

Bard College at Simon's Rock

Student Handbook

2016-2017

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 preference, 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 Dean of the College (deanofthecollege@simons-rock.edu), who serves as the College's Title IX Coordinator; and the contact for Title VI, Section 504 and the Americans with Disabilities Act.

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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 the College 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 E. The President of Bard College is the chief executive of Bard College at Simon's Rock. The President has delegated to the Vice President of Bard College and Provost 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

Bard College at Simon's Rock (Simon's Rock) is a selective, private, coeducational college of the liberal arts and sciences. Residential in nature, Simon's Rock is specially structured to support highly motivated students ready and eager for college-level academics and responsibility. Educating younger scholars in the liberal arts and science requires a welcoming, inclusive, and supporting learning community. The three pillars of the Simon's Rock model are: Early College; liberal arts; and equity and inclusion.

Elizabeth Blodgett Hall founded this College on the premise that younger students can successfully pursue higher education as college students when given the opportunity to work in a population of like-minded peers. For fifty years now, Simon's Rock has and continues to provide a living-learning environment specifically designed to do just that, while meeting the developmental needs of younger College Students.

Because the majority of students on campus are under 18 years old, we provide more structure and support than colleges typically offer. Students enrolled here recognize that while they do have significantly greater freedom and responsibility for their own learning and personal behavior than do their peers in high school, they will not experience the same degree of autonomy as students at most other colleges and universities.

ATTENDING COLLEGE AT A YOUNGER AGE

Attending college at a younger age means taking greater responsibility for yourself. In this environment your peers, faculty, and staff expect you to be mature enough to manage your personal affairs – meaning that you manage your time to attend class, meet deadlines, keep appointments, and rise to the academic rigor demanded of top liberal arts college students. You are also expected to be respectful of others.

Part of the college experience is the interaction with each other and with faculty and staff of different backgrounds and experiences, both formally and informally. We believe that some of our students' most significant learning occurs on campus outside the classroom. Students live together with Campus Life staff in the residence halls and share space and resources (i.e. meeting rooms, lounges, theaters, classrooms, labs, dining hall tables, bathrooms). Therefore, we expect students to care for each other and for the property we share in common. Please take responsibility for leaving the space, equipment, or resources ready for those who will use it next.

Our campus is dynamic with new students arriving and others departing each semester that are transferring, studying abroad, or completing graduation requirements. Embrace this flow of people, and be welcoming and inclusive of newcomers. Ask and encourage their involvement in the life of the campus.

We urge open dialogue, which at times is likely to raise emotions. That too is part of college life. We all need to be patient and kind with each other, especially living in shared space. Listen when someone raises concerns and take responsibility for your actions as an individual or part of a group. When this gets more challenging, your Residence Directors, and Peer Advisors, stand ready to help. Finally, be engaged in the resolutions, be they for personal or community concerns.

The Dean and Associate Dean of Campus Life are available to meet with students by appointment or at scheduled walk-in hours. Contact information is available from Security at Security@simons-rock.edu or (413) 528-7291. Walk-in hours are published in the on-line Events calendar.

MEMBERSHIP IN THE COMMUNITY

A student's membership in the Bard College at Simon's Rock community is a privilege, not a right. Initially, the Office of Admission grants this privilege based on its assessment of prospective students' past performance, and of their potential to benefit from and contribute to Simon's Rock. Continued membership in the Simon's Rock community is earned through acceptable behavior and accomplishment, both in and out of the classroom.

Leaders of the Simon's Rock community share a common concern for the individual, as well as for creating an environment in which learning and the advancement of knowledge may be pursued through free inquiry. They understand that each member of the community has certain rights and responsibilities, and that those rights and responsibilities are fundamental to this community.

While individual rights are important at Simon's Rock, the College retains the right to determine what student behavior and possessions are appropriate here. Therefore, 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 Security 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.

In keeping with both College and community standards, each student is expected to read and abide by the principles and policies outlined in the most recent edition of this Student Handbook. This important document is published annually, in August, via the College website,

where it is available to all students, parents, guardians, faculty and staff. The most recent online edition supersedes any previous version.

The College communicates with students via their assigned Simon's Rock e-mail address, and/or through printed documents delivered to their assigned mailbox in the Livingston Hall Student Union. Students are expected to check their Simon's Rock email and mailbox daily, and to manage their accounts accordingly.

The College reserves the right to change its policies and procedures at any time. Whenever this occurs, the campus community will be notified of such changes via campus email. The Provost of Bard College and Bard Academy at Simon's Rock, or their designee, has the right and authority to revoke a student's membership in this community if that student fails to meet and abide by the social and academic expectations required to continue studying at the Academy. For additional information on the relationship with Bard and the authority of the Provost of Bard College and Bard Academy at Simon's Rock, see Oversight and Delegated Authority, below.

EQUITY AND INCLUSION

In support of the mission and three pillars of Simon's Rock, the Provost established the Office of Equity & Inclusion (E&I) in January 2016. The Provost's expectations for Equity and Inclusion are that all Simon's Rock students, faculty, and staff:

Actively attend, participate, collaborate, and support the symposium on Equity and Inclusion week;

Engage the greater community off and on campus through their disciplines and academic endeavors in cultural and systemic pathways to equity and inclusive excellence;

Persist with critical self-analysis and reflection in interpersonal interactions and institutional decisions

Persist with comprehensive systemic analysis & revision of privilege and power dynamics and exclusive structures and procedures within the college; and

Commit to collaborating and working through different perspectives and experiences in compassionate, empathetic, and authentic exchanges.

The Office of Equity & Inclusion's goal is to lead, sustain, and institutionalize inclusion and social justice efforts at Simon's Rock across the campus and the BEC network. The Office of Equity & Inclusion (EI) work includes:

- E&I provides leadership, pedagogical resources, inspiration and accountability supports to promote equity, engagement, and access through the Provost, Director of Equity and Inclusion and appointed Council and committee members for Equity and Inclusion.
- E&I strives to cultivate and sustain a healthy, thriving campus climate of inclusion, equity & excellence supporting the mission and vision for all members to ensure our graduates in being informed to lead responsibly in their professional and community roles in a global society.
- E&I collaborates campus-wide and throughout the greater Bard Early College network. E&I works to resolve systemic inequities for all members of the Bard Early College Network & Simon's Rock campus through a holistic, positive approach to cultural competence, education, and service, by promoting inclusive excellence, mutual respect, and cultural humility.

- E&I serves 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. E&I informs planning, policies and procedures as it relates to inclusion and equity; and offers programming supports & grievance procedures in cooperation with Campus Life, Academic Affairs and Senior Leadership for the campus community regarding issues of equity, inclusion, and engagement.

Vision: E&I's vision is leading and striving for excellence through all campus departments where all students thrive and flourish in an inclusive community of the early college privileging a 21st Century liberal education. The foundations of meeting this vision are listed below:

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, as described in the Statement on Academic Freedom in the Faculty Handbook and available at the Office of Academic Affairs. 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 erroneous, malicious, or defamatory statements or 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.

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 preference, 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 Dean of the College or the Dean of Campus Life. 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.

RESTORATIVE PRACTICES

At Simon's Rock, we respect all members of the community for their differing abilities, backgrounds, and contributions, and we believe with effort on everyone's part our differences can successfully mesh for the greater common good. Community members are interdependent, yet functioning in roles that are far from interchangeable. So, while the College seeks to ensure the rights of all to express themselves in words and actions, it also prohibits behavior that breaches the rights of others, or that is in conflict with the College's educational mission and purpose.

When conflict or behavior rise above acceptable levels, the Campus Life Staff (PAs and RDs), who have been trained in Restorative Practices, may step in to assist those working through differences. The process involves bringing all stakeholders together, listening to each other, and working together for improved understanding and agreed ways forward. When necessary, methods that are more formal are available and may be used to work through difficulties. For more information, see Appendix B.

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

The Family Educational Rights and Privacy Act (FERPA, see Appendix A), allows 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 ten days before the start of an academic semester.

III. ACADEMIC AFFAIRS

The Office of Academic Affairs at Simon's Rock is the source of essential academic resources and policies. This office is located in the Hall College Center and houses the Dean of Academic Affairs, the Dean of Bard Academy and Academic Engagement, the Coordinator of Academic Programs, the Academic Services Coordinator, the Registrar, and the Associate Registrar.

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.simonsrock.edu/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/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 Associate 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 Bard Academy and Academic Engagement to register for fewer than 12 credits or more than 18 credits per semester. They also should consult with the Financial Aid Office about the implications of such a decision.

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. Self-Identified First Name and Gender Pronoun

Students, faculty, and staff should all be addressed by their preferred 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 this preference when interacting with people who may not have been informed of it, based on the student's Self-Identified Preferred First Name/Self-Identified Gender or Gender-Neutral Pronoun form. There are certain instances where 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/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: Student Privacy Rights). 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 reports.

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/academics, see Forms and 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, see Calendars). Information on Special Study Opportunities is also provided in the College Catalog, which is available at: my.simons-rock.edu/academics.

