



SAINT MICHAEL'S
COLLEGE FOUNDED
1904

Student Life Office | Colchester, VT 05439

**Student Code of Conduct
&
College Policies**

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Dear Saint Michael's College Student:

It is with a great deal of pleasure that I welcome you to Saint Michael's College.

The policies and guidelines outlined in the following pages reflect a comprehensive effort by the College President, Board of Trustees, faculty, staff, and students to update and maintain campus policies. Please familiarize yourself with these policies as you will be responsible for abiding by them. You may also want to refer to the Saint Michael's College Catalog for more detailed information on academic policies.

Saint Michael's College prides itself on providing a campus community where opportunities exist for students to learn and grow both in and out of the classroom. I encourage you to participate as fully as possible in the variety of academic, social and volunteer programs offered on campus. I trust that the academic year will be one of learning and growth for you.

Sincerely,

Dawn Ellinwood
Vice-President of Student Affairs

IMPLICATIONS OF THE MISSION OF SAINT MICHAEL'S COLLEGE FOR THE STUDENT CODE OF CONDUCT

“The mission of Saint Michael’s College is to contribute through higher education to the development of human culture and enhancement of the human person in the light of the Catholic faith.” Saint Michael’s strives to be an academic community, which promotes the pursuit of truth, the development of virtue, and high levels of excellence in all of its academic, social and religious programs with a view to bettering the human condition.

This is the mission of the academic community, which you have joined as a student at Saint Michael’s College. It is a community in which all members are expected to dedicate themselves to the pursuit of truth, a dedication in which honesty and integrity in academic work is a basic requirement for students and faculty alike.

Saint Michael’s is also a community in which students are expected to demonstrate and develop virtue, i.e., their personal dispositions to think and act in ways that contribute to the goodness of their relationships with others and with God. Among the virtues which Saint Michael’s expects in its students are the courage to act on one’s principles and in accordance with one’s conscience, the will to work hard in preparation for one’s life and career, the intelligent use of one’s talents and abilities, and the acceptance of personal responsibility, including the willingness to take initiative and to lead.

It is especially important in the Saint Michael’s community for each student to respect the dignity and rights of all other persons, to be attentive to the opinions and views of others and to demonstrate a respect for cultural diversity. A Saint Michael’s student should be unselfish and fair in relation to others, have personal commitment to serve those in need and to promote peace and justice for both within the College and in the world outside. Saint Michael’s also expects reliability in its students, self-control, and respect for themselves and other; especially in personal relationships and in decisions surrounding the use of alcohol or other drugs. Of course, the behavior of the Saint Michael’s student should always be characterized by common sense and good judgment.

This handbook describes various principles, which you are expected to abide by while a member of this community. Even more basic to the mission of Saint Michael’s, however, is your development as a human person “in light of the Catholic faith.”

We therefore hope that all your thoughts and actions will be guided by the principles, which Jesus Christ re-affirmed:

“You shall love the Lord God with all you heart, and with all you soul, and with all your mind, and with all your strength.

The second is this.

You shall love your neighbor as yourself. There is no other commandment greater than these.”
(Mark 12:31-32)

STUDENT CODE OF CONDUCT AND COLLEGE POLICIES

Introduction

Saint Michael's College requires all students to adhere to certain policies and regulations. These policies and regulations exist to assure a setting wherein the educational purposes of the College may be achieved.

The purpose of the disciplinary process is to provide a fair system of adjudication in light of the college community's expectations about person accountability and responsibility.

For questions related to academic policies or procedures, please refer to the College Catalog or visit the Office of the Dean of the College.

General Regulations

Saint Michael's College policies and regulations call for a high degree of personal responsibility on the part of every student to promote individual and collective growth as well as the general welfare of both the student body and of Saint Michael's College as a whole. Students have an obligation to know and follow the regulations of Saint Michael's College.

These policies and regulations apply to any and all lands leased or owned by Saint Michael's College as well as to any location where a student is engaged in a College activity.

Students are responsible for the actions of their guests within the context of this Code.

Any student assisting in the alleged violation of any provision of this Code may be charged as a responsible participant.

