### Appealing Lesser Sanctions

A Student who receives a sanction other than suspension or expulsion may request to appeal a disciplinary sanction, provided they file a written appeal to the Provost's Administrative Assistant (provostadmin@simons-rock.edu) within 48 hours of receiving a written sanction.

The basis for an appeal:

- The process as outlined in this Student Handbook was not followed appropriately in earlier adjudication;
- The decision was unfair because of a factual error or is inconsistent with policies of the College.

The Appeals Committee Chair determines whether or not there are sufficient grounds for appeal. If the chair rejects the appeal, the original decision stands and the case is closed. If the chair 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 chair may request that the Code of Student Conduct Committee chair, members of the Campus Life and Campus Safety staffs, 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;
- Remand the case to the previous body for a hearing;
- Reverse the original decision and dismiss the case.

#### Decisions of the Appeals Committee

Decisions of the Appeals Committee – or of the Chair in the event an appeal is rejected – 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.

#### Possible Sanctions for Code Violations

The Provost, Vice Provost, the Dean of Students, the Area Coordinator, 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 a College 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:

- a. Disciplinary Warning:** A warning letter will be sent to the student via their Simon's

Rock email address, informing them that their behavior violated College policy and therefore is not acceptable. Multiple disciplinary warnings may lead to social probation/loss of privileges or other additional disciplinary actions.

**b. 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.

**c. Campus Service:** The student will be assigned a predetermined number of campus 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.

**d. 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.

**e. Loss of Access to Campus Facilities:** The student may be forbidden access to specific College buildings or facilities.

**f. 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 College 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.

**g. Suspension:** Disciplinary suspension is total separation from the College for a period of one full semester or more. Sanction of suspension may affect a student’s future on-campus housing, scholarships, federal financial aid, or study abroad opportunities but not scholarships awarded by the College. 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. For information about departing campus after suspension, see Vacating Campus for Leave or Withdrawal.

Readmission following a disciplinary suspension is not automatic but is at the will and discretion of the College. 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 College.

**h. Expulsion:** Expulsion is a complete and permanent separation from the College. 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.

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, Residence 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.

#### Sanction Notifications

Due to the nature and responsibilities of their work, in addition to the Dean of Students, the Area Coordinator, the Director of Campus Safety, and the Residence Directors are 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 Residence Director, the Area Coordinator, or the Dean of Students. Parents may also receive a copy of any letter resolving a disciplinary matter. 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)[7].

#### 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 Residence Director, the Area Coordinator, or the Dean of Students.

#### Sanction Conditions

In addressing student violations of College policy, the Dean of Students or designee, the Code of Student 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 Academic Affairs 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 Academic Affairs, Vice Provost, four faculty members, the registrar staff, and the academic support specialist.

## **16. No Contact Directives**

A student may request, or the College 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. The College may also limit an individual or organization's access to certain College 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 College policy or that the College 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) to request to speak with the Residence Director (RD) or Area Coordinator (AC) on duty
2. Meet with the RD/AC no duty to discuss your concerns, the RD/AC may suggest a restorative conversation or other actions in lieu of or prior to the issuance of a No Contact Directive
3. If the RD/AC puts a directive in place, they will discuss the parameters with you and will promptly meet with the other student(s) to discuss the situation and parameters as well
4. The following week you will meet with the AC to discuss questions, potential steps moving forward (i.e. a restorative conversation, additional parameters to be put in place, interest in removing the directive, etc.) and future check-in meetings

If you have questions about the circumstances that may lead to a No Contact Directive approval, please reach out to a Residence Director. If there are questions that a Residence 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 Residence Director/Area Coordinator immediately to report the incident.

## **17. 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 College policy to ensure that the rights and welfare of human subjects are protected in research conducted at the College or by individuals identified with the 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 College or by individuals associated with the 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 College or by individuals associated with the College, regardless of the source of funding.

The Dean of Academic Affairs oversees the 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 Dean 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 E.

### **18. 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.

## **V. CAMPUS LIFE POLICIES**

Much of the student experience at Simon's Rock revolves around time spent in the residence halls. For this reason, and because of its status as an early college, 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 College and to the Simon's Rock experience.

All students living on campus, living in the College's leased housing off campus, or who visit campus, and their guests, are subject to the College's campus life 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 College 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 College staff. Select upper college students also work as Peer Mentors in most of the residences.

The College reserves the right to assign and reassign housing at will. The Campus Life staff, under guidance from the Housing Coordinator, makes new students' initial assignments. Other students are assigned each spring, for the coming academic year, via a lottery system. The Housing Coordinator emails information about the lottery procedures to all returning students early in April.

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 Housing Coordinator – is prohibited. Students who wish to change rooms must submit a petition to their Residence 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 the College'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 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 extent of responsibility, if any, during follow-up conversations with the Dean of Students or the Associate Dean of Students, or during the disciplinary process if they are charged with a violation.

## **3. Billing**

Student accounts are billed for College housing on or around June 1, or shortly after official admission. No refund will be made on payment of the current semester's residence fees. Students will be responsible for paying the entire semester's charges.

## **4. Residency Requirement**

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 Housing Coordinator.
- Juniors with permission from the Dean or Associate Dean of Students.
- Lower college students with permission from the Dean or Associate 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 Wellness Center, Academic Affairs, Campus Life, and Financial Aid Office.

## **5. Right to Assign**

The College reserves the right to assign and reassign space at will. The College 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.

## **6. 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 College is in session, and students are expected to vacate their assigned living units during all scheduled breaks.

## **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. SCHEDULED BREAK PERIODS**

Specific break notices, outlining relevant policies, and procedure for that particular break are distributed to all students via email approximately two weeks before each break. During scheduled breaks, the 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 Housing Coordinator will be fined \$100 per day.

### **1. Break Housing**

Break Housing is provided at the will of the College. Prior to each break, the Housing Coordinator 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 Housing Coordinator 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 Housing Coordinator 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.

#### *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](mailto:finaid@simons-rock.edu)

### **2. Break Student Support Services**

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 two-week 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 and Departure**

Students who fail to leave campus by publicized closing times, or who return before announced openings, without express permission of the Dean of Students, are in violation of College policy and subject to disciplinary action and/or fines. 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.

## **C. PROPERTY, ROOM, AND RESIDENCE CARE**

The College 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.

### **1. 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 Residence Director. Failure to do so may affect a student's future housing options.

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

## **2. Personal Property**

The College 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

The College may require that personal furnishings be removed from a living unit if, in the judgment of the Residence 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 the College assumes no responsibility for theft of, loss of or damage to any items stored anywhere on campus. The College does not provide long-term or summer storage for students' personal property.

Students who are interested in off-campus storage may contact ARNOFF Storage Solutions to arrange storage for your items at their own expense. The Housing Coordinator provides this information to students each spring.

Items left at the end of each academic year without written permission from the Housing Coordinator is considered abandoned and will be donated to charity or discarded.

## **3. College Property**

All students living in College residence halls are individually and collectively responsible for College property. Students are expected to report to the Residence 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 a 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 Residence 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:

## **4. Damage to College Property in Assigned Space**

When the College 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 College staff) is strictly prohibited.

#### **5. Misplaced College Property in Assigned Space**

When the College assigns students to rooms it expects all College-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 College 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.

#### **6. Damage to College Property Held in Common**

All occupants of a College 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 staffs will determine violations and assess assigned residents.

#### **7. Misplaced College Property Held in Common**

All occupants of a College residence all share the use of and responsibility for common College 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.

#### **8. Room Condition reports**

At the beginning of each semester, Residence 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 Residence 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.

### **D. KEYS, IDs, LOCKOUTS, AND OVERNIGHT SIGN-OUT**

#### **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 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 charged to the student account. ID cards may not be altered in anyway.



## 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:

<u>Lockouts and ID Violations</u>	<u>Fine</u>
First Offense	\$ 0.00
Second Offense	\$ 5.00
Third Offense	\$10.00
Fourth Offense	\$20.00

## 3. Overnight Sign-out

All first and second year students must inform their Residence 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 land-line 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 by signing out on the forms located by the Residence Director apartments. It is recommended that students inform their parent(s)/guardian of your plans in advance. Upper level students are encouraged to sign out as well.

## E. GUESTS

### 1. The Campus is Private Property

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. The College 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.

### 2. Guest Policy

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, Area Coordinator, or Director of Campus Safety.
- 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 Area Coordinator 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 or Area Coordinator.
- Guests who attend publicized events in public spaces on campus are not required to register for the event.

### **3. 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 Housing Coordinator to request additional overnight visits. Campus Safety, Dean of Students, and the Area Coordinator, have the right to revoke visitation permission at will, and current students can be held accountable for any violations of College policy.

### **4. Academy Residence Hall**

College students may not enter the Academy halls of Hill House unless they are an Academy alumni or tutor and receive advance permission from the Area Coordinator or an Academy Residence Director. Permission may be granted for specified dates and times, and can be withdrawn at will.

## **F. CAMPUS AND RESIDENCE HALL EXPECTATIONS**

### **1. Climbing on College Property**

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

### **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 Residence Director.

### **3. Cooking**

Students may not cook in their residence hall rooms. The College 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 College kitchens, or cooking anywhere other than in College kitchens, 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 Residence 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 Residence Director.

#### **5. Littering**

Littering is not permitted on the Simon's Rock campus. The penalty for littering is 10 hours of campus service duty per occurrence.

#### **6. 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 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.

#### **7. 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.

##### Visiting Pets

When visiting friends or family members plan to bring a pet, a Campus Safety Officer or Residence 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.

##### Pet Policy Violations

Unless preapproved by the Director of Accessibility and Academic Support, 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.

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.

## **8. 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](mailto:jaltshuler@simons-rock.edu). All applications will be evaluated on a case-by-case basis.

The College'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>.

## **9. 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.

## **10. Storage**

Storage space is limited, and the College assumes no responsibility for theft of, loss of or damage to any items stored anywhere on campus. The College 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.

## **11. Telephone Service**

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 the College'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 College's emergency communications system and other systems are updated appropriately. Phone is only one of many options the College 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](mailto:phones@simons-rock.edu) or 413-528-7371.

### **12. Residence Hall “House” Meetings**

Through the annual creation and participation of Residence Hall “House” Meetings students, Peer Mentors (PMs) and Residence Directors (RDs) 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.

RDs and PMs must attend all House Meetings in their respective buildings. House Meetings are scheduled regularly and are open to all residents of their particular residence. RDs 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.

### **13. 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 their 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 college'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 Equity and Inclusion at [cei@simons-rock.edu](mailto:cei@simons-rock.edu) or 413-644-7617.

## **VI. THE ACE PROGRAM**

Bard College at Simon's Rock has a longstanding commitment to community service. We seek to guide students to be not only academically successful, but also physically and emotionally healthy citizens of the world. Toward this goal, the College has created the ACE – Active Community Engagement Program and requirement, a framework for balancing academic success with active community participation. All students entering Simon's Rock are expected to complete the ACE requirement as part of their Associate of Arts program. Requirements can be found at: <https://my.simons-rock.edu/group/mycampus/ace-mission>.

### **A. THE THREE COMPONENTS OF THE ACE REQUIREMENT**

The Ace requirement calls for students to attend and participate in College-sponsored activities and programming each of their first three semesters across three areas:

#### **1. Health and Wellness (HW)**

Campus Life, Council for Equity and Inclusion, and Wellness Center staff members offer programs which center on making responsible social choices while at Simon's Rock. Topics include taking

care of yourself, substance use and abuse, informed consent, and understanding harassment and discrimination.

## **2. Athletics and Recreation (AR)**

Athletics and Recreation opportunities include classes offered by the Kilpatrick Athletic Center, including strength training and conditioning, aerobics, yoga, Pilates, tai chi, squash, racquetball, tennis, rock climbing, ultimate frisbee, volleyball, dodgeball, and aqua aerobics. These classes meet once a week for 12 weeks; attendance for 10 weeks is required to earn one unit. Season-long participation on the soccer, basketball, or swim team earns two units, or the equivalent of two semesters' requirements. Residence Directors offer events such as dodge ball, hiking and biking that may also satisfy this requirement.

## **3. Participation and Service (PS)**

Participation and Service opportunities include volunteer participation in activities such as Breaking Bread (the local community meal program), Berkshire South/Local School tutoring, Medical Reserve Corp (flu and public health clinics), American Red Cross blood drives, Jolly Jaunt Special Olympics, holiday food and toy drives, campus and community cleanup. Students also may participate in campus-based programs and events, including discussions on approved ACE topics.

Performing beyond the minimum in any one category will reduce a student's overall requirement.

## **B. ACE OVERSIGHT**

The Dean of Students oversees and has authority to develop, plan, and implement the ACE requirement. The ACE Coordinator chairs the ACE advisory board with representatives selected in consultation with Community Council. These representatives may be drawn from the faculty, Academic Affairs, Alumni Library, the Wellness Center, the Kilpatrick Athletic Center, Campus Life, Student Activities, and/or Win Commons. The advisory board will review proposals and help develop ACE requirement guidelines.

### **1. ACE Progress Tracking**

All students must sign-in (via ID scan or paper roster) at the start of each ACE program or activity they participate in or attend. The faculty or staff member coordinating an activity will provide attendance information to the Dean of Students, and records will be updated and progress tracked accordingly. At each activity, students may be asked to present their College ID for verification purposes.