8. Transcripts

Simon's Rock has partnered with Parchment, Inc. for transcript service. All students can now go online to place their transcript order. Students can find the information and link for online ordering at: my.simons-rock.edu/academics, see Forms and 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. If you have any questions or concerns, contact Moira Buhr, Associate Registrar, in the Office of Academic Affairs.

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. Students who miss more than one week of a class may be suspended from that class.

2. Excessive Absence

If a student is suspended from class for exceeding the permissible number of absences, the student, Academic Advisor, Residence Director, and (for first-year students and students on academic probation) parent(s) or guardian(s) will receive notification from the Registrar's Office. The student may apply to the appropriate instructor or instructors for readmission.

If the request is granted, the instructor(s) must sign a reinstatement form outlining the conditions for return to class and file it with the Registrar's Office within one week of the class suspension. If an instructor or student decides against reinstatement, the student should drop or withdraw from the course by submitting the appropriate form to the registrar before the deadline unless withdrawal results in a course load below 12 credits.

Students for whom suspension or withdrawal from class would result in a course load below 12 credits may receive an F for the course and may be liable for immediate suspension from the College. They must meet with the Dean of Bard Academy and Academic Engagement immediately. Also see Course Catalog at: my.simonsrock.edu/academics.

3. 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. Absences for the observance of religious holidays are not counted toward maximum allowable absences. The policy regarding absences due to religious beliefs is available at the Office of Academic Affairs and online at: my.simons-rock.edu/academics see Forms, Guides, and Policies.

4. Leave Of Absence And Withdrawal

At Bard College at Simon's Rock, a student may be granted a leave or a withdrawal based on the policies outlined below:

Leave.

Leave can be given for health or personal reasons. In-residence students on leave are expected to vacate campus for the duration of the leave. Leave is granted for a minimum of two, and not more than ten, consecutive days in which classes are in session. A student on leave is expected to resume his or her studies once the leave has run its course.

Leave is initiated and approved as follows:

- The Director of the Wellness Center recommends a medical leave. The Director then has to clear the student medically before they are allowed to return from medical leave.
- The Dean of Bard Academy and Academic Engagement, Dean of the College, Dean of Campus Life, or Associate Dean of Campus Life, may recommend a personal leave.
- The Dean of Academic Affairs gives final approval to all leaves.

Leave is not an excuse to miss class; rather, it allows a student the opportunity to leave campus for legitimate health or personal reasons. A student on leave is required to make up missed work based on parameters s/he negotiates with faculty. For additional information also see the 2016-2017 Course Catalog at my.simons-rock.edu/academics.

Withdrawal.

Withdrawal involves an indefinite separation and departure from campus. Withdrawal can be voluntary or involuntary. The Dean of Academic Affairs, the Dean of Bard Academy and Academic Engagement, the Dean of Campus Life, or the Associate Dean of Campus Life – in consultation with the Wellness Services staff – has the authority to compel a student to withdraw immediately, without prejudice, for reasons of serious

health issues -- either physical or mental – or for the safety and well-being of the community.

The Dean of Academic Affairs or Dean of Bard Academy and Academic Engagement approves all withdrawals and any corresponding readmission. Students who withdraw will receive a W (withdrawal) grade in all scheduled courses for that semester. For information on refunds, see Financial Services.

Vacating Campus for Leave or Withdrawal

Unless otherwise directed, a student required to leave campus outside normal closure dates, regardless of circumstances (medical or personal leave, withdrawal, suspension, expulsion) must vacate campus within 12 hours. Alternative arrangements for departure must be made directly with the Dean of Campus Life.

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

The student vacating campus is expected to turn in their College ID card, room key, and all other campus keys to the Security office (via the Campus Life Office during business hours or to the Security Office at night and on weekends). Failure to comply may affect readmission or return from leave status. Upon scheduled return, students cleared by the dean or director who granted the leave will be allowed to retrieve their ID card and key(s).

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 the 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 on 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 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 programming, students will have opportunities to explore interests, develop professional skills, and gain valuable experiences to be successful in their chosen careers. From internships and study abroad to transfer or school graduate exploration, Career Development supports Simon's Rock students and alumni with all their professional pursuits. For appointments or questions related to career development, please contact Manat Wooten (mwooten@simons-rock.edu or 413-528-7203) Director of Academic Transitions and Career Development.

Support offered through the Office of Career Development include:

- Resume, cover letters, CV writing, and LINKEDIN profile;
- Internship and employment search listings;
- Interview preparation;
- Transfer search and application support; Moderation application guidance;
- 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 reserves 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 to 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 of Bard College and Provost (Provost) of Bard College at Simon's Rock 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 Dean of Bard Academy and Academic Engagement address allegations of academic dishonesty.
- The Dean of the College serves as our designated Title IX Coordinator. The Title IX Coordinator, or designated Deputy address allegations of sexual misconduct.
- The Dean of Campus Life 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 Dean of Academic Affairs, Dean of Bard Academy and Academic Engagement, Dean of the College, Dean of Campus Life, Associate Dean of Campus Life, Director of Security, 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), 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. Any student who violates a law on or off campus is liable for his or her 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 and in the appendices that follow.

More specifically, information about the policies and processes used to respond to allegations of:

- Academic dishonesty is outlined below, and in Appendix B, section G.
- Sexual misconduct is outline below, and in Appendices B and C.
- All other violations are outlined below, and 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.

Examples of violations to the College's policy on Academic Honesty:

Plagiarism

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.

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. 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. An approved style manual also should be consulted to avoid unintentional plagiarism.

A first offense will 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 academic probation, revocation of scholarship, and suspension from the College.

Appeals of Academic Dishonesty

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 hours of the decision.

Questions about the College's policy on academic dishonesty should be directed to the Dean of Academic Affairs or their designee. The policies and procedures used to investigate and adjudicate violations of this policy are outlined in Appendix B, section G.

2. Alcohol and Illegal Substances

Simon's Rock is a dry campus. Therefore, possession of alcohol and illegal drugs, possession by consumption, as well as all paraphernalia for the use of alcohol or drugs is strictly prohibited on the campus. Providing or selling alcohol or drugs to others is illegal and prohibited. Attendance at what appears to be a party, in which alcohol and illegal substances are available or seem to have been consumed, is prohibited. The use of a fake ID or misrepresenting one's identity in any way also is prohibited, as is misuse or abuse of prescription medication.

The College's Security and Campus Life staff have the authority to take necessary and thoughtful action to safeguard the campus and residents from alcohol, illegal drugs, and intoxicated users of the substances mentioned above. 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 well-being of the student. 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.

3. Call For Help

If a student requires medical attention as a result of using alcohol and drugs – and that student or a peer contacts Security or a residence director (RD) stating that this is a call for

help– the usual disciplinary process and consequences will not apply.

While no disciplinary sanction will be imposed, the student involved will be asked to follow up with a Campus Life Office staff member. In most circumstances, their parent or guardian and academic advisor also will be notified of the incident, and the student may be required to seek professional help on or off campus. However, if other college policies were violated during an incident, such as vandalism or a threat of serious harm to one's self or others, the individual may be held accountable for those infractions.

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 preference, religion, national or ethnic origin, disability, 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:

- Disciplinary warning, reprimand, 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 sanctions that are more severe 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 Campus Life 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 in Appendix B. (Note: sexual harassment is addressed under the College's Title IX/Sexual Misconduct policies and procedures, see Appendix C).

Alleged discrimination and discriminatory harassment by an employee towards a student or another college employee are a personnel matter that will be referred to the Dean of the College for investigation.

5. Failure To Comply

Failure to comply with a request or directive from a College staff member in the course of performing their duties is not permitted. Security, Residence Directors, Directors or Deans may ask a student to leave a building, have no contact with a fellow student, show College ID, or see a nurse or counselor, academic advisor, dean or some other officer of the College. If a situation warrants, students may be asked to show their College ID and are

expected to do so upon request.

Failure to comply with advertised, mailed, or emailed departmental notices, bulletins, alerts or announcements is also a violation of College policy. Academic Affairs, the Registrar's Office, Security, the Financial Services Office, Campus Life Office, and other College departments and offices may issue these.

Examples include emergency parking restrictions, billing notices, vacation, or break announcements, registration deadlines and security alerts.

The College's response to such violations may include disciplinary warning, reprimand, or social probation. 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 sanctions that are more serious.

6. Fire And Life Safety

Simon's Rock, the Great Barrington Fire Department (GBFD), and the Commonwealth of Massachusetts take fire and life safety very seriously. The College's Security, 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 security 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 and infraction. 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, 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 are not allowed on campus. Students who are not sure whether a particular appliance is permitted should get written permission from the Associate Dean of Campus Life before bringing the item to school.

Lofts

Loft materials, other than those provided by the College, are not allowed. Students in double rooms who would like to have their beds bunked must submit a request to their residence director. Only Physical Plant staff members are authorized to assemble and disassemble bunk beds.

The College's response to fire and life safety violations often includes a fine as well as a sanction -- warning, reprimand or social probation -- and any combination of the following:

- Campus volunteerism
- 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)

Major or repeat offenders may be suspended from campus. The College welcomes the aid and support of the GBFD 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 D).