Off Campus Violations

The College reserves the right to take disciplinary action against Saint Michael's College students involved in any off-campus incidents of criminal or non-criminal behavior where such behavior is deemed by the College to have significant bearing on one's relationship with the College community.

The following actions are deemed to be irresponsible and therefore are prohibited by this Code. Also prohibited are violations of any College rule, regulation or policy as stated in the Student Code of Conduct, posted on College bulletin boards, contained in student contracts or otherwise published or promulgated by the College Code of Conduct violations may result in any of the disciplinary sanctions outlined on page 43 of this handbook.

Disrespect for Persons and Property

Actions or statements that demonstrate disrespect for persons and/or property, including but not limited to the following, are prohibited:

Assaulting, striking or in any way threatening or causing physical harm to another.

Physical, verbal and/or other prohibited harassment towards individuals/groups.

Any instance of sexual misconduct.

Saint Michael's College has adopted a statement on Harassment which states the College's opposition to any form of harassment prohibited by law. College policy also includes procedures to be followed in the event of an incident of harassment.

Destruction, damage, misuse or vandalism of property by deliberate or intended acts.

Trespassing upon or forced entry onto Saint Michael's College premises.

Violation of the College guest policy.

Engaging in an act that would violate criminal laws applicable where the act was committed, regardless of whether a criminal prosecution or criminal conviction occurs.

Any student charged with a criminal or civil offense must immediately notify the Dean of Students Office of the nature of the allegations and any stipulations placed on the student by the Court of jurisdiction.

Violation of the College policy on hazing (by individuals and/or organizations).

Possession or use of firearms or weapons.

Tampering with or misusing fire alarms, fire-fighting equipment or safety equipment.

Solicitation or sales in violation of the Solicitation policy.

Violation of the Alcohol and Other Drug Policy.

Violation of Saint Michael's College Residence Hall Policies.

Failure to comply with the reasonable direction of any College official and/or their authorized agent(s) acting in the performance of his/her duties.

Operation of a vehicle in violation of traffic rules or in a manner which endangers persons or property.

Violation of College policy on animals.

Ejecting objects from windows or balconies of College buildings.

Wrongful Utilization of Goods, Services or Information.

Wrongful utilization of goods, services, and/or information including, but not limited to, the following, is prohibited:

Theft of any property or services from another person, group of people, corporation or other legal entity or association, or Saint Michael's College.

Embezzlement, fraud, or procurement of money, goods, or services under false pretenses.

Knowing possession, purchase or receipt of stolen property, money or services.

Issuance of any check which lacks sufficient funds for its payment.

Unauthorized use and/or abuse of College computer systems, access codes, or restricted computer services area.

Falsely reported information entered on an administrative record or presented at an administrative hearing.

Theft, damage, destruction, or misuse of Saint Michael's College property, facilities, or services.

Any willful act with the intent of interrupting the service functions of the Institution.

Habitual Violations, After Written Warning of Any Campus Policy or Regulation

Saint Michael's College is concerned for the overall well-being of all students and strives to provide adequate care and follow-up in all physical and mental health situations. Any student who verbally, behaviorally, or electronically indicated a safety threat to themselves, to another person or to the community will be immediately referred to the local resources for crisis intervention.

JUDICIAL SYSTEM AND DISCIPLINARY PROCEDURES

Administration:

Student infractions of College policies, rules or regulations will fall under the jurisdiction of the Office of the Dean of Students.

Disciplinary action usually begins with the witnessing by a public safety officer, a residence hall staff member, a member of the College administration, faculty, staff or other student code of conduct, which appears to violate a College policy, rule or regulation. An individual wishing to report an incident should contact an official in the Office of the Dean of Students. An individual may be requested to submit a written complaint providing additional detail.

If the alleged incident is considered by the College to constitute a potential violation of a College policy, rule or regulation, the disciplinary process will be initiated. In such cases, the accused student will be notified of the alleged violation, and a reasonable opportunity will be given to the student to discuss the alleged violation with an appropriate official from the Office of the Dean of Students. Said official shall resolve the case following such discussion, or the opportunity for such discussion and any reasonable investigation the official may wish to conduct. In the event a student is found responsible for the alleged violation, a sanction shall be specified in accordance with the terms and definitions provided in this policy and the student shall be provided written

notice of the sanction. If the conduct at issue involves harassment or discrimination on the basis of sex, sexual misconduct, or sexual violence, additional procedural elements will apply.