### **2. ACE Information Sources**

Additional information, including pre-approved ACE offerings and an FAQ on the ACE requirement, can be found at <http://www.simons-rock.edu/ace>. New offerings will be posted on the web site as they become available, and information on sign-up and transportation will be provided on this page.

Questions or suggestions for improving the ACE program should be directed to the Associate Dean of Students.

# **VII. 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. As an ACE (Active Community Engagement) requirement, all students must take at least 10 hours of Athletic and Recreation credits. This can be accomplished by taking classes, participating in intramurals, or being a member of a sports team.

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 Cart, 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, 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.

## **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 and intercampus communications, as well notification of package deliveries from the mailroom. Packages may be retrieved from the mailroom 24/7. Outgoing mail is picked up at 9 am and at 3:30 pm Monday through Friday. Over the summer break, first-class mail will be forwarded to each student's home address.

### **2. Telephone Service**

The main Campus telephone number is 413-644-4400. College 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, the College 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.

## **C. CAMPUS LIFE OFFICE**

The Campus Life staff is made up of the student Peer Mentors, Residence Directors, Housing Coordinator, the Director of Student Activities, the Area Coordinators, and the Dean of Students. The staff works to support all aspects of life outside the classroom at Simon's Rock. The Campus Life staff 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 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 first floor of Hall College Center.

#### **D. COMPUTING SERVICES (ITS: INFORMATION TECHNOLOGY SERVICES)**

The College 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 College 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 the College's Network/ITS Acceptable Use Policy (at: [my.simons-rock.edu/group/mycampus/academics](http://my.simons-rock.edu/group/mycampus/academics)), see Connecting to the Simon's Rock Network – also at <http://simonsrock.edu/its/network-its-acceptable-use-policy>, all other College policies, Internet etiquette and applicable law. Violation may result in restriction or suspension of network access, as well as College disciplinary proceedings. Questions about computer and network policies should be addressed to [its@simons-rock.edu](mailto:its@simons-rock.edu).

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 the 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](mailto: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

The 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 that are more complicated and problems.

To get College help with basic computer difficulties, students may:

- Meet with a computer assistant (CA) on duty in the library select evenings from 8pm to midnight. Students may bring laptops and/or stop in to ask questions during this period.
- Send an email to [its@simons-rock.edu](mailto: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.

## E. DINING SERVICES

Chartwells Dining Services is the food service provider at Bard College at Simon's Rock. Chartwells strives to use fresh, locally grown, sustainable, and organic products. Chartwells 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. Chartwells 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.

Hours and Offerings:

<u>Monday through Friday</u>	<u>Offerings</u>
8:00 to 9:30 AM	Hot Breakfast
8:00 to 11:00 AM	Continental Breakfast
11:15 to 2:00 PM	Lunch
4:00 to 5:00 PM	Light Supper
5:00 to 7:00 PM	Full Dinner
<u>Saturday and Sunday</u>	<u>Offerings</u>
10:00 am to 2:00 PM	Brunch
5:00 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, however, food may not be removed from the dining hall. 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, daily between 7 pm and 11 pm when classes are in session. 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 Chartwells' Dine on Campus website:

<http://www.dineoncampus.com/simonsrock>

### **3. On-Campus Meal Plan Options For Apartment Housing**

The following is applicable to those currently assigned to Checker-Chance, Lake Mansfield Houses, 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 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:

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

Note: 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, Jeannie Altshuler, [jaltshuler@simons-rock.edu](mailto:jaltshuler@simons-rock.edu). All religious dietary observance requests for exemptions will need to be sent to Dean of Students, Michelle Spaulding, [mbspaulding@simons-rock.edu](mailto:mbspaulding@simons-rock.edu)

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 set 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.

### **4. Meal Plans for Off-Campus Students**

Day students and students living off campus may also participate in the above offered meal plans. All 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 7/14/19 meal plan will have Declining Balance (Rock Dollars) loaded onto their accounts at the beginning of each semester. 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.

Funds may be added to your declining balance account as needed throughout the year on Chartwells' Dine on Campus website: <http://www.dineoncampus.com/simonsrock> (preferred). 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**

Chartwells will help students to manage dietary restrictions and allergies. Its interactive website, [www.dineoncampus.com/simonsrock](http://www.dineoncampus.com/simonsrock), is updated regularly during the academic year and offers a nutrition journal, a monthly dining calendar, hours of operation and feedback opportunity. PLEASE notify your dining team and servers of any serious allergies that you have so we can assist you!

## **7. Chartwells Student Jobs**

Chartwells also employs students, both work-study and other. For additional information contact Chartwells 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.

## **F. DISABILITY ACCOMMODATION**

Bard College at 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 College's Director of Accessibility and Academic support (413-528-7383; [jaltshuler@simons-rock.edu](mailto: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](mailto: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 accommodation. “Reasonable” here is understood to include accommodations which do not place an undue burden on the College or which would require fundamental alteration of the College’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 College. However, any student who believes they have been discriminated against on the basis of disability, or denied reasonable accommodation, may file a grievance. The College’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.

## **G. 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**

The College’s On-call staff (24/7) includes:

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

## **H. 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. The Director of Student Activities also works to support the ACE requirement.

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](mailto: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: [my.simons-rock.edu](http://my.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 Residence 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](mailto:space@simons-rock.edu).

## **I. FINANCIAL SERVICES COORDINATION**

Students who have questions about their personal College 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 has been legislated by the Community Council and will be charged to each student account.

The College charges all undergraduate students a health fee that covers all the basic services provided by the Wellness Center. A portion of the fee allows students walk-in access to all basic services, while the other pays the cost of supplemental accident and health insurance.

Following reports of residence hall damage – or at the end of an academic term – all student occupants may be billed for destruction or loss. The College 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.

### **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 Academic Affairs 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 between 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 student employees – raises several million dollars each year to support scholarships, academic programs, internships, study abroad opportunities, and the physical plant at Simon's Rock.

The College's alumni and parent volunteers work directly with Institutional Advancement to benefit the entire Simon's Rock community. Volunteers help with recruiting, fundraising, career development, and regional events.

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

### **K. INTERNATIONAL STUDENT SERVICES**

The College provides 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 F1 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.
- 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 F1 and other visa issues, contact Susan Mower in the Academic Affairs Office, Hall College Center, 413-528-7246, [smower@simons-rock.edu](mailto:smower@simons-rock.edu).

In addition to the support afforded all students, International Student Support includes:

- International Student Orientation
- International Peer Mentors
- International Support Team

For assistance with all other matters relating to life on campus, contact staff Susan Mower in the Academic Affairs Office, Hall College Center, 413-528-7246, [smower@simons-rock.edu](mailto:smower@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.

The library has desktop computers throughout the building, and wireless access is available for laptop use. Students may use any of the networked printers and photocopiers.



## **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 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. Food may not be delivered to the library from restaurants or other food vendors. 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](http://www.simons-rock.edu/academics/academic-resources/library) for further information and hours of operation.

## **M. RELIGIOUS INSTITUTIONS**

The College recognizes and respects 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 CEI Office.

## **N. CAMPUS SAFETY (24/7/365)**

The Campus Safety office in the Livingston Hall Student Union is staffed by a trained group of peace officers that serve all members of the Simon's Rock community. The Campus Safety director and officers work closely with the Residence Directors; the directors of Campus Life, Wellness Center and 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 Residence 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 web site. For more information, contact any Campus Safety officer or the Campus Life Office.

## **O. STUDENT EMPLOYMENT AND PAYROLL**

The Student Employment office on the second floor of Blodgett House is charged with coordinating the College jobs available to students each academic year. At Simon's Rock, there is never enough student employment to meet demand – and those jobs that do exist fill quickly. We recommend that students who

plan to seek employment on campus pick up a listing of available jobs at the Payroll Office and apply for positions of interest soon after they arrive. (Each semester, students may log in to view available jobs. However, most jobs will be offered for the fall term, and fewest for 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 administration and finance.

### **1. Hiring Process**

Once students are offered employment, they will not be legally authorized to work on campus before completing the forms noted below and submitting them to the Payroll Office on the second floor of Blodgett House. Students will need to know their Social Security Number to complete most forms. Those previously authorized to work on campus should contact the Payroll Office, with the name of their hiring supervisor, before completing forms again.

International students should contact the payroll & benefit manager, below, before completing employment forms.

The required Employment Forms are available for download and printing online. Payroll forms should be submitted prior to being hired or, at the latest, three (3) business days from the date of employment. If forms are not completed correctly and submitted to the payroll office then students will not be able to be paid.

- W-4 (Federal Income Tax Withholding Form), which must be renewed each January for the current calendar year.
- M-4 (Massachusetts Income Tax Withholding Form), as applicable Students must complete this form only if their withholding allowance for Massachusetts's income tax will differ from that for federal income tax.
- Employment Permit Application for 14- through 17-Year-Olds. Bard College at Simon's Rock will be not only the school of record but also the employer if a student is hired for a campus job. Any student younger than 18 years of age must complete this Employment Permit Application from the Commonwealth of Massachusetts. A parent or guardian must also sign this form if they are approving the issuance of a work permit.

Please note that a Physician's Certificate of Health is required for 14-and 15-year-olds only.

### **2. Direct Deposit Request Form**

Bard College at Simon's Rock mandates that student employees receive their wages for hours worked via direct deposit to a checking or savings account.

Therefore, students will need to supply the Payroll Office with the following information:

- Bank's 9-digit routing number
- Savings or checking account number
- Routing numbers and account numbers generally are 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

### **3. EEO-1 Self-Identification Form (Voluntary)**

The College is subject to certain governmental 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, one of the managers below 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 and Benefits Manager at 413-528-7415 or via fax at 413-528-7446.

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

#### **4. 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 4 to 7 hours per 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.

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

#### **5. Wages**

Student employees are paid biweekly on Thursdays, at the Massachusetts minimum hourly rate, for hours worked the previous two weeks. Each week runs from Sunday to Saturday. Students serving in the position of certified lifeguards will be paid shift differentials for hours worked early mornings and weekends. Certification can be obtained through the Kilpatrick Athletic Center. Time sheets should be turned in on a weekly basis by 9:00am on Monday mornings.

### **P. TRANSPORTATION**

#### **1. Airlines, Airports, and Break Shuttles**

Please refer to [www.simons-rock.edu/transportation](http://www.simons-rock.edu/transportation)

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

Please refer to [www.simons-rock.edu/transportation](http://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 the College'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 Policy, or state laws are not followed. Revocation of privileges will apply to both driving and parking on College 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 College 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, towed, and/or booted 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 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 to a summons placed on the windshield, the vehicle will be considered abandoned and towed off campus. Towing and storage charges will be the responsibility of the vehicle's owner.

## **Q. WELLNESS CENTER**

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

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

In addition to one on one care, staff provides educational programs, literature, workshops and group discussions in conjunction with the ACE program. Topics may include alcohol and other drug use, body image concerns, student health issues, stress reduction, meditation, and building resilience and coping skills.

### **1. Wellness Center Hours**

Offices are open 9 am to 5 pm Monday through Friday when the College is in session. Students can make appointments and access services through the office administrator at the Wellness Center.

The Wellness Center is closed nights, weekends, and during academic breaks. However, staff members and/or the contracted pediatrician(s) remain on call nights and weekends while the College is in session for urgent care needs. Any student who is feeling ill and/or is in crisis may ask a Residence Director or Campus Safety staff (415-528-7291) to contact members of the Wellness Center staff.

### **2. Counseling Services**

We provide counseling services that support the successful experience of being at Bard College at Simon's Rock. 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 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 to all currently enrolled students. Appointments for psychiatric evaluation and medication management are available only for those students covered by the school insurance. Psychiatric appointments are scheduled by referral from a Counseling Services clinician

To request a counseling appointment, please walk-in to the Wellness Center offices, Monday-Friday, 9-5 PM, while the College is in session, and check-in with the Office Administrator.

### **3. Health Services**

A nurse and/or the campus physician will assess each presenting student and recommend a course of action. Nurses are on call 24/7 when the College is in session and have physician backup nights and weekends for urgent care needs.

#### *Important: Immunizations and Medical Records*

To register for College classes, all first-year and transfer students must submit to Wellness Center staff specific health information forms. 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 downloaded from the College's Wellness Center web page.

### **4. Wellness Services Fee**

A Wellness Services Fee is required for all enrolled students at Bard College at Simon's Rock and Bard Academy. 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 assumes unusual responsibility for their wellbeing and service needs, and the Wellness Services Fee helps to cover these services on and off campus.

The Wellness Services Fee, which includes enrollment in the student health insurance plan, also provides easy access to a broad spectrum of health and counseling services at the Wellness Center while the College and Academy are in session:

- Walk-In health support, assessment and intervention with staff nurses during open hours.
- Appointments with the campus pediatrician.
- Weekly counseling appointments with staff clinicians with no limit to the number of appointments per academic year.
- Walk-In, counseling support for urgent concerns during open hours.
- Psychiatric evaluation and medication management, as recommended by the counselor and authorized by parents/guardians.
- Basic lab tests on the premises, while other necessary lab work can be drawn and sent out.
- Emergency access to on-call health and counseling staff, outside of open hours on weekdays and weekends.
- Notification and collaboration with parents/guardians in emergency/urgent situations.
- Collaboration with parents in other situations, as clinically appropriate and with the proper authorization to release/obtain information.
- Referrals, coordination and collaboration with local hospitals, providers and specialists.<sup>3</sup>

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<sup>3</sup> 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.