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 towards oneself, others, or the property of others.

College administrators' primary concern will be to restore the safety and well-being 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 Security Office emails the full motor vehicle policy to all students at the beginning of each semester.

Only students who have completed two or more semesters at the College are allowed to have a motor vehicle on campus, provided they produce a valid driver's license and vehicle insurance when registering their vehicles with Security. 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 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 Campus Life for further action as necessary.

Management of the College Website

The provost or his or her designee has final approval of the College Internet site. S/he designates the day-to-day oversight to the Director of Marketing and Communications, and his or her 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, 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 C.

12. Smoking

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

That said, the College has four designated areas on campus where smoking is allowed within 10-foot range of the designated site. The sites include: 1) the gazebo off the Tri-dorm parking lot, 2) the gazebo on upper campus, 3) the picnic table behind the library, and 4) the bench outside the back of the art studio.

Smokers are responsible for the area and are expected to dispose of trash properly. Smoking in any College building results in a \$250 fine and automatic suspension from the College. The penalty for smoking elsewhere on the Simon's Rock campus, other than the three 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 well-being of this community and will take whatever action is necessary to eliminate the danger and remove such items from the campus. This includes but is not limited to guns and firearms of any kind, including any projectile firing device, ammunition, knives, daggers, machetes, swords, mace, pepper spray, slingshots, paintball rifles and supplies, fencing foils, martial arts equipment, explosives, fireworks or fuel of any kind. 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 jackknives with a blade less than three inches long, cooking knives and any other item that may be used for legitimate educational purposes, provided the student/owner (a) registers the item with the Director of Security and (b) indicates an understanding of the College's policy on knives. Any question or concern about a knife, or any other item that could be construed as dangerous and therefore violate College policy, should be addressed to the director of security. Failure to do so will not excuse a violation of this policy, or negate any penalties that may result.

14. Disciplinary Procedures

Please see Appendix B & C.

15. 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 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. (This committee is comparable to the Institutional Research Board, or IRB, at most institutions.) The Academic Senate's Standards and Procedures Committee oversees the HRRC, making suggestions and, if necessary, arbitrating disputes between the HRRC and researchers or on-campus subjects.

For further information on human research guidelines and HRRC procedures, see Appendix F.

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. 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 residential 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 three students, and limited singles for upper-class students. All residence halls have live-in College staff. Select upper-class students also work as peer advocates 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 Associate Dean of Campus Life, makes new students' initial

assignments. Other students are assigned each spring, for the coming academic year, via a lottery system. The Associate Dean of Campus Life 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 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 Associate Dean of Campus Life – is prohibited. Students who wish to change rooms at the end of the first semester must submit a petition to the Associate Dean of Campus Life. 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, occupant is entitled to equal access. 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 Campus Life or the Associate Dean of Campus Life, or during the disciplinary process if they are charged with a violation.

3. Billing

Student accounts are billed for College housing about June 1, or shortly after official admission. Once classes begin each semester, 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 a residential college. All students must live on campus, with the following approved exceptions:

- Students commute from the primary residence of a custodial parent or guardian.
- Seniors who choose to live off, and record that choice with Campus Life.
- Students with permission from the Dean or Associate Dean of Campus Life.

- Students 23 years of age or older

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

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 areas 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 Security, 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. Students may return when the residence halls reopen. During scheduled breaks, the College residence halls close. Students are expected to leave and return by the dates publicized 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 Associate Dean of Campus Life, will be fined \$100 per day.

1. Break Housing

Break Housing is provided at the will of the College. Students who live further than 300 miles of the College may request permission to remain on campus during all or part of the scheduled break period provided they apply following the information outlined in the Break Notice distributed from the Associate Dean of Campus Life in advance of the scheduled break.

During breaks, there is a decrease in supervision, resources, and support services available, as faculty and staff may also be on break. Security is open 24/7. On-call staffs are available through Security. All College policies remain in effect.

2. 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 Associate Dean of Campus Life,

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 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 will result in an infraction and 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 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. For security, 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 Security 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 RDs, 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.

Items left at the end of each academic year without written permission from the Associate Dean of Campus Life 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 RD 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 Security 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 to the RD a report of damage, and/or of 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 Physical Plant and/or Campus Life staffs will determine violations.

8. Room Condition reports

At the beginning of each semester, RDs 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 RD 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, dining services, the 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.

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/Dining ID Violations</u>	<u>Fine</u>
First Offense	\$ 0.00
Second Offense	\$ 5.00
Third Offense	\$10.00
Fourth Offense	\$20.00 + infraction referral

After a fourth Lockout or ID fine, the student may be infraacted for failing to comply with the Key and ID policy.

3. Overnight Sign-out

All first and second year students must inform their RD(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 RD apartments. It is recommended that you inform your 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, Dean of Campus Life, Director of Security, 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 for any reason. 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 Security 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 any time between 6 pm and 10 am must sign-in at the Security 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 Security 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 Campus Life, Associate Dean of Campus Life, or Director of Security.
- Students must register their guest(s) in person at the Security 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) times per semester, and thereafter must have permission from the Associate Dean of Campus Life or Director of Security.
- 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 or Associate Dean of Campus Life.
- 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 Security (413-528-7291) of their presence and depart no later than 12 am. If they plan to be in a residential building between the hours of 12 am and 8 am, they must follow the guest registration procedure outlined above.

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

4. Academy Housing

College students may not enter Academy housing without advance permission from the Associate Dean of Campus Life or an Academy Residence Director. Permission may be granted for specified dates and times, and can be withdrawn at will.

F. MISCELLANEOUS GUIDELINES

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 an RD 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 Plexiglas 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 January 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 Security Officer or Residence Director must give permission for the pet to enter the building, and have that authorization documented in the Security 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.

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

The College's disability policies, guidelines, and forms, including Service Animal Policy and Companion Animal Policy, are available online at <http://simons-rock.edu/academics/academic-advising-and-support/disability-services.php>

8. 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 Security Department must be informed before any RPAV is flown. Security 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 Security. 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.

9. 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.

10. 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 Security that they are doing so. Security 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 Security staff are not responsible for connecting on-campus calls. Long-distance calls can be made using a prepaid calling card. Questions should be directed to phones@simons-rock.edu or 413/528-7371.

11. Residence Hall Councils

Through the annual creation and participation of Residence Hall House Councils students, Peer Advocate (PAs) and Residence Directors (RDs) can define the character of their immediate community. House Council members are then responsible for managing their immediate community and can contribute their ideas, events, and concerns

At the first residence hall meeting, occupants determine the composition of their Council and propose operating methods. House Councils must include the RD(s) and PAs, and floor representatives. They are to have regularly scheduled meetings that are open to all residents of their particular residence. Minutes of House meetings should be distributed and shared with the Associate Dean of Campus Life. RDs oversee a budget drawn from the student activities fee, maintaining accurate budgetary records, and processing payments and reimbursements promptly, by Campus Life Office and Business Office practices.

V. 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 on or after the Fall 2014 are expected to complete the ACE requirement as part of their Associate of Arts program.

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)

The Campus Life and Wellness Center staff members offer these 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 Before Sex and No Joke: Understanding Harassment and Discrimination. First-year students must earn six Health and Wellness units during their first semester, and then must earn four units in each of their next two semesters.

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, 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 (RDs) offer events such as dodge ball, hiking and biking that may also satisfy this requirement. First-year must earn two AR units during each of their first three semesters.

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. First-year students must earn four Participation and Service units each of their first three semesters.

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

B. ACE OVERSIGHT

The Dean of Campus Life oversees and has authority to develop, plan and implement the ACE requirement. The dean 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, Wellness Services, the Kilpatrick Athletic Center, Campus Life, Student Activities, and/or Win Commons. The advisory board will review proposals and help the dean 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 Campus Life, 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 Campus Life, mmirasol@simons-rock.edu.

VI. CAMPUS DEPARTMENTS, OFFICES, AND SERVICES

A. KILPATRICK ATHLETIC CENTER

Kilpatrick Athletic Center is a first-rate facility that gives students access to a wide range of spaces and equipment. It serves the College and also many community members, who pay membership fees. Because Simon's Rock is situated in one of the most beautiful locations in New England, outdoor opportunities also abound for the recreational athlete: running, cycling, hiking, horseback riding, and skiing.

Student participation on competitive teams – men's and women's soccer, men's and women's swimming, and men's and women's basketball – requires a high level of commitment but brings the camaraderie and excitement of participating in a team sport. Events with nearby high schools and colleges allow Simon's Rock students to test their mettle while making new friends outside the College community. Students interested in playing on any Simon's Rock competitive team should visit Kilpatrick Athletic Center during their first term; all Simon's Rock teams compete during Fall Semester.

Athletics and Recreation (AR) is one component of the College's Active Community Engagement (ACE) requirement, which helps students learn to balance their academic success with physical, emotional, and social well-being, and to become active participants in the life of their communities. AR offerings include dozens of activities – some competitive, some not – from aerobics to yoga, rock climbing to swimming, and water fitness to tennis, racquetball, and squash. Students also have the opportunity to participate in intramural sports that include basketball, dodge ball, indoor soccer, ultimate Frisbee, and volleyball.