## **5. 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.

## **6. 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 full information about the College's policy on leave and withdrawal, see III Academic Affairs.

## **7. 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.

## **8. 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 check-in with the Wellness Center Office Administrator when school is in session, Monday-Friday, 9 am-5 pm. Alternatively, students may choose to pick up their own prescription medication from other pharmacies in Great Barrington.

## **9. Transportation to Health Related Appointments**

By request, the staff can assist students as they arrange their own transportation to off-campus medical, dental, or psychiatric appointments. The transportation is typically arranged with local taxi services. Many of these services will accept payment ahead of time over the phone.





## VIII. APPENDICES

### APPENDIX A: NOTIFICATION OF RIGHTS UNDER FERPA FOR POSTSECONDARY INSTITUTIONS

The Family Educational Rights and Privacy Act (FERPA) affords eligible students certain rights with respect to their education records. (An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution at any age.)

These rights include:

- The right to inspect and review the student's education records within 45 days after the day that Bard College at Simon's Rock receives a request for access. A student should submit to the registrar or dean, or a written request that identifies the record(s) the student wishes to inspect. The school official will make arrangements for access and notify the 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 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 student believes is inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask Bard College at Simon's Rock to amend a record should write to the Dean for Academic Affairs, clearly identify the part of the record the student wants changed, and specify why it should be changed. If Bard College at Simon's Rock decides not to amend the record as requested, Bard College at Simon's Rock will notify the student in writing of the decision and the student's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
- The right to provide written consent before Bard College at Simon's Rock discloses Personally Identifiable Information (PII) from the student's education records, except to the extent that FERPA authorizes disclosure without consent. Bard College at Simon's Rock discloses education records without a 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 the Bard College at 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 the Bard College at Simon's Rock who performs an institutional service of 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 Bard College at Simon's Rock.
- The right to file a complaint with the U.S. Department of Education concerning alleged failures by the Bard College at 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 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 student, § 99.32 of FERPA regulations requires the institution to record the disclosure. 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 student —

- To other school officials, including teachers, within Bard College at 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, Bard College at 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, 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: SEXUAL MISCONDUCT POLICY

### 1. Introduction

Bard College at Simon's Rock is committed to creating and maintaining a safe, healthy, and respectful learning, living, and working environment for all of its community members and does not discriminate on the basis of sex in its educational programs or activities. Sexual and gender-based misconduct of any type, including sexual discrimination, sexual harassment, sexual assault, dating and domestic violence, and stalking is strictly prohibited by Simon's Rock and not tolerated in any form.

Title IX of the Education Amendments of 1972 also prohibits discrimination based on sex, including sexual harassment and sexual violence, in educational programs and activities and Simon's Rock has developed policies and procedures that prohibit such sex discrimination in all of its forms.

The college, 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 sexual misconduct.

Unlawful discrimination of any type has no place at Simon's Rock and offends the College's mission and values, which include a commitment to equal opportunity and inclusion. For further information about this commitment, see the Notice of Nondiscrimination at the beginning of this handbook.

### 2. Purpose

Simon's Rock's policies regarding sexual misconduct have three main goals:

- Stop behavior that constitutes sexual misconduct;
- Remedy the effects of the behavior, and
- Take appropriate action to prevent future behavior

This policy will also:

- Identify resources and support for community members;
- Identify the Title IX Coordinator and Deputy Coordinator, and define their roles;
- Provide information about obtaining support or resources in a confidential manner;
- Provide information about how to make a report or file a complaint and;
- Provide information about how a report or complaint will be investigated, evaluated, and resolved.

Simon's Rock is committed to promptly, impartially, and equitably addressing all reports of sexual misconduct. In response to a report, the College will provide appropriate interim measures and support, and address any immediate safety concerns.

### 3. 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.

What this policy applies to:

- All forms of sexual misconduct, as defined below, including but not limited to sexual or gender-based discrimination or harassment, sexual assault, sexual violence, dating and domestic violence, stalking, and retaliation.
- Any attempts to violate this policy, or aiding or cooperating with someone else in the violation of this policy, which are also prohibited by this policy.

When this policy applies regardless of length of time since the conduct occurred:

- The College does not limit the timeframe for filing a complaint. Individuals may come forward at any time, including after they are no longer enrolled or employed. The College may pursue a report made at any time; however, the passage of time may limit the College's ability to investigate and respond;
- Note that most forms of disciplinary action can generally only be taken against a respondent as long as he or she is enrolled or employed at the College.
- Any respondent who is found responsible, however, may be removed or banned from campus regardless of status.

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 College community or Simon's Rock; 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 and/or continuing a hostile environment in a Simon's Rock program or activity

#### **4. Prohibited Conduct and Definitions**

Any of the prohibited conduct defined in this policy can be committed by individuals of any gender, and can occur between individuals of the same gender or different genders. It can occur between strangers or acquaintances, as well as between people involved in intimate or sexual relationships. Conduct defined below violates College policy, regardless of whether the conduct rises to the level of violating the law.

Sexual Misconduct

Sexual misconduct is a broad term, which encompasses unwelcome conduct of a sexual nature that is prohibited by Title IX and the College. The term includes but is not limited to, sex- or gender-based harassment or discrimination, sexual assault, sex discrimination, sexual violence, sexual exploitation, stalking, relationship violence, aiding or facilitating the commission of a violation, and retaliation.

Sexual Harassment

Sexual harassment is unwanted or unwelcome sexual behavior that has the purpose or effect of creating a hostile or stressful living, learning, or working environment, or whenever tolerating or rejecting such conduct is the basis for a personnel or academic decision affecting an individual. Examples of behavior that may constitute sexual harassment include, but are not limited to, sexual advances, any form of retaliation or threat of retaliation against an individual who rejects such advances, sexual epithets, jokes or comments, comment or inquiry about an individual's body or sexual experiences, unwelcome leering, whistling, brushing against the body, sexual gestures, and displaying sexually suggestive images. A single instance of sexual assault or other serious sexual

misconduct may be sufficiently severe to constitute sexual harassment.

Sexual harassment can involve:

- Faculty and student;
- Supervisor and employee;
- Faculty and faculty;
- Faculty and staff;
- Student and student;
- Staff and staff;
- Staff member and student;
- An acquaintance, a stranger, or someone with whom the Complainant has a personal, intimate or sexual relationship;
- Other relationships among colleagues, peers, students, and coworkers; or
- Service providers and vendors of the college

While it is not possible to list all circumstances that may constitute sexual harassment, the following are some examples of conduct, which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Lewd or sexually suggestive comments, jokes, gestures, or innuendos;
- Visual displays of sexually suggestive images;
- Unwanted physical contact such as patting, pinching, or brushing against a person's body;
- Subtle or overt pressure for sexual favors;
- Inquiries into one's sexual experiences;
- Sexual jokes or comments;
- Persistent and unwanted requests for dates;
- Email, text, or social media messages of an offensive sexual nature; and
- Sexual assault.

#### Gender-based Harassment

Gender-based harassment is unwelcome conduct of a nonsexual nature based on an individual's actual or perceived sex, including conduct based on gender identity, gender expression, and nonconformity with gender stereotypes, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility.

#### Sexual Assault

Sexual assault is the act of committing unwanted physical contact of a sexual nature, whether by an acquaintance or by a stranger, and is a form of sexual violence. There are many degrees and forms of sexual assault including, but not limited to, the following:

##### **a. Non-consensual Sexual Intercourse**

Any form of sexual intercourse (anal, oral, or vaginal) with any object without consent. Intercourse includes but is not limited to:

- Vaginal penetration, however slight, by a penis, object, tongue or finger
- Anal penetration, however slight, by a penis, object, tongue or finger
- Mouth-to-genital contact

### **b. 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.

Sexual touching includes but is not limited to:

- Intentional contact with someone's breasts, buttocks, groin or genitals;
- Touching someone else with any of these body parts;
- Making someone touch you or themselves on these same body parts;
- Intentional physical contact in a sexual manner, even if it does not involve contact with or by these body parts.

### Sexual Exploitation

Sexual exploitation refers to a person's 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.

### Relationship Violence

Relationship Violence (also known as Dating Violence or Domestic Violence) refers to violent and/or manipulative behavior by one person toward another in an intimate, dating, or domestic relationship.

Relationship Violence includes but is not limited to:

- Physical violence, such as kicking, hitting, pinching, choking, biting;
- Sexual violence, such as forcing a partner to take part in a sex act when the partner does not consent;
- Emotional violence, such as isolation, intimidation, belittling, stalking, "outing" someone against their will, cyber-bullying/harassment, or threat of physical force;
- Economic abuse, such as withholding financial resources to intimidate, threaten or cause a person to remain in a relationship because of access to finances.

### Stalking

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to fear for their or others' safety, or to suffer substantial emotional distress. Examples include, but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause

fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy, or alarm them. This includes cyber-stalking, a particular form of stalking in which electronic media such as the internet, social media, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or make unwelcome contact with another person. Stalking and cyber-stalking may involve individuals who are known to one another or have an intimate or sexual relationship, or may involve individuals not known to one another.

### Consent

Consent must be informed, voluntary, and mutual, and can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in determining consent.

Silence or absence of resistance does not imply consent. Consent to a specific sexual activity cannot be inferred from previous sexual activity, prior sexual relationships, consent to a different sexual activity, or consent to sexual activity with another person.

Consent can never be obtained from:

- Someone under the legal age to give consent (16 years in Massachusetts);
- Someone who is incapacitated, including through the consumption of alcohol or drugs, or when they are asleep, “blacked out,” unconscious, or otherwise unaware that the sexual activity is occurring;
- Someone who is mentally disabled or cognitively impaired.<sup>4</sup>

Consent must be established by words or actions that are clear and mutually understandable. Although consent does not need to be verbal, verbal communication is the most reliable form of asking for and gauging consent.

### Incapacitation

Incapacitation is the inability to make informed, rational, reasonable judgments and decisions, because the person lacks the ability to understand their decision. 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.

### Coercion

Coercion includes the use of pressure or oppressive behavior, including express or implied threats of harm, or severe or pervasive emotional intimidation, which reasonably places an individual in

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<sup>4</sup>Certain mental disabilities or cognitive impairments can cause a person to be unable to knowingly consent to sexual activity. It is a violation of this policy to engage in sexual activity with a person whose mental disability or cognitive impairment renders them incapable of giving consent and the disability/impairment is known or should have been known to the non-disabled sexual partner. Under these circumstances, the conduct is nonconsensual regardless of whether or not the person appeared to be a willing participant.



fear of immediate or future harm or physical injury, and that causes or is used in order to compel a person to engage in unwanted sexual activity.

### Retaliation

Any adverse action, or attempted adverse action, against an individual (or group of individuals) because of their participation in any manner in an investigation, proceeding, or hearing under this policy, including individuals who file a third-person report.

Retaliation can take many forms, including abuse or violence, threats, and intimidation. Any individual or group of individuals, not just a respondent or complainant, can engage in retaliation. Retaliation against a complainant may violate College policy and the law, even if the underlying complaint cannot be substantiated.

### Complainant

The term complainant refers to the individual who has been the subject of prohibited conduct, regardless of whether that individual makes a complaint or seeks disciplinary action.

### Respondent

The term respondent refers to the individual who has been accused of prohibited conduct.

### Third Party

The term third party refers to any individual who is not a student, faculty, or staff member.

### Confidentiality and Privacy

In determining which resources to access, it is important to consider the related issues of confidentiality and privacy. Those terms sound similar, but they mean somewhat different things.

#### ***a. Confidentiality***

Some resources, both on and off campus, are able with very limited exceptions to maintain complete confidentiality with respect to reports of sexual misconduct. They will not share with anyone—including law enforcement, College officials, or anyone else—any information that identifies or might be used to identify the person reporting the sexual misconduct, except with the reporting person's consent or when there is an imminent threat to the safety of the reporting person or others. On-campus confidential resources are identified below.

#### ***b. Privacy***

Most employees not specifically identified as a confidential resource have a duty to share reports of sexual misconduct with the Title IX Coordinator. Regardless of the source of the report, Simon's Rock is committed to respecting the privacy of all individuals involved in a report of sexual misconduct. Privacy means that information related to a report of a violation of this policy will be shared only with individuals who "need to know" in order to assist in the College's assessment, investigation, and resolution of the report. Where confidentiality or no investigation is requested by the complainant, the request will be weighed against the College's obligation to provide a safe, non-discriminatory environment for all community members, including the complainant, and will be honored to the extent possible. See Requests for Confidentiality for more information.

All College investigations and disciplinary processes are conducted in accordance with the requirements of Title IX, the Clery Act, the Violence Against Women Act, FERPA, state and local law, and College policy. Information about particular investigations and disciplinary processes will only be released in accord with law or College policy.

## **5. Options and Reporting Overview**

This policy explains options and resources available to Simon's Rock community members who believe they have been subject to any type of sexual misconduct. The following is an overview of what to do in the event of sexual misconduct, and how the College will respond, investigate, and provide support:

#### Right Away

For any individual subject or witness to sexual misconduct of any type, the first step is always the same: get to a safe place as soon as possible and call a trusted friend or advocate. Any individual subject to physical violence should seek medical attention. Take care to preserve any evidence of the incident, even if there is uncertainty whether a claim will be filed or legal action will be taken. Refer to the Emergency or Immediate Assistance section for details and contact information.

#### Assess Your Options

If any individual has been subject to sexual misconduct of any type or has witnessed sexual misconduct, the following options are available:

- Report the incident to the College or file a complaint with the College, so it may investigate and provide protective and remedial measures, by contacting the Title IX Coordinator Rachel Duvall (413-528-7623), Deputy Title IX Coordinator Leslie Davidson, (413-528-7245) or one of the other College reporting sources identified below.
- Notify law enforcement authorities and file a criminal complaint by calling Campus Safety (413-528-7291), 911 (9-911 from campus phones), or other law enforcement units listed in this policy.
- **Students:** Seek confidential support and counseling from the professional Counseling Staff located in Counseling Services (413-528-7323) or other confidential resources listed in this policy. The Counseling staff provides confidential counseling to all students between 9:00am and 5:00pm, Monday through Friday. After hours, students can contact Campus Safety at 413-528-7291 or by dialing 0, or the Residence Director on duty and ask to speak to the on-call counselor.
- **Faculty and Staff:** Seek confidential support from the College's Employee Assistance Program (EAP), ComPsych Guidance Resources (800-272-7255)

You may choose all, none, or some of these options. No matter what you choose, the College will help and support you through the process.

#### What Happens Next

When Simon's Rock is notified of an instance of sexual misconduct, it will put appropriate interim measures in place, including but not limited to No Contact Orders between the involved parties, campus No Trespass Orders, leaves of absence, and any other measures that may be necessary to protect the safety and well being of the Simon's Rock community. The College may also provide academic and housing accommodations, referrals, and assistance in student and employee conduct/discipline matters, as appropriate. These measures may be available under certain circumstances even if one decides to seek only confidential support through College Counseling Staff or the College's Employee Assistance Program.

## **6. Emergency or Immediate Assistance**

Individuals who have experienced sexual misconduct have options and resources available to them regardless of their desire to participate in an internal or criminal investigation. The College wants

all such individuals to feel supported and safe at all times. The information below outlines on and off campus resources available for emergency or immediate assistance to anyone who has been subjected to sexual misconduct, whether or not they wish to report the incident.

#### Emergency Assistance

Emergency assistance is available 24 hours a day by calling Campus Safety (413-528-7291) or 911 (or 9-911 from campus phones). The College will assist any Simon's Rock community member to get to a safe place and will help arrange transportation to the hospital, coordination with law enforcement, and information about the College's resources and the complaint processes.

#### Medical Attention

The College encourages all individuals who have been subjected to sexual assault to seek appropriate medical attention immediately after the incident. This allows for the preservation of evidence and a timely investigative and remedial response. (Preserving evidence does not obligate an individual to pursue a criminal complaint in the future.) Confidential medical care is available regardless of whether the individual feels ready to report the assault to the College or to an external law enforcement agency. Campus Safety can help arrange transportation to an emergency room or call an ambulance for you.

The College encourages individuals to use an emergency room that is part of the Sexual Assault Nurse Examiner (SANE) program whenever feasible. The SANE program has specifically trained nurses who can examine the individual and can collect evidence that could be used in the criminal process if the individual later decides to initiate a criminal complaint. Great Barrington-area SANE hospitals include:

#### **Berkshire Medical Center**

725 North Street  
Pittsfield, MA 01201  
413-447-2000

#### **North Adams Regional Hospital**

71 Hospital Avenue  
North Adams, MA 01247  
413-664-5000

Medical attention may also be received at

#### **Fairview Hospital**

29 Lewis Avenue  
Great Barrington, MA 01230  
413-528-8600

Students may also seek help through the Wellness Center at Simon's Rock.

413-528-7353 - Wellness Center  
"0" - Campus Safety 24/7/365  
413-528-7291 - Campus Safety 24/7/365

The Wellness Center staff can also provide confidential medical care such as preventative treatment for STIs and pregnancy.

#### Preservation of Evidence

The College encourages all individuals who have experienced an incident of sexual assault to

preserve any evidence by:

- Placing clothing and other relevant items (sheets, blankets) in a brown paper bag (not a plastic bag)
- Avoid drinking, bathing, showering, douching, brushing teeth, using mouthwash, combing hair, or changing clothes.

In addition, the individual (or a friend or support person) should write down everything that can be remembered about the incident. This should be done even if the individual is undecided about whether to report the incident.

## **7. Reporting Sexual Misconduct**

The College encourages victims of sexual misconduct to communicate with somebody about what happened – so the victims can get the support they need, and so the College can respond appropriately. The report may be made by (i) the person who experienced sexual misconduct; or (ii) any person who has information that sexual misconduct may have occurred in connection with a College community member, event, or activity. Individuals who have experienced sexual misconduct may opt to provide the Title IX Coordinator or a Deputy Coordinator with a written statement in lieu of having to recount the incident verbally.

Different employees on campus have different abilities to maintain a complainant’s confidentiality upon learning of an incident of sexual misconduct:

- Some are required to maintain near complete confidentiality; talking to them is sometimes called a “privileged conversation.”
- Other employees may talk to a complainant in confidence, and generally only report to the College that an incident occurred without revealing any personally identifying information. Disclosures to these employees will not trigger a College investigation into an incident against the complainant’s wishes.
- Some employees are required to report all the details of an incident (including the identities of both the complainant and alleged perpetrator) to the Title IX Coordinator or Deputy. A report to these employees (called “responsible employees”) constitutes a report to the College – and generally obligates the College to investigate the incident and take appropriate steps to address the situation.

This policy is intended to outline the various resources and confidential disclosure options available to community members subject to sexual misconduct – so they can make informed choices about where to turn. In all cases, the College encourages victims to talk to someone identified in the Resources chart below.

### *Privileged and Confidential Resources*

#### **a. Professional and Pastoral Counselors**

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the school community (including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX Coordinator without a complainant’s permission. Following is the contact information for these individuals:

- Students: Personal Counselors in Counseling Services, 413-528-7445

- Faculty and Staff: Employee Assistance Program, 800-272-7255

### **b. Non-Professional Counselors and Advocates**

Health or Counseling Services Staff: Individuals who work or volunteer in Health or Counseling Services, including front desk staff, can generally talk to a complainant without revealing any personally identifying information about an incident to the College. A complainant can seek assistance and support from these individuals without triggering a College investigation that could reveal the complainant's identity or that the complainant has disclosed the incident.

While maintaining a complainant's confidentiality, these non-professional counselors and advocates or their office must report the nature, date, time, and general location of an incident to the Title IX Coordinator or Deputy. This limited report – which includes no information that would directly or indirectly identify the victim – helps keep the Title IX Coordinator informed of the general extent and nature of sexual violence on and off campus so the coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Before reporting any information to the Title IX Coordinator, these individuals will consult with the complainant to ensure that no personally identifying details are shared.

A complainant who speaks to a professional or non-professional counselor or advocate must understand that, if the complainant wants to maintain confidentiality, the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the respondent.

Even so, these counselors and advocates will still assist the complainant in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to living, working or course schedules.

A complainant who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated. These counselors and advocates will provide the victim with assistance if the victim wishes to do so.

### **c. Other Resources**

Community members may also take advantage of off-campus resources, such as those identified below in the Resources chart. Off-campus counselors, advocates, and health care providers will generally maintain confidentiality and not share information with the College unless the individual requests the disclosure and signs a consent or waiver form.

NOTE: While professional and non-professional counselors, advocates, and other confidential resources may maintain a victim's confidentiality vis-à-vis the College, they may have reporting or other obligations under state law, such as mandatory reporting to the Department of Children and Families in cases involving minors; threat of imminent harm to self or others; or the requirement to testify if subpoenaed in a criminal case.

### ***Formal Reporting***

Survivors of sexual misconduct may report complaints to be handled through the College's conduct process, may pursue criminal action, may choose one but not the other, may choose neither, or may choose both. Proceedings under the college's policies may be carried out prior to, simultaneously

with, or following civil or criminal proceedings off-campus.

Reporting to Responsible Employees

“Responsible employees” are required to report all the details of an incident (including the identities of complainant and respondent, when provided; any witnesses; and any other relevant facts, including the date, time, and specific location of the alleged incident) to the Title IX Coordinator or Deputy. A disclosure to a responsible employee constitutes a report to the College, and generally obligates the College to review the incident and take appropriate steps to address the situation.

The following employees (or categories of employees) are the College’s responsible employees: All College administrators, faculty and professional staff, except for those listed herein as confidential reporting options

To the extent possible, information reported to a responsible employee will be shared only with individuals responsible for handling the College’s response to the report. A responsible employee should not share information with law enforcement without the complainant’s consent or unless the complainant has also reported the incident to law enforcement, or the employee is otherwise required by law to do so.

Before a complainant reveals any information to a responsible employee, the employee should ensure that the complainant understands the employee’s reporting obligations – and, if the complainant wants to maintain confidentiality, direct the complainant to confidential resources. If the complainant wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the complainant that the College will consider the request, but cannot guarantee that the College will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the complainant’s request for confidentiality.

Responsible employees will not pressure a complainant to request confidentiality or to make a full report if the complainant is not willing to do so.

Reports to the College

Reports by or against any community member may be made to:

Title IX Coordinator  
Rachel Duvall  
rduvall@simons-rock.edu,  
413-528-7623

Deputy Title IX Coordinator  
Leslie Davidson  
leslie@simons-rock.edu,  
413-528-7245

Reports against staff or faculty may also be made to:

Director of Finance and Administration  
Philip Morrison

pmorrison@simons-rock.edu,  
413-528-7204

Dean of Academic Affairs  
Pat Sharpe  
psharp@simons-rock.edu,  
413-528-7240

The College encourages the complainant to meet personally with the Title IX Coordinator or Deputy before filing a written statement, to ensure understanding of the administrative process.

A written statement is not required, but if provided should describe the alleged incident(s) with as much clarity and detail as possible, and should reference or include any supporting documentation. They should also include the full first and last names of the complainant, the respondent, and others who may be involved. The Title IX Coordinator or Deputy will work with the complainant to make sure they are aware of their rights and resources, and can take remedial action as described herein to alleviate the immediate effects of the alleged incident(s).

#### Reports to Law Enforcement

If a complainant wants to report the incident to law enforcement, the complainant may file a report with Campus Safety by calling 413-528-7291 or the Great Barrington Police Department by calling 413-528-0306. If the incident occurred off-campus, a complainant has the right to file a report with the local law enforcement agency in the jurisdiction where the incident occurred. Campus Safety can assist a complainant with this process if the complainant so chooses. Filing a complaint with law enforcement does not require the complainant to participate in a criminal process if the complainant chooses not to.

Neither the results of a criminal investigation nor the decision of law enforcement to investigate or decline to investigate the matter is determinative of whether sexual misconduct, for the purposes of this Policy, has occurred. The College does not have control over the timing or outcome of civil or criminal processes.

#### Anonymous and Third Party Reports

The College welcomes anonymous and third-party reports, which may be submitted in writing to the Dean of Academic Affairs, the Director of Finance and Administration, the Dean of Students, the Title IX Coordinator or a Deputy, Campus Safety, or a Residence Director. However, the College may be limited in the action it can take following a report of sexual misconduct if details are vague or incomplete, or if the complainant will not self-identify.

### **8. Requests for Confidentiality**

The complainant may disclose an incident but request confidentiality and/or that no investigation into the particular incident be pursued, or no action through the College process be taken. In such instances the Title IX Coordinator or Deputy, in consultation with a small number of key college administrators and/or legal counsel, will weigh the request against the College's obligation to provide a safe, non-discriminatory environment for all students and employees, including the complainant. A range of factors may be considered in making this assessment including:

- whether the alleged perpetrator is likely to commit additional acts of sexual, gender-based, or other violence (e.g. whether there have been other sexual violence complaints against the same alleged perpetrator, whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence, whether the alleged perpetrator threatened further sexual violence or other violence against the victim or others, or whether the sexual violence was committed by multiple perpetrators);
- whether the act was committed with a weapon;
- if the complainant is a minor;
- whether the college can obtain relevant evidence of the misconduct through some other means; or
- whether the report reveals a pattern of behavior at a given location or by a particular group.

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue action against the accused. If none of these factors are present, the College will likely respect the complainant's request.

If the College honors a complainant's request for confidentiality or decision not to participate in an investigation, the College's ability to meaningfully investigate the incident or pursue conduct action against the alleged accused may be limited.

If the College determines that it cannot maintain a complainant's confidentiality, the College will inform the complainant prior to an investigation and, to the extent possible, share information only with people directly responsible for handling the College's response.

The College may not require a complainant to participate in any investigation or disciplinary proceeding. Because the College is under a continuing obligation to address the issue of sexual misconduct campus-wide, reports of that nature (including non-identifying reports) will also prompt the College to consider broader remedial action—such as increased monitoring, supervision, or security at locations where the reported acts occurred; increasing education and prevention efforts, including to targeted population groups; and/or revisiting its policies and practices.

If the College determines that it can grant a complainant's request for confidentiality, the College will consider other actions that might be implemented to address the reported conduct.

## **9. Interim Measures**

Upon receipt of a report, the College will provide interim support and reasonable protective measures to prevent further acts of misconduct, and to provide a safe educational and work environment. The College will determine the necessity and scope of any interim measures. Even when a complainant or respondent does not specifically request that protective action be taken, the College may choose to impose interim measures at its discretion to ensure the safety of any individual, the broader College community, or the integrity of the review process.