B. CAMPUS MAIL AND TELEPHONES

The Campus Mail Room is located with Security, 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 Monday through Friday between 8 am and 6 pm. 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 6 pm, while classes are in session. The Security staff answer calls during other hours. Since the cell service has gotten better in the Berkshires, the College no longer provides telephone or voicemail to each student room. 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, made up of the student Peer Advocates, Residence Directors, Associate Dean and Dean of Campus Life work to support all aspects of life outside the classroom at Simon's Rock. The Dean oversees Campus Life, Security, the Mailroom, the Wellness Center, Housing, Events, and Summer Programs, the Kilpatrick Athletic Center and the Dining Service.

The Associate Dean is responsible for the residence halls, the ACE program, the Peer Advocates (PAs), and oversees the Residence Directors working in both the College and Academy. The Campus Life staff work 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 3rd floor of the Livingston Hall Student Union.

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.simonsrock.edu/academics), see [Connecting to the Simon's Rock Network](http://simonsrock.edu/its/network-its-acceptable-use-policy) – 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.

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 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) is on duty in the library from 8: pm to midnight, Sunday through Thursday. Students may bring laptops and/or stop in to ask questions during this period.
- Send an email to its@simons-rock.edu or call the ITS Help Desk at 413/528-7371 and schedule an appointment between 9 am and 5 pm Monday through Friday.

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

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, and organic products. They are committed to preparing foods that are delicious and nutritious, even given our diverse community's wide-ranging dietary 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 9:00 AM	Hot Breakfast
8:00 to 11:00 AM	Continental Breakfast
11:15 to 1:45 PM	Lunch
4:00 to 5:00 PM	Lite 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 – 6:30 PM	Dinner

2. Meal Plan And Snack Bar Equivalency

All students living on campus pay a residence fee that includes 19 meals per week. They 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, each student may spend a dinner equivalency at the Rock Café snack bar, daily between 7 pm and 11 pm when classes are in session. The snack bar is located in the Livingston Hall Student Union and offers fresh food cooked to order, at a place to relax, study, or socialize.

3. Meal Plans for Off-Campus Students

Students commuting from the home of their parent or legal guardian, students with permission from Campus Life to live off-campus, and students living in designated small houses on campus with kitchen facilities may opt off the full meal plan, selecting a 5, 7, 10, or 14 meals per week option. Student must register for an option each semester, and the default is a full meal plan. Campus Life will contact those with this option during the first week of classes, and will have until 5:00 pm on the tenth day of classes each semester in which to alter their plan.

4. Declining Balance Meal Account

All 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 resident students can use the D/B to treat friends or visiting family members to meals in the Dining Hall.

Funds can be added to a student's account either in the mailroom (cash or checks accepted) or at the Business Office (cash, checks, Visa or MasterCard accepted). There is a \$100 minimum when using credit cards to add funds, but no minimum for cash or checks.

5. Dietary Restrictions and Allergies

Chartwells will help students to manage dietary restrictions and allergies. Its interactive website, 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.

6. Chartwells Student Jobs

Chartwells also employs students, both work-study and other. For additional information contact Chartwells at (413) 528-7290 or stop at its office just inside the dining hall entrance, Monday through Friday from 10 am to 6 pm.

F. DISABILITY ACCOMMODATION

Simon's Rock is committed to providing individuals with disabilities equal access to its programs, services and facilities in accordance with section 504 of the Rehabilitation Act of 1973 and Title III of the Americans with Disabilities Act of 1990. The Director of Accessibility and Academic Support works individually with students to assure they have equal access to the full range of opportunities at the College.

The Americans with Disabilities Act protects individuals from discrimination based on deficiencies in vision, hearing, orthopedic, or motor function; chronic illness; drug or alcohol addiction, or specific learning or psychological disabilities. Any student who believes they have a disability not included in this list are nevertheless urged to consult the College's Director of Accessibility and Academic Support (ext. 7383) to determine potential eligibility for services.

1. Registering Accommodations

A student with a disability may be eligible for reasonable accommodations. Students who wish to identify themselves as having a disability should schedule an interview with the Director of Accessibility and Academic Support (ext. 7383). At this interview students should be prepared to discuss documentation and appropriate accommodations 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 is responsible for delivering the letter to instructors and advisors; the student is responsible for meeting with them as needed to arrange for particular accommodation(s).

A grievance procedure is in place for students who believe they have been denied a reasonable accommodation. The College's Disability Accommodation Grievance Policy can be found in the College portal Academics section under Forms & Manuals for Students

2. 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 require fundamental alteration of the College's programs or services. Reasonable accommodation includes but is not limited to:

- Assistive Technology
- Digital textbooks or audio version;
- Course material in alternative format
- Open Captioning or Cart Services
- Extended time or distraction reduced environment for testing;
- Note-taking assistance

Simon's Rock reserves the right to refuse a specific accommodation request if another accommodation will serve the student's needs equally well and place less burden on the College. Students who wish to file a complaint concerning a disability accommodation request and/or another concern regarding disability accommodations specifically should refer to the College's Disability Accommodations Grievance Procedure for Students, located in the College portal (referenced above)

For more information on adaptive technologies, certifying eligibility, reasonable accommodation and registering for accommodation, contact the Director of Accessibility and Academic Support and/or go to the Simon's Rock website; Disability Services page.

G. EMERGENCY ASSISTANCE

1. While ON Campus

Dial "0" from any campus phone to reach Security 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, Security can contact local Emergency Services (9-911), and then Wellness Center staff. These staff members may also be contacted for urgent, but not emergency purposes via Security after hours.

4. Campus Staff on Duty 24/7

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

-
- Security;
- Campus Life Staff (RDs);
- Nurse;
- Counselor; and
- Administrator

H. EVENT COORDINATION

Student sponsored events and activities (whether arranged by individuals, groups, clubs, or organizations) are arranged and managed through the Student Activities Office, Room 302 Livingston Hall Student Union. The activities coordinator, a full-time professional with broad experience in planning and executing events, works with students, faculty, and staff to promote activities that allow digression from rigorous academics, and that foster leadership, engagement and the development of strong organizational skills.

The activities coordinator also works to support the ACE requirement.

Student input is integral to identifying events that serve an array of interests and constituencies. A yearly fair 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, intramural matches, blood drives, holiday themes, and sustainability efforts.

Besides identifying event initiatives, the activities coordinator 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, Security, and other offices.

Events must be planned in advance with the help of the activities coordinator 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.

The Dean of Campus Life 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 House Council or residence director. 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 Student Activities Office, ext. 4284.

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 Hall College Center. 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 deposit, 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% per month 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 15 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;
- Students must not be dually enrolled in a high school.

In the event of academic failure or probation, the director of financial aid at Hall College Center will review a student's case, and financial assistance – including grants and

scholarships – may be forfeited. Students, who are readmitted after a term of suspension, whether for social or academic reasons, will not be awarded College aid during their first term back.

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 enrollment deposit 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 Dewar, Inc. This plan, which requires a premium payment, complements the College's refund policy. A brochure with details is available in Financial Services.

J. INSTITUTIONAL ADVANCEMENT

The Office of Institutional Advancement at Blodgett House 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 works with Career Development to connect alumni, students, parents, and friends of the College in mutually beneficial ways. Looking for a lead on an internship in a new city? This is a good place to start.

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.

Institutional Advancement – with the help of volunteers and student employees – raises several

million dollars each year to support scholarships, academic programs, and internships, study abroad opportunities, and the physical plant at Simon's Rock.

For current students, the prospect of joining the ranks of the College's alumni may seem distant. However, Institutional Advancement offers services and contacts that students may find valuable when considering a summer internship or life after graduation.

Students are welcome to stop by Blodgett House 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)

Before leaving the United States at any point during a Simon's Rock program of study. International students must maintain a valid passport from their country of origin. 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.

For assistance with all other matters relating to life on campus, contact staff in Campus Life Office, Livingston Hall Student Union, 413/528-7321.

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 early college students by:

- Teaching students to be proficient, ethical information seekers;
- Facilitating access to information resources;
- Providing welcoming spaces for intellectual discovery;
- Promoting the adoption of innovative learning technologies.

In exchange for offering informational collections and services, library staff expects student behavior that allows the research, reading, and study necessary to academic excellence.

1. Learning Resources

The library's collections contain more than 75,000 books, DVDs, CDs, periodicals, and other media, augmented by a 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 must be displayed in order to use library facilities and for the temporary removal of materials. Circulating materials (books, DVDs, scores, etc.) will be lent 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 may not be removed from the library. Notices will be issued for overdue materials, and borrowers billed for materials not returned promptly.

3. Reference and Interlibrary Loan Services

The library staff is dedicated to helping students make best use of library resources. 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 at 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 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 Campus Life Office at 413/528-7693 (ext. 7693 from any campus phone).