Individuals desiring such assistance should speak with the Title IX Coordinator or Deputy, who will coordinate such requests. The College will maintain contact with the parties to ensure that all safety and emotional and physical wellbeing concerns are being addressed.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by an interim measure. The College will take appropriate and immediate action to enforce measures previously ordered or implemented by the College.

The College may impose any remedy that can be tailored to the involved parties to achieve the



goals of this policy, even if not specifically listed here. The range of interim measures may include:

#### No Contact Order

A complainant or respondent may request, or the College may impose, communication and contact restrictions to prevent further potentially harmful interaction. These communication and contact restrictions generally preclude in person, telephone, electronic, or third party communications. The College may also limit an individual or organization's access to certain College facilities or activities as part of the No Contact Order. No Contact Orders typically remain in place until or unless both or all parties involved independently request that they be lifted.

In some cases, an individual may also wish to consider an Abuse Prevention Order, also known as a "restraining order" or "209A order," or a Harassment Prevention Order, also known as a "258E order," from the local courts. For more information on Massachusetts's law, see <https://malegislature.gov/Laws/GeneralLaws/PartII/TitleIII/Chapter209A> and <https://www.mass.gov/harassment-prevention-orders>.

These are civil proceedings independent of the College. If a court order is issued the College will, to the extent possible, assist the protected person in benefiting from the restrictions imposed by the court and will also facilitate on campus compliance with the order. The College may also limit an individual or organization's access to certain College facilities or activities as part of the no contact order.

#### Academic, Employment, or Residence Modifications

A complainant or respondent may request an academic or employment accommodation or a change in residence or workspace after a report of sexual misconduct. An individual who requests assistance in changing their academic, working, or living situation after an incident of sexual misconduct will receive appropriate and reasonably available accommodations. These may include:

- 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;
- Providing an escort to ensure safe movement between classes and activities.

The College will treat any accommodation provided with confidentiality, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the accommodation.

#### Emotional Support

The College will provide counseling services to students through the Wellness Center, or will assist in providing a referral to off campus agencies as detailed in the Resources chart.

#### Interim Separation

Where the report of sexual misconduct poses an ongoing risk of harm to the safety or wellbeing of an individual or members of the campus community, the College may place an individual on interim suspension or impose leave for an employee. Pending resolution of the complaint, the individual may be denied access to campus.

### **10. Investigation and Adjudication Procedures**

### Responsibility to Investigate

The College will take steps to investigate any report of sexual misconduct, regardless of whether a formal complaint has been filed or if a complaint or report has been withdrawn, and will act as necessary to keep the community safe. Informal mediation is not available in cases of sexual assault or sexual violence. The College may need to proceed with an investigation even if a complainant specifically requests that the matter not be pursued. In such a circumstance, the Title IX Coordinator or Deputy will take into account the complainant's articulated concerns, the best interests of the campus community, fairness to all individuals involved, and the College's obligations under Title IX. Without the cooperation of the complainant, investigators may be limited in their ability to take action.

### Preliminary Review and Charge Notification

The Title IX Coordinator will review all complaints, and consult with College counsel if necessary, to determine whether the complaint describes a violation of this policy. The Title IX Coordinator may delegate the handling of any complaint to the Deputy Coordinator. In the event the Title IX Coordinator is unavailable, named in the report, or a conflict of interest exists in any particular case, the complaint will be reviewed by the Deputy Title IX Coordinator, or their designee. If the Title IX Coordinator or Deputy Coordinator/designee believes the complaint raises an allegation of sexual misconduct, they will appoint an investigator. The Title IX Coordinator or Deputy will determine all potential charges/violations of policy.

The Title IX Coordinator or Deputy will inform the parties of the investigation, and the respondent will be notified in writing of the charges against her/him under this policy. No respondent will be summoned for an interview without first being informed, in writing, of all allegations and given information on their rights. If new information comes to light that results in the need to charge the respondent with additional violations, the respondent will be provided with an updated written letter setting forth the new allegations.

## **11. Investigator**

Investigations will be conducted by a single investigator who may, at times, be assisted by one other investigator. The investigator(s) will either be a neutral third party selected by the Title IX Coordinator or, at the Title IX Coordinator's discretion, an employee trained to conduct such investigations. All investigators must have specific training and experience investigating allegations of sexual misconduct.

## **12. Advisor of Choice**

Both the respondent and the complainant have the right to one (1) advisor of their choice. An advisor serves as a support person for the parties during investigative meetings. 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 a hearing advisor. Advisors are not permitted to advocate for a complainant or speak on their behalf during any proceeding. Individuals who are witnesses to the incident or are otherwise involved in the matter cannot serve as advisors.

The College reserves the right to remove an advisor from any proceeding should these expectations and guidelines be violated. Proceedings are not generally delayed or rescheduled due to an advisor's schedule or availability. The advisor's name and relationship to a party (e.g., student, faculty member, family member, attorney, etc.) must be disclosed to the investigator at least two days prior to any proceeding. 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.

All parties to the investigation can expect:

- The right to be treated with respect and sensitivity by College officials.
- The opportunity to meet with the Title IX Coordinator or a member of the Title IX team to answer questions regarding the College’s complaint processes for students and employees.
- To be provided with a written explanation of rights and options with respect to the report.
- The right to address concerns of bias and/or conflict of interest in regards to investigators or others involved in the investigation.
- Equal opportunity to be accompanied by an advisor of their choice to any investigatory meeting.
- Notice of confidential resources, including health care and mental health counseling services, on campus and in the local community.
- Notice of the option to pursue law enforcement action and to be assisted by the College in accessing and communicating with such authorities. This notice will include a discussion of the importance of the preservation of evidence.
- The right to have a complaint investigated in a manner that is timely and consistent with the procedures described in this policy.
- The right to present information, evidence, and/or witnesses to the investigator.
- The right to be kept informed of the progress of the investigation.
- The opportunity to request that the College take steps to prevent unnecessary or unwelcome contact or communication with another member of the community.
- The right to be free from retaliation. Any concerns about retaliatory behavior should be immediately reported to the Title IX Coordinator or Campus Safety.
- The right to written notice of the outcome of the investigation as well as any resulting sanctions.
- The right to appeal in accordance with the appeals policy.

### **13. Evidentiary Standard**

The investigator will determine the respondent’s responsibility 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).

### **14. Investigation, Findings, and Outcome Notification**

The investigator will speak with both parties, as well as witnesses, and will review all information and evidence. After speaking with each individual, the investigator will document the conversations for the record. The complainant and respondent will each have five (5) business days to review the investigator’s summary of their own testimony to the investigator, and to respond to that summary with any amendments, clarifications, or disputes before it becomes part of the investigatory record.

The investigator will coordinate the gathering of all other information from the parties and other individuals who may have information relevant to the determination. The investigator will also gather any available physical or medical evidence, including documents, communications between the parties, and other electronic records as appropriate. In gathering such information, the investigator will comply with applicable laws and college policies. As part of the investigation, the College will provide an opportunity for all parties to present written statements, identify witnesses, and submit other evidence. The investigation will be thorough, impartial, and fair, and all individuals will be treated with appropriate sensitivity and respect.

Once the investigator has heard all parties involved, they will submit a final report to the Title IX Coordinator or Deputy with an opinion as to whether or not the sexual misconduct policy has been violated. If the investigator concludes that a violation did occur, they may recommend a sanction for the Title IX Coordinator’s review.

The Title IX Coordinator or Deputy reviews the findings report, consults with others as appropriate, and either accepts or modifies the suggested outcome. The Title IX Coordinator then informs the complainant and respondent, in writing, of the outcome and sanction as appropriate.

The College will not require either party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the re-disclosure of information related to the outcome of the investigation.

### **15. Time frame**

The college strives to complete its review within sixty (60) to ninety (90) days of commencing an investigation, but circumstances may require that an investigation continue beyond this time period. The College will keep the parties regularly apprised of the status of the investigation, including when it will continue beyond 90 days.

### **16. Sanctions**

If the respondent is found responsible for sexual misconduct, a sanction appropriate to the severity of the offense will be imposed. Sanctions include mandated education and/or counseling, formal warning, probation, suspension, expulsion (for students), or termination (for employees).

Sanctions may also include requirements that existing interim measures and accommodations stay in place for a prescribed period of time, as well as new remedies such as No Contact Orders, housing placement, or academic accommodations, based upon the investigation and adjudication of the case.

If a student is found to have violated the sexual misconduct policy, actions taken to sanction the student will vary depending on the offense but may include any of the sanctions outlined in Appendix B of the Student Handbook.

If a staff or faculty member is found to have violated the sexual misconduct policy, actions taken to sanction the staff or faculty member will vary depending on the offense but may include verbal warning, written warning, suspension with or without pay, or termination of employment.

For non-consensual sexual intercourse, sanctions typically include suspension, expulsion, or termination.

### **17. Appeal Procedure**

Both parties, the complainant and the respondent, have equal rights to an impartial appeal. The parties shall have five (5) business days after receiving written notice of the outcome of the investigation to submit a written appeal of the outcome. Sanctions from the original hearing will go into effect immediately after the decision is delivered to the respondent, even if a request for appeal is submitted. If either party files an appeal, the other party will be notified.

Requests for appeals should be submitted to the Title IX Coordinator. The Deputy Title IX Coordinator (or the Title IX Coordinator if the Deputy oversaw the underlying case), will then determine if grounds exist to hear the appeal.

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 College 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 right.

- **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 have likely affected the finding.

If an appeal is accepted, both parties will be notified and an appeal panel of three (3) will be convened by the Provost or designee, consisting of three trained faculty or staff members from the Code of Student Conduct Circle for cases involving students; or the Dean of Students, Dean of Academic Affairs, and Director of Finance and Administration, or any of their designees, in all other cases. The appellate panel will have training regarding Title IX and prohibited conduct defined under this policy and will be impartial and unbiased. The panel will review the stated grounds for appeal and may provide the non-appealing party the chance to review the appeal and provide a written response to the panel within five (5) calendar days after receiving the appeal. The panel may seek further information from the parties, witnesses, or investigator, but will not hold a formal appeal hearing. Both parties will be notified in writing of the outcome of the appeal, generally within fourteen (14) days of the initial filing of appeal.

The College will not require either party to abide by a nondisclosure agreement, in writing or otherwise, that would prevent the re-disclosure of information related to the outcome of the appeal.

## **18. Required Disclosures**

### Within the College

College officials – other than licensed health and counseling professionals – who learn of an instance of sexual misconduct, are required to report the incident to the Dean of Academic Affairs, the Dean of Students, the Title IX Coordinator, or the Deputy Title IX Coordinator. In a situation where the accused party is an employee of the College, the incident will in turn be reported to the Provost.

### Clery Act Compliance

Under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the College is obligated to disclose information about crime on campus and in the surrounding community. As part of this compliance, College officials who become aware of an incidence of sexual misconduct must notify the director of Campus Safety that such an incident has occurred, and the place and date. This information is collected only for statistical reporting as mandated by the Clery Act; no individuals or identifying details are revealed.

If a report of sexual or gender-based misconduct discloses a serious and immediate threat to the campus community, Campus Safety will issue a timely notification to protect the health or safety of the community as required by the Clery Act. The notification will not include identifying information about a reporting party.

### 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 (DCF). 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.

## **19. Other Provisions**

### Amnesty

The College encourages reporting and seeks to remove any barriers to reporting by making the procedures for reporting transparent and straightforward. An individual who reports sexual

misconduct, either as a complainant or a third party witness, will not be subject to disciplinary action by the College for their own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations are minor and did not and do not place the health or safety of any other person at risk. The College may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs. The amnesty policy applies to the College's student conduct process. The Title IX Coordinator, Deputy, or designee will determine what policy violations will be considered "minor" and therefore eligible for amnesty in this context.

#### Past Sexual History

The past sexual history or sexual character of either party will not be considered by the investigator or during an appeal unless such information is determined to be highly relevant by the Title IX Coordinator.

#### Academic Freedom

The past sexual history or sexual character of either party will not be considered by the This policy is 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 sexual 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.

#### Prohibited Relations

Sexual relations between faculty, staff members, or third party vendors and students constitute unprofessional conduct and are strictly prohibited.

#### Coordination with Non-Discrimination Policy

The College recognizes that harassment related to an individual's sex, sexual orientation, gender identity or gender expression can occur in conjunction with misconduct related to an individual's race, color, ethnicity, national origin, religion, age, disability, or any other legally protected characteristics. Targeting individuals on the basis of any protected characteristics violates the College's community standards and policies. When misconduct relates to both a person's sex, sexual orientation, gender identity or gender expression, and other protected characteristics, the College will coordinate the investigation and resolution efforts to address any and all harassment and discrimination.

#### Consolidation of Investigation

The Title IX Coordinator has the discretion to consolidate multiple complaints or reports into a single investigation if evidence relevant to one incident might be relevant to the others.

#### Effect of Legal Proceedings

Because the standards for finding a violation of criminal law differ from the standards for finding a violation of this policy, criminal investigations are not determinative of whether sexual misconduct, for purposes of this policy, has occurred. Conduct may constitute misconduct under this policy even if law enforcement agencies lack sufficient evidence of a crime or decline to prosecute. The filing of a complaint of misconduct under this policy does not depend on any criminal investigation or proceeding and, except in limited and extenuating circumstances, the College will not wait for the conclusion of any criminal investigation or proceedings to commence its own investigation; to take interim measures; or to implement disciplinary proceedings.