N. SECURITY (24/7/365)

The Security 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 security director, assistant director and officers work closely with the residence directors; the directors of Campus Life, Wellness Center and Physical Plant; the Dean of Campus Life, and other members of the faculty and staff to maintain 24-hour coverage of the campus.

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

We believe that campus security is a collective responsibility. The Security Staff asks that everyone play an active role, immediately reporting suspicious activity, emergencies, and

potentially unsafe conditions to Security or to a residence director. In case of a facilities emergency, contact Security at 413/528-7291 (ext. 7291 from any campus phone).

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 Security officer or the Campus Life Office.

O. STUDENT EMPLOYMENT AND PAYROLL

The Student Employment office in the Livingston Hall Student Union 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 review the listing of available jobs at the College website 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 third floor of Livingston Hall Student Union. 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. Once hired, the student employee has three (3) business days from the date of employment to present the documents referred to in this section, or an acceptable receipt proving that they have applied for a replacement document. If the replacement document is not presented to the Payroll Office within 90 days, the student's employment will be terminated immediately.

- 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 administration & finance and/or the payroll managers 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 advocates (PAs) may not hold additional student employee jobs without permission from their supervisor(s).

5. Wages

Student employees are paid each Friday, at the Massachusetts minimum hourly rate, for hours worked the previous week. Students serving in the position of lifeguard will be paid \$0.50 more per hour because of the certification requirements they must obtain and maintain; student head lifeguards will be paid \$0.75 more per hour.

P. TRANSPORTATION

1. Airlines, Airports, and Break Shuttles

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

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

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

3. Personal Motor Vehicles

The Security 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. Exceptions to this require need approval from the Director of Security. Other students are permitted to bring motor vehicles to campus subject to the College's motor vehicle policies.

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 for any serious infraction, albeit of the motor vehicle regulations, other College Policy, or state laws. 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 Security 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 Security. 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, and 5 mph between Kellogg and the lower gate on Fox Run.

9. Motorcycles and Mopeds

The operation of motorcycles and mopeds 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.

9. 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 Security, and file their license plates with the Dean of Campus Life.

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, several nurses, several mental health counselors, 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, staff assesses individual student needs through health and counseling 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 drug use, eating disorders, women's and men's health issues, and stress reduction.

1. Center's Hours

Offices are open 9 am to 5 pm Monday through Friday when school is in session. Students can make appointments through the office administrator on the 3rd floor of Livingston Hall Student Union during office hours.

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 during the school year for urgent care needs. Any student who is feeling ill may ask a residence director or Security staff (ext. 7291) to contact members of the Wellness Center staff.

2. Counseling Services

Counseling is free to all currently enrolled students who have paid their required Wellness Fee (formerly the Student Health Fee). Appointments for psychiatric evaluation and medication management are scheduled by referral from a Counseling Services clinician and are billed separately through insurance. 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 every student seen.

To schedule an appointment with Counseling Services, contact the Wellness Center office administrator, ext. 7353.

When there is sufficient student interest, counseling staff will also offer workshops or group sessions on such topics such as optimizing sleep, stress reduction, improving coping skills and substance use.

3. Health Services

There are three nurses and a physician on staff. Typically, the nurse and/or the physician will assess each presenting student and recommend a course of action. Nurses are on call 24/7 when school is in session and have physician backup nights and weekends for urgent care needs.

Macony Pediatrics, a local pediatric practice affiliated with both Fairview Hospital in Great Barrington and Berkshire Medical Center in Pittsfield, MA, provides medical backup to the staff and are on-call 24/7 to support Health Services staff in caring for Simon's Rock

students.

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. Student Health Insurance Plan Information

All students are required to pay a Wellness Services fee (formerly the Student Health fee), which covers enrollment in the Student Accident and Sickness Insurance Plan underwritten by Nationwide Mutual Insurance Company. It also gives access to the Wellness Center's walk-in clinic, and 24/7 emergency access to on-call staff.

The College understands the desire families have to minimize their child's billing here. Parents or guardians may believe this health plan is redundant if they already have a family policy.

However, this fee is required because Simon's Rock students are younger than most who arrive on college campuses, and often they have not yet managed their own healthcare. Therefore, the College assumes unusual responsibility for their well being. The Wellness Services fee covers a broad spectrum of needs including walk-in access to Wellness Center staff. Licensed counselors, nurses, and the campus physician are readily available during business hours Monday through Friday and are on-call 24/7 for medical aid, support and follow-up. The consulting psychiatrist is available on campus, one day per week, and can be accessed by referral from the staff counselors

Further, in past years, students, parents and guardians have told us at graduation that their child needed treatment or support at time(s) but chose not to seek it, either because they were not covered under the College's (formerly optional) plan or because they felt overwhelmed when alone and faced with a serious personal problem. In total, these reports were sufficient to compel the College to address overall wellness issues, because of their impact on student success. This includes the proper medical follow-up that students otherwise might choose not to seek.

Our Wellness Center staff is diligent about providing care and making health information available to parents or guardians in compliance with HIPAA regulations. We are familiar with local resources –including a small hospital less than two miles away – and have solid working relationships with local care providers.

For a detailed explanation of the Student Accident and Sickness Insurance Plan, visit www.consolidatedhealthplan.com. Note that students and their families will be responsible for payment for excluded services and those that exceed policy limits.

5. Confidentiality

College staff encourages students to keep their families apprised of their personal well being. However, 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 College will notify parents or guardians when a student is treated in the emergency room or is hospitalized for any reason regardless of age. Family also will be informed if their child has an illness that may require a leave 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 Academic Affairs and/or the Dean of Campus Life, may recommend that a student take a health leave or health withdrawal for the student's own well-being and safety, or for the well-being and safety of the community. The deans may compel such leave or withdrawal as warranted. All leaves and withdrawals require final approval from the Dean of Campus Life or Dean of Academic Affairs, or their designee. For full information about the College's policy on leave and withdrawal, see IV Academic Affairs.

7. Prescription Medication Policy

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.

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 Village Pharmacy in Lenox, MA, which will deliver individually packaged medications to the Wellness Center Monday through Friday. To arrange such service, students should see the Wellness Center front office administrator on the 3rd floor of Livingston Hall Student Union, or phone 413/528-7353 (ext. 7353 from campus). 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.

R. WIN COMMONS

The Judith and Ba Win Student Resource Commons is located within the library atrium. Win Commons staff strives to enhance the quality of students' academic study through supplementary services, including:

- Tutoring in writing and quantitative studies;
- Access to adaptive technologies and services;
- Workshops in critical thinking and study skills;
- Information on internships, study-abroad, and career opportunities.

For more information, phone 413/528-4282 or stop by the library.

VII. 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:

- (1) 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, dean, or Dean of Bard Academy and Academic Engagement 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.
- (2) 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.

- (3) 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 includes a person employed by the Bard College at Simon's Rock in an administrative, supervisory, academic, research, or support staff position (including Security, Campus Life, Wellness Center (formerly Counseling Services and Health Services 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 his or her tasks. A school official typically has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibilities for Bard College at Simon's Rock.

- (4) 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
- Major 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: DISCIPLINARY PROCEDURES

1. Restorative Practices

Members of the Campus Life Staff, both Peer Advocates and Residence Directors, have been trained in restoratives practices (as advanced by the IIRP Graduate School, 2013), and may seek approval from the Dean or Associate Dean of Campus Life to address lower level breaches of our community standards in accordance with College policy.

Restorative Circles

The process, know as a Restorative Circle Conference 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 offense. Stakeholders are each given an opportunity to discuss the particular offense, hear the impact the event had on the others, address the harm caused. Next, they determine and document whatever action is needed to fix the damage, the timeline to complete said work, and those responsible for completing the task(s) in order to move forward.

The facilitator sends the stakeholders and the Deans of Campus Life a synopsis of the incident and the proposed restoration plan(s). The Deans have two business days in which to accept or reject the plan; no response defaults to acceptance. If rejected, the Dean informs the stakeholders as to why, and then an infraction notice will be issued in accordance with the formal procedures described below.

Circle Conference Questions

Those responsible reflecting on:

- What happened?
- What were you thinking at the time?
- What have you thought about since that time?
- Who was affected by what was done? In what way?
- What is needed to make things right?

Those harmed reflecting on:

- What did you think when you realized what had happened?
- What impact has the incident had on you and others?
- What has been the hardest thing for you?
- What do you think needs to happen to make things right?

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, an alleged infraction notice is issued, in accordance with the formal procedures outlined below.

2. Formal Practices

The Dean of Campus Life has the authority to adjudicate violations of the Code of Student Conduct. The Dean also may delegate that responsibility to the Title IX Coordinator, the Associate Dean of Campus Life, the director of security, 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 well-being of the community and its governing policies, the Dean of Campus Life may take direct action, and then refer the case to the Appeals Committee resolution.

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

Alleged Infraction

If, after reviewing any report from the Security or Campus Life Staff, the Dean of Campus Life believes an infraction is warranted, they will produce an Alleged Infraction report. Once the student receives the notice, they are asked to respond to the allegation in the Campus Life office within two business days of the date and time issued. The named student is allowed to read, ask any clarifying questions that they may have, and then respond to the Alleged Infraction right on the report.

The response options include:

- Accept the alleged infraction as written;
- Accept the alleged infraction with comment; or
- Dispute the alleged infraction.

The Alleged Infraction Report is confidential and may not be duplicated or removed from the Campus Life Office. If a student fails to sign an Alleged Infraction report within the two business days of the date and time issued, the Alleged Infraction defaults to acceptance, and the student waives their right to contest the allegation as presented.

Resolving the Infraction

After reviewing the student's response to the claim, the dean determines how to resolve the matter. They may adjudicate the case or may delegate that responsibility. The dean is often able to resolve most cases after reading the written response; others may involve a brief follow-up meeting. Still, other cases may require meetings with all parties, witnesses, and the staff that responded to the incident.

If a student disputes an allegation, and/or may face possible suspension or expulsion (and is not deemed an immediate danger to him/herself or others in the community), the dean may choose to refer the matter to the Code of Student Conduct Circle or take direct action, and then submit the case to the Appeals Committee for final adjudication.

If a student appears to be a danger to themselves or others, the dean may take immediate action including removing that student from campus. All decisions at this level may be appealed based on the criteria outlined in *Appealing a Disciplinary Sanction*.

Whatever 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 by College and Federal policy.

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 Circle, a sanction may be imposed from the list outlined below. If the student is found not responsible for a violation, is also 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 the proceedings. Recording a hearing is not permitted without advance permission from the Dean.

The College attempts to resolve alleged infractions within two weeks of the incident, but some matters can take longer, which is allowed. If you have questions about possible resolution timelines, please speak with the dean.

While violations of policy can be severe, the process is not meant to be adversarial. Rather, it is designed to offer a student charged with violating College policy the opportunity to reflect on and respond to allegations. Any student who needs help understanding the College's Code of Student Conduct or the disciplinary process is urged to contact the Dean of Campus Life, the Associate Dean of Campus Life, a residence director, or their academic advisor.

Please note: Cases alleging academic dishonesty; sexual misconduct; discrimination; and/or discriminatory harassment, will be referred to the Dean of Academic Affairs or to the Dean of the College for follow-up. These staff members have had additional training on sexual misconduct, discrimination and/or discriminatory harassment investigations and sanctions.

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

Code of Student Conduct Committee

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

Cases typically referred involve serious matters and/or repeat offenders who may be eligible for Social Probation, Suspension, or possible expulsion. The Code of Student Conduct Committee works in conjunction with the deans to uphold the policies and procedures of the College, as outlined.

Membership

The Code of Student Conduct Committee pool is made up of four students, four faculty, and four staff members. There may also be up to three At Large students, invited 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 an academic year. Student members themselves must be and remain in good standing academically and socially, 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, Director of Administration and Finance, or the Dean of Campus Life may fill any vacancy remaining on or after the fourth week of the fall or spring semester. If the Dean of Campus Life is not available, the Associate Dean of Campus Life or director of security will act in their stead.

Quorum

When a case is referred, a hearing circle of at least three Code of Student Conduct Committee members that include one student, one faculty member, and one staff member hear the case.

A faculty member acts as hearing chair. The Dean that referred the case sits as a non-voting member during that particular hearing, and serves as the spokesperson, recording and communicating the outcome to the student(s) involved, and participating in appeals as necessary. The chair or the dean may remove and replace any committee member at will.

Committee Training

Sitting members of the Code of Student Conduct Committee are educated on the Code Student Conduct policies, conducting fair hearings, and the

“preponderance of evidence” standard, which the College uses to determine responsibility. At large members are briefly educated on the same by the dean or hearing chair.

Hearing Process

The Chair determines the order of witnesses and oversees proceedings in consultation with the Dean of Campus Life.

The chair may also represent the specific hearing committee in the appeals process, as needed. The Dean of Campus Life 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 at the will of the faculty chair or dean.

During each hearing:

- Committee members for the specific case review the infraction report 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 then with the student charged.
- Members also may hear from one or 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 Dean.
- 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 or the dean can 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 an infraction will be upheld. If the infraction is upheld, the circle members then work with the Dean of Campus Life 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 with the hearing committee members.

The Dean of Campus Life will document the outcome of the hearing and communicate the decision to the student.

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

3. Appealing Disciplinary Action

Student may appeal the outcome of formal College disciplinary action as follows:

Appealing Suspension or Expulsion

At Simon's Rock, any student who receives a suspension or expulsion decision for violating the Code of Student Conduct is entitled to an Appeal with the Appeals Committee upon request in accordance with the terms outlined below.

The Student who received a determination of suspension or expulsion for any alleged infraction other than Sexual Misconduct are automatically granted a hearing before the College's Appeals Committee, provided they initiate their appeal by notifying the Provost's Administrative Assistant of their intent to appeal within 48 hours of receiving a written sanction. Appeal notifications can be sent to provostadmin@simons-rock.edu.

For complete information about appeals of sexual misconduct cases, see Appendix C. The Provost or their designee serves as the Chair of any appeals hearing. Similarly, to Code of Student Conduct Circle cases, student members are excluded from hearing Title IX appeals, and appeals of Discrimination and/or Discriminatory Harassment in which allegations are directed toward an employee.

Pending an appeal of suspension or expulsion, the Provost, Dean of the College or Dean of Campus Life will decide whether a suspended student must leave campus until final disposition of the case. The Dean of Campus Life 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 may be as follows:

- 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 Circle chair, members of the Campus Life and Security 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 (7) 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; or
- 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.

4. Possible Sanctions for Code Violations

The Provost, Dean or Dean of Bard Academy and Academic Engagement, the Title IX Coordinator, the Dean of Campus Life or their designee, or the Student Code of Student Conduct Circle may find that a student has violated a College policy. Sanctions for violations of the Code of Student Conduct may include a notation, disciplinary warning, reprimand, social probation, suspension, or expulsion.

Sanctions are described below:

Incident Noted

The Dean of Campus Life or their designee, or the Student Code of Student Conduct Circle may find that a student has violated a College policy but, because of the nature of the offense, no consequence beyond a notation in the student's file is necessary.

Disciplinary Warning

A warning letter will be sent to the student via campus mail or email, informing that their behavior, as indicated in a report received by the Dean of Campus Life, violated College policy and therefore is not acceptable. Future violations may lead to further disciplinary action.

Reprimand

A letter of reprimand will be sent to the student via campus mail or email, informing that their behavior, as indicated in a report received by the Dean of Campus Life, violated College policy and therefore is not acceptable. Reprimands may be issued for a more serious initial violation or for a second violation of College policy. Additional policy violations may have a negative effect on future sanctions and on housing lottery priority, and may lead to further disciplinary action.

Social Probation

Social probation is a sanction imposed for serious or repetitious misconduct and should be taken very seriously. 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 10 weeks 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 letter sent through campus mail or email and copied to parents or guardians, academic advisors and other department heads as appropriate.

NOTE: Sanction of Social Probation may affect a student’s housing, scholarships, financial aid, or studies abroad opportunities. Social probation will prompt an automatic review of financial aid. Simon’s Rock merit scholarships are a privilege, and students who receive them are expected to be in good standing inside and outside the classroom. Social probation may jeopardize financial aid as follows:

- First-time social probation: an automatic warning that financial aid is in jeopardy if further violations occur
- Second-time social probation or Extension of first-time social probation status: automatic loss of any merit aid

The Financial Aid office can address further questions or concerns.

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, financial aid, or studies abroad opportunities. This includes separation from classes, activities, services, facilities, and grounds for the duration of the suspension period. The Dean of Campus Life will document such action in a letter, which they will generally hand-deliver, with copies sent through campus mail or email to the student, parents or guardians, academic advisors and other department heads as appropriate. The Dean has the authority to require that you to vacate campus immediately upon suspension, regardless of appeal status. For information about departing campus after suspension, see Vacating Campus for Leave or Withdrawal, above.

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, and how suspension affects financial aid and can provide further information about the process and deadlines upon request.

Expulsion

Expulsion is a complete and permanent separation from the College. Such action will be documented via letter, generally hand-delivered by the Dean of Campus Life, with copies sent through campus mail or email 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, above.

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 on circumstances and on the judgment of the Provost, in consultation with

the Dean of Academic Affairs, Dean of the College, Dean of Campus Life or Associate Dean of Campus Life. Others who may be consulted include parents or guardians, College counselors, Wellness Center staff, residence directors, Security 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.

5. Sanction Notifications

Due to the nature and responsibilities of their work, the deans, Associate Dean of Campus Life and security, and the residence directors are informed of infraction resolutions. Other College officials with a need to know will be informed about the resolution of specific incidents as appropriate. The Dean of Campus Life and/or the Appeals Committee chair, or designee, makes these notifications.

Parent or Guardian

A parent or legal guardian will be notified when a student is alleged to have violated College policy and is sanctioned with a Reprimand or above. Typically, this contact is through the student's residence director, the Associate Dean of Campus Life, or the Dean of Campus Life. Parents also may receive a copy of any letter resolving a disciplinary matter. At the discretion of the Campus Life staff, parents also 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.