#### Prevention, Education, and Training

Simon's Rock provides sexual violence prevention education to its campus community each year. To this end, all incoming students are required to participate in mandatory educational programs

about consent, preventing sexual harassment and assault, and promoting a culture of caring for and respecting one another. This includes an online program students complete before arriving on campus and a presentation during New Student Orientation. Through the ACE program, sessions are provided for all students throughout the year to increase awareness of and reduce the incidence of sexual misconduct, domestic violence, dating or intimate partner violence, stalking and sexual harassment. All responsible employees also receive regular training.

The college encourages all community members to take reasonable and prudent actions to prevent or stop acts of sexual misconduct. Taking action may include direct intervention, calling law enforcement, or seeking assistance from a person in authority. Community members who choose to take such action in support of others will in turn be supported by the College and protected from retaliation.

#### Privacy Statement

All College investigations and disciplinary processes are conducted in accordance with the requirements of Title IX, the Clery Act, the Violence Against Women Act, FERPA, state and local law, and College policy. Information about particular investigations and disciplinary processes will only be released in accordance with the law or College policy.

#### **20. Title IX Coordinator's Role**

The Title IX Coordinator serves as the College's designated Title IX Coordinator, and has the authority to oversee investigations him or herself, or to delegate that responsibility to a Deputy Title IX Coordinator. In most instances, however, the Title IX Coordinator will refer sexual misconduct cases to an independent investigator. The Title IX Coordinator may designate another appropriately trained individual to take any actions that could be taken by the Title IX Coordinator under this policy, provided no conflict exists between the designee and any involved party and the Title IX Coordinator maintains oversight of the processes as necessary.

The Title IX Coordinator or Deputy Title IX Coordinator should be contacted in order to:

- seek information or training about rights and courses of action available to resolve reports or complaints that involve potential sex discrimination, including sexual misconduct;
- file a complaint or make a report of sex discrimination, including sexual misconduct;
- notify the College of an incident or policy or procedure that may raise potential Title IX concerns;
- get information about available resources (including confidential resources) and support services relating to sex discrimination, including sexual misconduct;
- and ask questions about the College's policies and procedures related to sex discrimination, including sexual misconduct.

The Title IX Coordinator or Deputy Title IX Coordinator may:

- determine whether the respondent may remain on campus during the investigation;
- change housing or work assignments for the complainant upon request, or require a change in housing or work assignment for the respondent;
- take other appropriate safety measures;
- arrange an excuse for class or work absences for up to one week for the complainant and/or the respondent;
- discuss and arrange a medical leave of absence, should the individual feel that a longer absence is necessary, and/or

- arrange other accommodations, such as facilitating an extension for coursework or obtaining a withdrawal from class without notation on the transcript, or a leave of absence from work.

*Title IX Contact Information*

Title IX Coordinator Rachel Duvall rduvall@simons-rock.edu, 413-528-7623	Deputy Title IX Coordinator Leslie Davidson leslied@simons-rock.edu, 413-528-7245
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Inquiries or complaints that involve potential violations of Title IX may also be referred to the U.S. Department of Education’s Office for Civil Rights, which can be reached at (617) 289-0111: <https://wdcrobcolp01.ed.gov/cfapps/OCR/contactus.cfm> or the Educational Opportunities Section of the Civil Rights Division of the U.S. Department of Justice (DOJ): <http://www.justice.gov/crt/complaint/#three>.

**21. Resources**

Simon’s Rock is committed to providing support and assistance to all community members affected by sexual misconduct or a report of sexual misconduct.

The following on-campus resources are trained and experienced in sexual misconduct matters and can advise individuals of their remedy options when dealing with a situation involving sexual misconduct, including connecting you to the Title IX Coordinator and health care providers. Community members may also take advantage of off-campus resources including those listed below.



<p style="text-align: center;"><b>On Campus Confidential</b></p> <p><u>Students Only:</u></p> <ul style="list-style-type: none"> <li>• Counseling Services: 413-528-7353 or through Campus Safety 24/7</li> <li>• Health Services: 413-528- 7353 or through Campus Safety 24/7</li> </ul> <p><u>Faculty and Staff Only:</u></p> <ul style="list-style-type: none"> <li>• ComPsych Guidance</li> </ul>	<p style="text-align: center;"><b>Off Campus Emergency</b></p> <ul style="list-style-type: none"> <li>• 911 (or 9-911 from campus phones)</li> <li>• Great Barrington Police Department: 413-528-0306</li> </ul> <hr/> <p style="text-align: center;"><b>Medical</b></p> <ul style="list-style-type: none"> <li>• Fairview Hospital: 413-528-8600</li> <li>• Berkshire Medical Center: 413-447-2000</li> <li>• North Adams Regional Hospital: 413-664-5000</li> </ul>
<p style="text-align: center;"><b>Non-confidential</b></p>	<p style="text-align: center;"><b>Other Support</b></p>
<p>For a All Community Members:</p> <ul style="list-style-type: none"> <li>• Title IX Coordinator Rachel Duvall: 413-528-7623, rduvall@simons-rock.edu, Student Union, ground floor</li> <li>• Deputy Title IX Coordinator Leslie Davidson: 413-528-7245, leslied@simons-rock.edu, Blodgett House, second floor</li> <li>• Campus Safety: 413-528-7291</li> </ul> <p><u>Students Only:</u></p> <ul style="list-style-type: none"> <li>• Dean of Students Brady McCartney: 413-528-7499, bmccartney@simons-rock.edu, Hall College Center, first floor</li> <li>• Residence Directors: Dial “0” to be connected to a Residence Director on duty</li> </ul> <p><u>Faculty Only:</u></p> <ul style="list-style-type: none"> <li>• Dean of Academic Affairs Patricia Sharpe: 413-528-7240, psharpe@simons-rock.edu, College Center, first floor</li> </ul> <p><u>Staff Only:</u></p> <ul style="list-style-type: none"> <li>• Director of Finance and Administration, Philip Morrison: 413-528-7204, pmorrison@simons-rock.edu, Blodgett House, second floor</li> </ul>	<ul style="list-style-type: none"> <li>• Mental Health Crisis Team –24/7: 413-499-0412 or 800-252-0227 (toll free)</li> <li>• Elizabeth Freeman Center, (<a href="http://www.elizabethfreemancenter.org/">http://www.elizabethfreemancenter.org/</a>): 866-401-2425 (toll free), 413-499-2425 (office), 413-499-2425 (TTY)</li> <li>• YWCA of Western MA: 800-796-8711 (hotline), 413-733-7100 (TTY), 413-732-3121 (office)</li> <li>• Jane Doe Inc. (Massachusetts Coalition Against Sexual Assault and Domestic Violence): 877-785-2020 (hotline), 877-521-2601 (TTY)</li> <li>• SafeLine: 877-785-2020 (Massachusetts), 877-521-2601 (TTY)</li> <li>• National Domestic Violence Hotline: 800-799-SAFE (800-799-7233)</li> <li>• National Sexual Assault Hotline: 800-656-HOPE (4673)</li> <li>• Rape Hotline: 866-401-2425</li> </ul>

## **APPENDIX C: MASSACHUSETTS PROHIBITION OF HAZING**

§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.

## **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 Community Council, and the Faculty Senate of Simon's Rock receive such of their 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 Academic Affairs, 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 Academic Affairs, the Dean of Students, 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.

### **2. College Governance**

There shall be three principal organs of College governance: the Academic Senate, the Community Council, and the Faculty Senate.

The responsibilities, functions, and memberships of these three bodies are defined in the following sections of the bylaws.

#### **I. Academic Senate**

##### Membership

Voting members of the Academic Senate shall include all members of The Faculty (see above).

##### Powers and Responsibilities

Pursuant to the delegation of authority by the president of the college and subject to the president's approval, the Academic Senate shall have and exercise responsibility over policy concerning the following matters: degree requirements; approval of degree candidates; the curriculum; admission and financial aid policy.

The Academic Senate, in defining policy on the curriculum, will establish broad policy guidelines for such activities as faculty evaluation and development.

The Academic Senate shall also serve as a forum for the expression of concerns and the dissemination of information relating to the good of the college. It may consider any matters related to the general welfare of the college, expressing its considered opinion and making recommendations to the appropriate officers of the college.

The Faculty Senate may bring concerns to the floor of the Academic Senate through its chair; the Community Council may bring concerns to the attention of the Academic Senate through the faculty representative(s) to the Community Council.

#### *The Process of Policy Making*

Policy-making is a choice among contending goals, and its effectiveness depends upon its support. In a college community, the best way to insure the widest support for college goals seems to be a combination of open discussion and debate with a readiness to pay serious attention to expert opinion. This combination allows opportunities to explain and persuade as well as to communicate what is feasible. The college's decision-making processes are designed to assure that all constituencies are heard; that policy goals are set by the Academic Senate in open view; that such policies are implemented by professional administrators whose imaginativeness can stimulate the cooperation and support of the faculty and students in their realization.

#### *Procedures*

**Time of Meeting.** The Academic Senate shall meet in September at the call of the president or vice president and provost, and thereafter at least once a month during the regular academic year. The Academic Senate shall meet in special session at the call of the president or the vice president and provost of the college, or at the request of the dean of academic affairs or the chair of the Faculty Senate.

**The Chair.** The dean of academic affairs and chair of the Faculty Senate shall co-chair the meetings of the Academic Senate.

**Quorum.** All members shall make a reasonable effort to attend the regular and special meetings of the Academic Senate. The presence of a majority (greater than 50%) of the voting members of the Academic Senate, not including members on leave, shall constitute a quorum.

**Rules of Order.** The Academic Senate is designed to be a forum for discussion among the faculty and academic administration; therefore, it will generally be conducted as a conversation. The chair or co-chairs will be responsible for moderating the conversation and seeing to it that all members have an opportunity to express their views.

**Voting.** Questions before the Academic Senate shall be decided by voice vote or by show of hands at the option of the chair. If the ruling of the co-chairs on a voice vote is challenged, voting shall be by a show of hands. Upon request of any two voting members present, the Academic Senate shall use a written ballot. Elections or questions involving a choice between persons shall require a written ballot unless there is but a single nominee for an office.

**Order of Business.** In regular meetings of the Academic Senate, the order of business shall be: approval of minutes; reports of the officers of the College; reports of the standing or ad hoc (e.g. search) committees; unfinished business; new business; proposals or comments for the good of the college; announcements; adjournment. New or unfinished business may be

acted upon in conjunction with the report of the committee presenting it or may be deferred to the appropriate order at the option of the committee spokesperson. Unless there is objection from the floor, the co-chairs may change the order of business, as they consider appropriate.

In special meetings of the Academic Senate, only those items of business stated in the call shall be presented, and their order shall be determined at the discretion of the co- chairs.

**Advanced Notice of Proposals.** Officers of the College, committees, and individuals intending to present proposals to the Academic Senate shall provide advance notice thereof to each member of the Senate by distribution through an email of their proposal at least three days in advance of the time of the meeting. In general, collective or individual faculty concerns should be brought first to the Faculty Senate prior to consideration at the Academic Senate.

Changes in the structure, function, and manner of election of faculty committees shall be presented to the regular Academic Senate meeting preceding that at which the change is to be acted upon.

**Discussions Confidential, Actions Binding.** A set of Academic Senate minutes will be made available on the College's portal webpage to all members of the Academic Senate.

It is the professional obligation of each member to enforce the rules, regulations, and procedures established by the majority of the Academic Senate: such actions of the Academic Senate are binding upon all.

**Actions on Matters of Fundamental Policy.** All actions of the Academic Senate deemed by the president or the vice president and provost of the college to be matters of fundamental policy shall be reported to the Board of Overseers and the Board of Trustees by the president or the vice president and provost of the college. Academic Senate actions which have been reported to the boards shall become effective immediately.

**Open Hearings.** Open hearings on matters of concern to the Academic Senate may be called by the president, the executive vice president, the vice president and provost of the college, or any duly constituted Academic Senate committee or subcommittee. The person or committee conducting such hearings shall have full discretion in determining the topics for consideration and the mode of procedure.

**Secretary of the Academic Senate.** A member of the Academic Senate shall be elected secretary for a two-year term. The election shall take place in May simultaneously with the Faculty Senate elections and shall be administered by the Faculty Senate.

Not less than two days prior to each regular meeting, the secretary shall provide each member with a notice of the time, place, and agenda. With reasonable promptness, the secretary shall send an authenticated copy of the minutes of that meeting to each member of the Academic Senate.

The secretary shall be responsible for the posting of the minutes the Academic Senate to the College's portal webpage.

**Access to Permanent Record.** When not in use, the permanent minutes of the Academic Senate shall be kept on the College's portal webpage (note: minutes prior to September 2014 on stored on the College's server. Any member of the Academic Senate may have access to the permanent minutes.

**Visitors.** Except by invitation of the Academic Senate, no persons other than members shall be permitted to attend meetings of the Academic Senate. Electronic recordings or photographs of Academic Senate proceedings shall be prohibited without explicit permission by vote of the membership.

**Changes In The Bylaws.** Three-fourths of the voting members present or a majority of all voting members of the Academic Senate, whichever is greater, shall be required to suspend a bylaw of the Academic Senate relating to the transaction of business at that meeting. Not less than one month's notice shall be given of amendments proposed for the bylaws of the Academic Senate. An affirmative vote of two-thirds of the voting members present shall be required to adopt the proposed revision.

#### Academic Senate Committees

There are two Academic Senate Committees:

1. Committee on Academic Policy and Program
2. Committee on Academic Standards and Procedures.

**Procedures for Elections.** For purposes of representation on committees, except where otherwise provided, the faculty shall be divided into four academic divisions described below.

- The Division of the Arts includes faculty members in art history, dance, music, studio arts, film and theater.
- The Division of Languages and Literature includes faculty members in comparative literature, creative writing, literature, foreign languages, and linguistics.
- The Division of Science, Mathematics, and Computing includes faculty in biology, chemistry, computer science, environmental studies, mathematics, and physics.
- The Division of Social Studies includes faculty in anthropology, economics, geography, history, philosophy, politics, psychology, and sociology.

Where four members are elected from the divisions, each division shall have one representative.

Upon expiration of a term of service on a standing committee, a faculty member becomes eligible for election to other committees. Generally, it is discouraged to have a faculty member re-elected immediately to the same committee until one year has elapsed, unless the term of service was less than one year.

Subcommittees shall be chaired by a member of the parent committee, or by a parent committee appointee. Other members of subcommittees shall be selected from the college community, normally from among those not serving on elective Academic or Faculty Senate committees. Appointments to subcommittees shall be made by the chair of the parent committee. Subcommittees shall report regularly, at least twice yearly, to the parent committee.

When vacancies occur, elections of faculty members to the Standards and Procedures shall be held in May simultaneously with the Faculty Senate elections and shall be administered by the Faculty Senate. Only the members of the appropriate divisions shall vote.

Faculty members elected to S&P shall serve for two-year terms (student members serve one-year terms). When possible, the terms of faculty members shall be arranged on a staggered basis, so that every year elections are held for one half of the faculty positions on each committee.

Elections to fill vacancies occurring during the course of an academic year shall be to fill the unexpired term and shall be part of the order of business at any regular division or Academic Senate meeting.

**Limitation of Service on Standing Committees.** No member of the college community, with the exception of the president, executive vice president, vice president and provost of the college, dean of academic affairs or those who serve by appointment or without vote, shall sit on more than one of the two standing committees of the Academic Senate.

**Elections shall occur by written ballot.** The procedures for the selection of student members of the Academic Senate and its committees shall be specified within these Community Bylaws, and shall be subject to the adoption and amendment procedures of that article.

**Responsibility for Consideration.** The process by which the two Academic Senate committees assume responsibility for considering proposals, resolutions, and problems shall be guided by the following procedures:

- Responsibility for determining which Academic Senate committee has jurisdiction over a given proposal, resolution, or problem shall rest with the dean of academic affairs.
- The dean of academic affairs may, if she or he wishes, seek the advice of the chair of the Academic Senate committee in deciding the assignment of responsibilities.
- An Academic Senate committee may initiate its own consideration of an issue, in which case the committee will inform the dean of academic affairs of its consideration.
- Any proposal resolution, or problem that a committee suggests should be considered as policy must be brought to the Academic Senate for approval. Academic Senate is also responsible for ensuring that the proposal has gone through appropriate committee review.
- Generally, only one committee may have jurisdiction over a given issue, although it may consult other committees or agencies in its deliberations. Some proposals, resolutions, or problem may require the consideration of both Academic Senate committees.
- A list of new proposals, along with the committees charged with their evaluation, will be documented in the Academic Senate minutes via reports of the two Academic Senate committees.

The president and the vice president and provost of the college have broad oversight of both these committees and have the prerogative to review and approve or return the decisions to the committee for further consideration.

*Committee on Academic Policy and Program*

**Functions.** The committee shall have overall responsibility for studying and evaluating all matters associated with the academic program of the college, including: proposed revisions of

academic program offerings, the schedule of course offerings each term, proposals for the introduction of new courses or concentrations, the general education core curriculum, and long range educational policy, planning, and evaluation.

**Composition.** Membership of the committee shall be: the dean of academic affairs (chair); the four division heads, or their designated representatives; two students, who at the time of taking office will have completed one full semester at the college in good standing.

*Committee on Academic Standards and Procedures*

**Functions.** This committee shall review and make recommendations on all procedural matters involving graduation requirements (e.g., exceptions), including: total number of courses, core curriculum requirements, general field-of concentration requirements, and the number of courses a student may schedule per semester.

- It shall review and make recommendations on matters affecting the academic calendar. It shall approve and recommend all candidates for degrees and shall recommend candidates for Honorary Degrees to the Board of Overseers.
- It shall make recommendations to the dean of academic affairs on allocations from the Faculty Development Fund and on criteria and guidelines for such allocations.

The faculty members of the committee shall establish criteria for, and consider and designate recipients of returning student named scholarships.

**Composition.** Membership of the committee shall be: the Dean of Students(chair); the dean of academic affairs who will sit in on matters directly relating to faculty (e.g., faculty development fund applications); four faculty members, one from each division; a representative from the Win Student Resource Commons; and two students, one with Sophomore standing, and one with Junior or Senior standing, and both at the college in good standing.

## **II. The Faculty Senate**

*Preamble*

The Original Charter of the Faculty Senate was adopted April 28, 1969.

Mindful of the central role that a strong and confident faculty plays in the stable and consistent guidance of an educational institution, desirous of bringing to the academic community of Simon's Rock every source of strength and nourishment at its command, and determined to safeguard academic freedom as a primary condition of success in the teaching profession, the faculty of Simon's Rock creates an organization of its members to be known as the Faculty Senate.

The fundamental goals of the Faculty Senate are fostering the high character, academic excellence, and general wellbeing of Simon's Rock as an early college and safeguarding academic freedom. In accordance with these goals, the Faculty Senate has helped develop a process of faculty evaluation in which faculty members are evaluated by other faculty members whom they have elected. The procedures of this evaluation process are described above.

The Faculty Senate is also concerned with faculty work load, adequate compensation and fringe benefits, the development and expression of group opinion on professional and



academic matters both at Simon's Rock and elsewhere, and other faculty issues as they emerge.

While formal action on academic policy is taken by the Academic Senate, from time to time the implications for the faculty of broader policy alternatives are considered by the Faculty Senate, for recommendation to the Academic Senate.

### Membership

The Faculty Senate is comprised of all faculty on 3-4-10 year appointments and visiting faculty teaching at least two courses per semester who have no administrative responsibilities (Emily Fisher Faculty Fellow and division heads excepted). Adjunct faculty can be invited by the Chair to attend Faculty Senate meetings.

### Faculty Senate Positions and Committees

The officers of the Faculty Senate are a chair and a secretary, each elected to serve for two-year terms. In addition, the Faculty Senate shall elect:

- a faculty evaluation committee, which consists of one member from each division, elected for two-year terms by the respective divisions, and one alternate, who serves as a substitute when needed for one year before becoming a regular member of the committee;
- two representatives to the Board of Overseers, elected for staggered two-year terms;
- four representatives to the Code of Student Conduct, elected for staggered two-year terms;
- a committee on professional Faculty Concerns (negotiating committee) consisting of three members, elected for staggered two-year terms (and the chair as ex officio);
- two representative to the Staff Assembly, elected for staggered two-year terms;
- one representative to the Employee Enrichment Committee, elected for a two-year term.
- one representative to the Community Council, elected for a two- year term.
- two representatives to the Social Justice Committee, elected for staggered two-year terms;
- two representatives to the Sustainability Committee, elected for staggered two-year terms; and
- one advisor to the College's Affirmative Action Officer.

Activities of the Faculty Senate committees will be documented in the Faculty Senate minutes via regular reports to the Faculty Senate. If action is required, the Faculty Senate Chair will bring the matter to the Academic Senate.

### Elections

Nominations shall be made in April, and elections held in May by secret ballot. The Chair and the Secretary of the Faculty Senate administer the nominations and elections. Vote counts are available from the Chair or Secretary of Faculty Senate, if requested.

### Procedures

Any matter can be brought before the faculty senate provided it is placed on the agenda and the secretary is notified forty-eight hours before the time of the meeting. The Faculty Senate may make recommendations to any constituent element of the community.

Communications to the Board of Overseers or the Board of Trustees shall be through the Academic Senate, as well as the faculty representatives to the Board.

Decisions will be reached by a majority vote of those present and voting except in cases involving the structure of the organization or a matter of similar import, which shall be decided by the amending process described hereafter. A majority of those present and voting will determine into which category (e.g., a Charter or a day-to-day business) a case may fall.

The procedure for amending the Charter of the Faculty Senate shall be as follows: A proposed amendment shall be discussed and moved at a regularly scheduled meeting of the Faculty Senate. At the same time, a date not less than a week later shall be set for a meeting at which the voting on the amendment shall take place.

All members of the senate shall be individually notified in writing of the wording of the proposed amendment and of the time of the meeting for the voting. Any member requesting an absentee ballot should notify the chair and must return the completed ballot to the chair by the time set for the voting.

The amendment shall be accepted if it is approved by two-thirds of all members voting.

From time to time, the Faculty Senate may wish to invite other members of the community to sit with it in the consideration of matters of common interest.

### **III. The Community Council**

#### *Mission Statement*

The Simon's Rock Community Council is one of three principal governing bodies of Simon's Rock, which alongside the Academic Senate and the Faculty Senate, acts to inform and shape the governance structure, policies, and regulations, as delegated to it by the President of the College. Understanding that involvement of the student body is central to the success and mission of the College; the Community Council exists as a space for student input in College governance and for community input on all student related affairs. The Council is responsible for facilitating for a in which community concerns are addressed, including appointing student representatives to committees and organizing Community Meetings in cooperation with other College officials.

At all times, the Council strives to discuss and make decisions transparently and to provide transparency throughout all decision making processes and discussions across all College governance organs. By administering its budget drawn from student services fees, the Council also supports the activities of clubs and organizations on campus.

The Council may also recommend action to the administration or Provost of the College regarding issues on which it is has interest.

#### *Powers and Responsibility of the Community Council*

1. Pursuant to the delegation of authority by the President of the College and subject to their approval, the Community Council will have and exercise responsibility over policy concerning the following matters: student organizations, the student services budget, and community elections. The Council will oversee and administer the monies generated by the student services fee. The Council will also assist, foster, advise, and promote student organizations and clubs.

2. The Community Council will serve as a forum for the expression of student concerns and

will inform and advise appropriate Officers of the College and the Academy of the nature of student opinion. The Council may invite that any member of the administration or faculty to meet with students to address issues of concern to the College.

2.a. The Council will consider matters related to student life but not directly within its purview, such as housing regulations, College regulations, disciplinary procedures, and orientation and will make recommendations to the appropriate officers.

2.b. The Council will consider matters relating to academic programs and policies and make recommendations to the appropriate officers.

2.c. The Council will organize regular meetings with the College Provost as one measure to ensure community concerns are addressed. The meeting times are subject to the respective schedules of Council and the Provost, but will be held at least once every two weeks. These meetings may be opened up to community members pending Council approval.

2.d. The Council will hold meetings with other members of the administration as necessary, including meetings with the appropriate deans.

2.e. The Council will communicate with the other organs of College governance, the Academic and Faculty Senates, as necessary. Council has the purview to recommend that items be placed on the agenda of any other body, and to request and deliver reports on a given subject among the other governance bodies.

3. The Provost of the College, along with the deans of Academic Affairs, and Bard Academy, will cooperate with the Community Council in organizing a monthly Community Meeting during which matters of concern to the community can be discussed, academic or student life programs or policies explained by the appropriate Officers, questions raised, problems identified, service to the College recognized, and other topics of concern. In addition, the Community Meetings will serve as an official means for the administration to disseminate information relating to the good of the community, which includes academic and social policy changes, current events concerning the community, and future planning.

3.a. Community Meetings are special sessions of Council held during times when no other College meetings or classes of the College are being held. The goal of Community Meetings is to provide a greater and more accessible opportunity for more open discussion.

4. Acting through the Vice President and Provost of the College, the Council will serve as conduit of student communication with the Board of Overseers.

4.a. Council will communicate with the Board of Overseers through two student representatives appointed by Council (see section A.5.e.). These two representatives will attend board meetings, give reports to the board, and report back to Council and the campus community during Community Meetings.

4.b. These representatives will serve Council in any necessary capacities as representatives to the executive bodies of the College, including the President, Provost and Vice President, Chair of the Board of Overseers, other members of the Board of Overseers, and the Board of Trustees.

5. The Council is responsible for appointing student representatives to a variety of committees and bodies. Unless stated otherwise, a representative must be in at least their second semester at the College or the Academy in order to be eligible. All representatives

must be in good standing.

5.a. Any member of the community may nominate for any committee or body position any eligible person who consents to the nomination. Self-nominations are possible.

5.b. Each nominee must present a short statement of intent to Council in person. When a student representative quota for any committee or body is unfilled, Council will request that nominees for the relevant position attend an upcoming meeting of Council.

5.c. Student representatives are appointed at the beginning of the first semester of each year and serve until the end of the school year.

5.d. A student cannot be a representative for a committee or body if their schedule does not permit regular attendance to the meetings of that committee or body. Non-participation in committee or body functions will prompt Council to remove the offending representative from their position.

5.e. Student representatives may not be drawn from the student members of Council except in the case that a distinct lack of applicants prevents the quota of a committee from being filled.