Academic Advisor

The Campus Life staff will not hesitate to 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 delivered via the student's residence director, the Associate Dean of Campus Life or the Dean of Campus Life.

6. Sanction Conditions

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

Campus Service

The student will be assessed a predetermined number of campus work hours, to be overseen by the Dean of Campus Life 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, social probation, suspension, or expulsion.

Loss of Housing or Reassignment

This includes the right to live on campus, a specific room or building, select housing, remain over break periods, etc.

Loss of Privileges

The student may be forbidden access to specific College buildings or facilities, operation of a motor vehicle on campus, have guest visits, receipt of financial aid or other privileges as deemed appropriate.

Assessment and/or Counseling

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

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. Infractions also may mandate restitution of costs for repair or replacement. Restitution may include labor and shipping costs. Students who are unable to pay a fine or cost may request permission from the Dean of Campus Life or Associate Dean of Campus Life to work at a set hourly rate in lieu of financial payment.

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.

7. Additional Information, Policies and Procedures When Responding to ACADEMIC DISHONESTY

The Dean of Academic Affairs has the authority to adjudicate academic honesty violations him or herself, delegate that responsibility to the Dean of Bard Academy and Academic Engagement, and/or in cases of repeated or more egregious offenses the dean may refer the matter to the Committee on Standards and Procedures, of which the dean serves as an ex officio, voting member. The members of the Committee on Standards and Procedures are the associate academic dean, four faculty members, the registrar staff, and the academic support specialist.

8. Additional Information, Policies and Procedures When Responding to SEXUAL MISCONDUCT__See Appendix C.

9. Student Grievance

In an academic community, the resolution of grievances should occur contiguous with the educational process. Simon's Rock seeks to help students resolve social problems by inquiry and persuasion rather than judicial procedure. When a dispute occurs, the aggrieved student should first attempt to discuss the problem with the individual who is the source of conflict. If this is not possible or does not succeed, the aggrieved student may seek help from a faculty member, Academic Affairs or Campus Life staff, or the Title IX Coordinator.

An aggrieved student may take further action by petitioning the appropriate dean. If the dispute is between students, the Associate Dean of Campus Life or the Dean of Campus Life will arbitrate; if between a student and a faculty member, the Dean of Academic Affairs or Dean of Bard Academy and Academic Engagement will arbitrate; in disputes between a student and a member of the Campus Life staff, the Dean of Campus Life will arbitrate; in a dispute regarding disability accommodation the Dean of the College and ADA/504 Coordinator for students will arbitrate; in disputes between a student and any other member of the College staff, the director of administration and finance will arbitrate. All decisions may be appealed.

APPENDIX C: 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:

- One - Stop behavior that constitutes sexual misconduct;
- Two - Remedy the effects of the behavior, and
- Three - 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 will always respond to allegations about alleged sexual misconduct and take appropriate action to stop the misconduct, prevent its reoccurrence, and remedy its effects.

When a community member is found to have violated this policy, sanctions may be implemented to ensure that such actions are not repeated. This policy is intended to define community standards and to outline options and the investigation procedure when those standards are alleged to have been violated. Any attempts to violate this policy are considered sufficient for having committed the violation itself. Aiding or cooperating in the violation of this policy is also prohibited.

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 sexual discrimination, sexual harassment, sexual assault, dating and domestic violence, and stalking.
- Any policy violation related to discrimination on the basis of sex or gender may also be addressed under this policy.

What - This policy applies regardless of length of time since the conduct occurred:

- The College does not limit the timeframe for filing a complaint. To promote timely and effective review, however, the College strongly encourages that reports of sexual misconduct be made as soon as possible. Although the College may pursue a report made at any time, the passage of time may limit the College's ability to investigate and respond;
- Note that 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 prohibited 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, but is not limited to, sex-based harassment, sexual assault, sex discrimination, sexual violence, sexual exploitation, stalking, relationship violence, aiding or facilitating the commission of a violation, and retaliation.

Sex-based Harassment

Sex-based harassment is a form of sex discrimination, and includes sexual harassment and gender-based harassment. Sex-based harassment is also prohibited under Title VII of the Civil Rights Act, Massachusetts General Laws Chapter 151B, and other applicable state and federal statutes.

Sexual Harassment

Sexual harassment, whether between people of different sexes or of the same sex, is defined to include, but is not limited to, unwanted sexual advances, unwelcome requests for sexual favors, and other behaviors of a sexual nature when:

- Submission to or rejection of such conduct is made, either directly or indirectly, a term or condition of an individual's academic status or employment;
- Submission to or rejection of such conduct by an individual is used as a basis for employment or academic decisions affecting him or her; or
- Such conduct, whether verbal or physical, has the purpose or effect of unreasonably interfering with the individual's academic or work performance, or of creating an intimidating, hostile, or offensive environment in which to work or to learn.

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

The following behavior may constitute sexual harassment:

- Lewd remarks, whistles, or personal reference to one's anatomy;
- Visual displays of degrading sexual images;
- Unwanted physical contact such as patting, pinching, or constant brushing against a person's body;
- Subtle or overt pressure for sexual favors;
- Persistent and offensive sexual jokes and comments;
- Persistent and unwanted requests for dates;
- Email, text, or social media messages of an offensive sexual nature; and
- Sexual violence of any type

While it is not possible to list all circumstances that may constitute sexual harassment, the foregoing 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.

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.

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:

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

Non-consensual Sexual Conduct

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.

Sexual exploitation includes but is not limited to:

- 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.

Hostile Environment

A hostile environment exists when sex-based harassment is sufficiently serious to deny or limit an individual's ability to participate in or benefit from the College's education or employment programs or activities. In determining whether sex-based harassment has created a hostile environment, the College considers the conduct from the perspective of a reasonable person in the position of the Complainant. To make the ultimate determination of whether a hostile environment exists, the College considers a variety of factors related to the severity, persistence, or pervasiveness of the sex-based harassment, including:

- (1) the type, frequency, and duration of the conduct;
- (2) the identity and relationships of persons involved;
- (3) the number of individuals involved;
- (4) the location of the conduct and the context in which it occurred; and,
- (5) the degree to which the conduct affected one or more community member's education or employment. The more severe the sex-based harassment, the less need there is to show a repetitive series of incidents to find a hostile environment. Indeed, a single or isolated incident of sexual harassment may be sufficient to create a hostile environment, particularly if the harassment is physical. Likewise, a series of incidents may be sufficient even if the sex-based harassment is not particularly severe.

Failure to Have 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 cannot be obtained from an individual who is incapable of giving consent because the person:

- Has a mental, intellectual, or physical disability; or
- Is under the legal age to give consent (16 years of age in Massachusetts);
or
- Is asleep, "blacked out," unconscious, or physically helpless; or
- Is incapacitated, including through the consumption of alcohol or drugs.

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.

Intimidation

Any threat of violence or other threatening behavior directed toward another that reasonably leads the target to fear for their physical well-being, or to engage in sexual conduct for self-protection.

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. 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.

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.

5. Definitions of Terms

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.

6. Privacy Statement

Simon's Rock is committed to maintaining the privacy of all individuals involved in a report of sexual misconduct. If a member of the College community wishes to obtain confidential assistance through on-campus or off-campus resources without making a report to the College, the College has identified and has made Confidential Resources available on-campus. See Resources chart below.

When assessing a report or complaint of sexual misconduct made to the College, every effort will be made to protect the privacy of the individuals involved, in a manner consistent with the College's need to review the report thoroughly. Information related to a report of misconduct will be shared only with those College employees who "need to know" in order

to assist in the investigation or resolution of the complaint. If a complainant requests that her or his identity remain confidential after the College learns of an incident, the College will balance this request with its responsibility to provide a safe and non-discriminatory environment for all College community members including the complainant, its ability to conduct an investigation if confidentiality is maintained, and its responsibilities under state and federal law. The College will seek to respect the request of the Complainant and where it cannot do so, it will consult with the Complainant and keep her/him informed about the chosen course of action. 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.

7. 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.

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 Leslie Davidson (413-528-7245), Deputy Title IX Coordinator Sue Lyon, (413-644-4282), or one of the other College reporting sources identified below.
- Notify law enforcement authorities and file a criminal complaint by calling Security (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 Security at 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.

If the College receives notice of sexual misconduct, or a complaint of sexual misconduct is filed, it will initiate an investigation and pursue a prompt resolution. The investigation will follow the Investigatory Procedure set forth below, providing a chance for both parties to explain the facts, provide evidence, and identify witnesses. If the respondent is found responsible, sanctions will be imposed, ranging from a note in the respondent's file or more formal warnings, to expulsion from the College or termination of employment.

Going Forward

The College is committed not only to fully addressing instances of sexual misconduct, but also to taking measures to prevent its recurrence and address its effects. Even after an investigation is completed, complainants should follow up with the College if they have lingering concerns or would like support of any type.