5.f. There will be two student representatives to the Committee on Academic Standards and Procedures (S&P), one of which must be a junior or senior at the College;

5.g. Two student representatives to the Committee on Academic Policy and Procedures (P&P). These representatives will also serve as representatives to Academic Affairs at large. They will serve in any capacity necessary to inform Council of Academic Affairs and vice versa. This may include regular meetings with the Dean of Academic Affairs at which issues such as updates on academic committees, job searches, academic policy changes, and others will be discussed;

5.h. Two student representatives to the ACE Committee;

5.i. Two student representatives to the Social Justice Committee;

5.j. Two student representatives, one junior and one senior, to serve as representatives to the Board of Overseers (see A.4.);

5.k. One student representative to the Staff Assembly;

5.l. Four students to the Student Code of Conduct Committee. These students must be juniors or seniors at the College.

5.m. The Community Council will be responsible for appointing student representatives to any appropriate Ad-Hoc committees that are formed, as well as any other appropriate governance or non-governance bodies that are formed.

5.n. The Community Council will have the power to create any committees and to request representatives from both staff and faculty, as well as to appoint students to those committees.

5.o. All committee representatives will be required to report at the monthly Community Meetings as to the status of the committees or bodies they represent.

Organization of the Community Council

1. The Community Council will consist of eight College student members, four Academy student members, two faculty members (attending Council meetings in rotation), a Campus Life staff representative, a staff representative, and a representative of the Campus Safety Department.

1.a. Two of the elected College student members will be seniors, two will be juniors, two will be sophomores, two will be first year students. College student representatives will serve as liaisons between the Council and the College student body, representing student opinion and carrying information to the students as appropriate. For the purposes of Council, January Admits will count as a part of the class coming in the semester before them, and will have three semesters as a senior.

1.b. Two of the elected Academy student members will be in their second year at the Academy, and two will be in their first year at the Academy. Academy student representatives will serve as liaisons between the Council and the Academy student body, representing student opinion and carrying information to the Academy students as appropriate.

1.c. Two faculty representatives will be elected by the Faculty Senate each spring for staggered two-year terms. The faculty representatives will serve as liaisons between the Council and the faculty, representing faculty opinion and carrying information to the faculty as appropriate. Since the two faculty members attend Council meetings in rotation, only one faculty seat is available at each meeting (and thus only one seat affects quorum), with the exception of Community Meetings (where all members are supposed to be in attendance).

1.d. The Campus Life staff representative will be chosen by the Campus Life staff and will act as a liaison between the Council and the Campus Life staff.

1.e. The Staff representative (an employee of the College who is not a member of the faculty, administration, Campus Life staff or student body) will be chosen by the Staff Assembly and will act as a liaison between the Council and the staff.

1.f. The representative of the Campus Safety Department will be the head of Campus Safety and will act as a liaison between the Council and the Campus Safety Department.

1.g. If elected positions are open at any time, elections will be held to fill them.

1.h. Should the members of the Community and/or the members of the Council feel that a member of this body is not performing their duties as stated in the bylaws or is not accurately representing the needs and wishes of those whom they have been elected to represent, Council may vote on the issue of their resignation.

1.h.a. The voting procedure in the case of a proposed resignation will take place by secret ballot and require a two-thirds majority to pass.

1.h.b. If the motion to remove a member of Council passes with a two-thirds majority, said member will be removed from their position on the Council.

1.i. A recall election to replace a sitting Council member will commence whenever a signed petition of thirty percent and at least ten members of the class body is presented to Council. Recall elections will be conducted under the guidelines of normal Council elections. The Council member whose seat is being contested may choose to run in the recall election.

2. It is the responsibility of Council to facilitate student elections:

2.a. Student elections for the College Sophomore, Junior, and Senior and for second year Academy students will be held during the last week of classes of the previous academic year (that is, these Council positions for the Fall are determined in the previous Spring). Nominations for these positions will take place during the second to last week of the academic year. Council will make the effort to appropriately notify and collect platform statements from students who are studying away during this time and will return to campus the following semester.

2.b. Student elections for first year College students and first year Academy students will be held during the third week of the BYLAWS 5 academic year. Nominations for these positions will take place during the second week of the academic year. Council will include a thorough and specific explanation of the duties and responsibilities of serving as a student representative when announcing elections.

2.c. Any member of the student community may nominate any eligible and consenting person to any student Council position. Self-nominations are allowed.

2.d. Nominees for student Council positions must provide Council with a platform statement which will then be made available to the community.

2.e. Each member of the student community will vote for two candidates who share their class year.

2.f. The two candidates who receive the greatest total number of votes will win the election. If only one position is available, a simple majority of votes will determine the outcome of the election. If no candidate receives a simple majority, Council will facilitate a runoff election between the two candidates receiving the greatest total number of votes.

2.g. Council will facilitate all student elections by designating its existing members to host public elections during meals in the dining hall and Rock Café. Each student Council member should oversee as least one shift of the election, time permitting. It will also be the responsibility of Council to:

2.g.a. assemble a bulletin board which displays the names as well as platforms of every candidate

2.g.b. create and manage ballots as well as a ballot box.

2.h. Students who are abroad or are otherwise unable to vote in person will be solicited for votes by Council.

2.i. Upon verifying the results of the election, Council will privately notify all candidates as to the results of the election. Following this, Council will send out a Student Announce which details all the newly elected Council members.

2.i.a. Council must notify new members of Council of the duties and responsibilities of their position.

3. The Council will designate a Chair, Treasurer, Secretary, Minister of Propaganda, and Seven C's. If the choice for a given position is in dispute, then it will be decided by secret

ballot.

3.a. The Chair will moderate all Council meetings and will set the agenda for each meeting. They will oversee the activities of the Council and act as a liaison among Council and the various constituencies of the Community. The Chair is responsible for tracking attendance and ensuring active participation and fulfillment of duties of all members of Council. Any duties not given to other positions fall to The Chair to delegate among members of Council.

3.b. The Treasurer serves as a liaison among student groups, the Community Council, and the College's Financial Services Office. They will keep accounts of all Council funds and report on the status of them to the Council and the Financial Services Office.

3.c. The Secretary will be responsible for the recording of the minutes of Council meetings and distributing the minutes in the form of an all-community announce. The minutes will also be sent out to the community no more than one week following the meeting they describe, and at the discretion of Council, a request can be made for the minutes to be sent to Council for their approval prior to the all-community announce.

3.d. The secretary will keep on file all Council documents, including a record of member's attendance/absence from meetings.

3.e. The Minister of Propaganda is responsible for all correspondence on behalf of the Council. The Minister of Propaganda is responsible for advertising Council meetings, Community Meetings, and publicizing other events as required.

3.f. The Community Council College Club and Committee Compliance Coordinator (The Seven C's) is responsible for working with the Director of Student Activities to ensure that student clubs and organizations are in compliance with both Community Council and Student Life regulations and assisting clubs/organizations with the funding and funding appeals process. They are also responsible for keeping track of attendance of Council-appointed student representatives, as well as assisting them in connecting with their committee. 3.g. Council may vote to remove someone from their assigned position if they are not fulfilling their duties.

#### *Procedures of the Community Council*

1. Every year at the first full (i.e. all Council elections have been fulfilled) meeting of Council, the Council will consider the mission statement present in these Bylaws and make the changes necessary to most appropriately align with the interests and aspirations of the Council members and the constituencies they represent. If changes are made and agreed upon (see C.7.d), the new mission statement will supplant the mission statement currently present.

2. The Council will meet weekly while classes are being held. The time of these meetings will be made available to the community.

2.a. The Council may hold a special meeting at the request of any two members or at the request of the Chair. This meeting is still subject to the rules of quorum.

2.b. Once per month, in coordination with and under advisement of the other organs and officials of College governance, Council will hold a Community Meeting (see A.3.) in place of the usual weekly meeting. Choices of topics will be discussed by Council ahead of time. All members of Council should be present for Community Meetings. The agenda is the responsibility of the Chair.

3. Each Council member must attend each weekly meeting, and must notify Council if they are unable to attend. Council members should also attend all special meetings and other Council related events, although absences in this case will not count against them. The third absence (per semester) of a member of Council will immediately trigger a vote to decide whether that member will continue to serve on Council.

3.a. At the beginning of each meeting, the Secretary will take attendance.

3.b. The presence of at least two-thirds of the members will constitute a quorum.

4. The Chair will preside over the meetings of Council. In the absence of the Chair, the Secretary will call the meeting to order and Council will elect a temporary Chair for the meeting.

5. Community Council is designed as a forum for discussion between community members. The Chair will be responsible for moderating the discussion and ensuring that all community members have an opportunity to express their opinions.

6. The agenda for each meeting will be determined by the Chair. Any member of the Council may place items on the agenda by informing the Chair. The order of business in a meeting may be changed by the Chair or a majority vote of those present.

6.a. A general agenda will be distributed by the Chair to Council and the Community at large (in the case of a Community Meeting) twenty-four hours before any regularly called meeting. If a Council member has a concern to place on the distributed agenda, they must bring it to the Chair's attention 36 hours in advance.

7. Any member of the Simon's Rock community may bring proposals to the Council for consideration by presenting them in writing or in person to any member of the Council. Council procedure is influenced by but does not directly follow Robert's Rules of Order.

7.a. For any issue or proposal brought to Council, a member of Council may propose a motion on how to address that concern in accordance with the powers and responsibilities of Council described in A. If that motion is seconded by another member of Council, then voting must proceed on that motion.

7.b. Each member of the Council will have one vote on a given motion, and all members present at the Council meeting are required to vote. All votes will be 'In Favor', 'Against', or 'Abstain'.

7.c. Voting will be done by a show of hands unless a secret ballot is requested by any member of the Council. The Chair will count the votes.

7.d. All issues except Bylaw changes will be decided by a simple majority. The Chair will not vote in these cases and will not participate in secret ballots, only voting in the event of a tie. In such an event, the Chair may not abstain.

7.e. Bylaws must be approved by a two-thirds majority, in which case the Chair may vote. In the event that a Bylaw change is approved, it will be presented to the community by the Council.

7.f. Members of the Council with a conflict of interest in the issue at hand must abstain from voting on that issue (e.g., a budget request from a group to which a Council member belongs,



either as student member or as a faculty or staff advisor). Abstentions will count towards the quorum, but not as either an 'In Favor' or 'Against' vote. In the event that the Chair has a conflict of interest, they will abstain as required, and for the purposes of the vote another member of Council will be designated by Council to hold the voting responsibilities of the Chair as described in C.7.c., C.7.d. and C.7.e.

7.g. The Secretary will record arguments for and against each budget proposal (if stated) and a record of the members voting for and against each proposal.

7.h. Should an individual or club/organization wish to appeal the Council's decision on a budget request they have submitted, the individual or club/organization must submit a second funding request to the Council completed according to D. and E.

8. Council meetings will ordinarily be open to any member of the community. A visitor to the Council meeting must conduct themselves with courtesy and speak only if recognized by the Chair; unruly or disrespectful visitors will be expelled from meetings. A meeting or portion of a meeting may be closed to visitors by the Chair or majority vote of the members present. Motioning and voting on committee appointments and budget requests will be closed.

9. Audio and video recordings of Council proceedings are not permitted during its closed session. During the open portion of the meeting, the chair may grant any community member permission to record proceedings.

#### Funding Criteria

1. Community Council controls the student activities budget for the College and is responsible for funding proposals that incorporate student interests. Proposals generally take the form of requests from student groups/organizations to fund event programming. A good proposal is detailed (considers time, date, location, etc.), takes into consideration the limited budget available to Council, and is accessible and attractive to a substantial portion of the student community. Proposals are accepted or rejected by Council on these merits.

1.a. To request funding, a knowledgeable person responsible for the event must submit a funding request to Council and respond to the questions of Council members regarding the event.

1.b. Acceptance of a proposal is contingent on the proper completion of a Budget Request Form.

1.c. Funding is subject to the fulfillment of all student organization requirements (see E.).

#### Student Organizations

1. Each student organization is required to have a member who will serve as liaison between the organization and Community Council, and a member who will take responsibility for the organization's expenditures and actions. If so desired, the same person may fulfill both positions.

1.a. Organizations are required to send a knowledgeable representative to the Community Council meetings where the organization will be presenting a budget request.

2. Each student organization must have an advisor who is a member of the faculty or staff. Advisors must sign the budget requests from their organization.

3. Any student organization not in compliance with the above stipulations in D. will not receive funding from Community Council.

Community Referenda

1. A referendum is a proposal brought forth by member(s) of the community on which Council may facilitate a community-wide vote.

2. The Council will be responsible for organizing and carrying out community referenda, determining the results, and publicizing the outcomes. A motion for a referendum may be voted on and considered for approval just like any other proposal.

3. In an all-community referendum, each student, faculty member, member of the administration, and member of the staff will have one vote. In a student body referendum, every Simon's Rock student (including the Academy) will have one vote.

## **APPENDIX E: 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.

### **1. The Institutional Review Board (IRB)**

The Simon's Rock Academic Senate has established the institution's Institutional Review Board (also 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 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 age 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, internal program evaluation and improvement, and which poses no risk to subjects, 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](http://my.simonsrock.edu/group/mycampus/academics); see Forms & Manuals for Students.

## **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](http://my.simonsrock.edu/group/mycampus/academics); see “Forms & Manuals” for Students.