8. 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 Security (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. College Security can help arrange transportation to an emergency room or call an ambulance for you. (Note that, unlike medical professionals, reports made to Security are not confidential. See the Reporting section for more information related to confidentiality.)

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:

Pittsfield, MA:

Berkshire Medical Center
725 North Street
Pittsfield, MA 01201
413-447-2000

North Adams, MA:

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" - Security 24/7/365
413-528-7291 - Security 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 experiences 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.

9. Reporting

The College encourages victims of sexual misconduct to talk to somebody about what happened – so 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.

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

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:

For Students: Personal Counselors in Counseling Services, 413-528-7445
For Faculty and Staff: Employee Assistance Program, 800-272-7255

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.

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.

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 and private 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. In all cases, the College will honor and support the complainant's wishes, including for the College to investigate fully an incident.

Formal Reporting Options

Victims 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.

Reports to the College

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

Title IX Coordinator

Leslie Davidson
leslied@simons-rock.edu,
413-528-7245

Deputy Title IX Coordinator

Jackson Liscombe
jliscomb@simons-rock.edu
416-528-7439

Deputy Title IX Coordinator

Sue Lyon
slyon@simons-rock.edu
416-528-4282

Reports against staff or faculty may also be made to:

Dean of Finance and Administration

Bryant Morgan
bmorgan@simons-rock.edu
413-528-7204

Dean of Academic Affairs

Pat Sharpe
psharpe@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 Security 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. Security 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.

Anonymous and Third Party Reports

The College welcomes anonymous and third-party reports, which may come to the Dean of Academic Affairs, an advisor, the Dean of Campus Life, Title IX Coordinator or Deputy, Security or an Residence Director. However, it 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.

10. 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 (e.g., whether the alleged accused is likely to commit additional acts of sexual, gender-based, or other violence; 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 a limited number of personnel responsible for handling the College's response. The College will remain ever mindful of the victim's well being, and will take ongoing steps to protect the victim from retaliation or harm and work with the victim to create a safety plan. Retaliation against the victim, whether by students or College employees, will not be tolerated. The College will also:

- assist the complainant in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance both on and off campus;
- provide other support, which could include issuing a no-contact order; helping arrange a change to on-campus housing, working arrangements, or course schedules (including for the respondent pending the outcome of an investigation); or adjustments for assignments or tests; and
- inform the complainant of the right to report a crime to campus or local law enforcement – and provide the complainant with assistance if the complainant wishes to do so.

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 gender-based 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 also discuss other actions that might be implemented to protect and assist the complainant.

11. 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 well-being 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 immediate and responsive 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. 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 <http://www.mass.gov/courts/selfhelp/abuse-harassment/harassment-prevention.html>.

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 Counseling 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 well-being 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.

12. 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 misconduct. 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.

13. 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.

14. 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 Security.
- 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.

15. 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).

16. 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 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 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.

17. Timeframe

The college will conduct a timely review of all complaints of sexual misconduct. Absent extenuating circumstances, review and resolution typically takes place within sixty (60) calendar days from receipt of the complaint.

The preliminary review of all complaints, including any necessary interviews to be conducted and any necessary interim measures to be put in place, will usually be completed within fifteen (15) days of receipt of the complaint.

The subsequent, comprehensive review and investigation of the complaint, including interviews with involved parties and gathering of evidence, is usually completed within forty-five (45) days of receipt of the complaint.

Final outcomes are typically issued within sixty (60) days of receipt of the complaint. The finding and outcome will be simultaneously communicated in writing to both the accused and the accuser.

18. 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.

19. Appeal Procedure

Both parties, the complainant and the respondent, have equal rights to an impartial appeal. The parties shall have two (2) 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 Student Affairs, Dean of Academic Affairs, and Dean 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.

20. 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 Campus Life, 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 security 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, Security 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.

21. 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

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

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.

22. Title IX Coordinator's Role

The Dean of the College 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 the Deputy Title IX Coordinator, the Dean of Bard Academy and Academic Engagement . 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 Leslie Davidson leslied@simons-rock.edu, 413-528-7245	Deputy Title IX Coordinator Jackson Liscombe jliscomb@simons-rock.edu 416-528-7439	Deputy Title IX Coordinator Sue Lyon slyon@simons-rock.edu 413-528-4282
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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>.

23. 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 align="center">On Campus Confidential</p>	<p align="center">Off Campus Emergency</p>
<p><u>Students Only:</u></p> <ul style="list-style-type: none"> • Counseling Services: 413-528-7353 or through Security 24/7 • Health Services: 413-528- 7353 or through Security 24/7 <p><u>Faculty and Staff Only:</u></p> <ul style="list-style-type: none"> • ComPsych Guidance 	<ul style="list-style-type: none"> • 911 (or 9-911 from campus phones) • Great Barrington Police Department: 413-528-0306 <p align="center">Medical</p> <ul style="list-style-type: none"> • Fairview Hospital: 413-528-8600 • Berkshire Medical Center: 413-447-2000 • North Adams Regional Hospital: 413-664-5000
<p align="center">Non-confidential</p>	<p align="center">Other Support</p>
<p>For a All Community Members:</p> <ul style="list-style-type: none"> • Title IX Coordinator Leslie Davidson: 413-528-7245, leslied@simons-rock.edu, Blodgett House, second floor • Deputy Title IX Coordinator Sue Lyon: 413-644-4282, slyon@simons-rock.edu, College Center, first floor • Deputy Title IX Coordinator Jackson Liscombe: 413-528-7439, jliscombe@simons-rock.edu, College Center, first floor • Security: 413-528-7291 <p><u>Students Only:</u></p> <ul style="list-style-type: none"> • Dean of Campus Life Bob Graves: 413-528-7316, rgraves@simons-rock.edu, Student Union, third floor • Residence Directors: Dial “0” to be connected to an RD on duty <p><u>Faculty Only:</u></p> <ul style="list-style-type: none"> • Dean of Academic Affairs Patricia Sharpe: 413-528-7240, psharpe@simons-rock.edu, College Center, first floor <p><u>Staff Only:</u></p> <ul style="list-style-type: none"> • Dean of Finance and Administration, Bryant Morgan: 413-528-7204, bmorgan@simons-rock.edu, College Center, first floor 	<ul style="list-style-type: none"> • Mental Health Crisis Team –24/7: 413-499-0412 or 800-252-0227 (toll free) • Elizabeth Freeman Center, (http://www.elizabethfreemancenter.org/): 866-401-2425 (toll free), 413-499-2425 (office), 413-499-2425 (TTY) • YWCA of Western MA: 800-796-8711 (hotline), 413-733-7100 (TTY), 413-732-3121 (office) • Jane Doe Inc. (Massachusetts Coalition Against Sexual Assault and Domestic Violence): 877-785-2020 (hotline), 877-521-2601 (TTY) • SafeLine: 877-785-2020 (Massachusetts), 877-521-2601 (TTY) • National Domestic Violence Hotline: 800-799-SAFE (800-799-7233) • National Sexual Assault Hotline: 800-656-HOPE (4673) • Rape Hotline: 866-401-2425

APPENDIX D: 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 E: LEGAL AND DELEGATED AUTHORITY

- A. 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.
- B. 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, he 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. He 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 his powers as he may determine.
- C. 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 dean of the College, the dean of academic affairs, the Dean of Campus Life, 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. Of 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 his 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. This 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 Bard Academy and Academic Engagement (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 well-being 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 fora 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 has interest.

A. 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, Student 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.

B. 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 Student Affairs staff representative, a staff representative, and a representative of the Security 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 Student Affairs staff representative will be chosen by the Student Affairs staff and will act as a liaison between the Council and the Student Affairs staff.

1.e. The Staff representative (an employee of the College who is not a member of the faculty, administration, Student Affairs 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 Security Department will be the head of security and will act as a liaison between the Council and the Security 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.

C. 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. Motions 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.

D. 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.).

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. The advisor must sign the budget requests from his or her organization.

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

F. 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 F: HUMAN SUBJECTS RESEARCH 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.

In accordance with 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. Human Research Review Committee

The Academic Senate at the College has established 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. (This committee is comparable to the Institutional Research Board, or IRB, at most institutions.) The Academic Senate's Standards and Procedures Committee oversees the HRRC, making suggestions and, as necessary, arbitrating disputes between the HRRC and researchers or research subjects.

The HRRC has a minimum of five members, including faculty from several disciplines, appointed by the Dean of Academic Affairs. The faculty members of the committee may, if necessary, also call on a student age 18 or older – who has been involved in human subjects research or who acts as a Student Affairs representative – 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.

Procedures

The investigator, in consultation with a member of the HRRC, initially determines whether a project should be considered human subjects research. Final authority for this determination rests with the HRRC.

Some activities considered human subjects research need not be reviewed by the HRRC. In general, research involving data gathered solely for internal, on-campus use 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. If research results are to be disseminated outside the Simon's Rock community, the research regardless of topic or scope must receive prior HRRC approval.

More information on Human Subjects Research policies and procedures are available at my.simons-rock.edu/academics; see Forms & Manuals for Students.

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