Judicial System:

Judicial Review Board: The Judicial Review Board will hear cases referred to it by the Dean of Students or his/her designee. The Dean shall refer all cases involving serious or repeated infractions of College policies, rules or regulations including all cases which, in the opinion of the Dean, could result in suspension or expulsion from Saint Michael's College. In any case referred to the Judicial Review Board, accused students shall have a right of hearing before the Board.

The Judicial Review Board shall consist of seven members appointed annually: three students appointed by the President of the Student Association, two faculty members appointed in accordance with faculty regulations, and two administrators appointed by the President of the College. The Judicial Review Board shall be convened by the Dean of Students or his/her representative. The Board will meet at regular intervals for training as well as to hear cases brought to its attention. The Board shall elect its own chairperson.

In the event that there are not seven members of the Board available, the Board may elect from within itself a three member Board, consisting of one student, one faculty member and one administrator, which may hear a case and recommend appropriate findings.

The Judicial Review Board shall recommend sanctions to the Dean of Students.

The Vice President for Student Affairs shall have the power to review any decision of the Judicial Review Board and to reverse or modify any decision.

Procedural Guarantees:

Notice: Prior to answering charges before the Judicial Review Board, the student shall be informed in writing of the specific charges which will be addressed at the disciplinary hearing. Said written notice shall be provided in sufficient time (no less than three days prior to the hearing) to ensure the student an opportunity to prepare for the hearing.

Disqualification: No member of the Judicial Review Board who is otherwise interested or involved in a particular case shall participate in a matter. This disqualification shall be at the discretion of the majority of the Review Board.

Right to Assistance: The student appearing before the Review Board has the right to choose a support person from within the Saint Michael's College community to assist throughout the process. No legal counsel nor family members will be allowed as support persons nor attend the hearing.

Proof and Process: Those person(s) bringing the complaint are responsible for providing proof of the charge to the Board, which will determine whether it is more likely than not that the potential violation occurred. Accused and accusing students, and anyone bringing a complaint forward, be allowed to make a statement, to respond to questions from the Board, and to make a closing statement.

Right to Appeal: Students found responsible for violations have a right to appeal the board's determination regarding a violation and/or the Dean of Student's determination of sanctions. Within 10 working days after the student receives notification of the decision, the student may file an appeal. The appeal must be submitted in writing to the Vice President for Student Affairs and state the grounds of the appeal. Upon receipt of an appeal, the Vice President for Student Affairs may review the matter as he/she deems appropriate. The decision of the Vice President for Student Affairs is final.

Student Status Pending Final Action: Pending final action on the charge, the status shall not be altered in any way unless the Dean of Students determines that the continued presence in class or on-campus might endanger his or her own safety or well-being, or that of other members of the College community. Appeals of interim action may be made to the Vice President for Student Affairs.

Residential Review / Senior Residential Review: An administrative hearing where a student's behavior is discussed with members of the Residence Life / Dean's Staff. The Residential Review Conference will be called for more serious or repeat offenses of the Student Code of Conduct. Appropriate expectations and sanctions will be discussed with the student. Results of the Residential Review may be presented to the Dean of Students for referral to the Judicial Review Board.

Various combinations of professional and graduate level staff will be assigned to hear cases as appropriate in order to best meet the needs of both the student and the community.

Administrative Hearing: A hearing where a student's behavior is discussed with sanctioning officers from the Office of Community Standards and Student Conduct. Appropriate expectations and sanctions will be discussed. The vast majority of violations of the Student Code of Conduct are seen at this level.

DISCIPLINARY STATUS SANCTIONS

Saint Michael's College's response to Code of Conduct violations may include the following sanctions, among others:

Warning: A sanction consisting of a written statement to a student offender that he/she has violated a particular College policy, rule or regulation and warning that subsequent difficulties should not occur. The statement shall be placed in the student life's file in the Dean of Student's Office and may be removed according to conditions specified by the Office of the Dean of Students.

Probation: A sanction consisting of a written statement to a student offender that he/she has violated a particular College policy, rule or regulation and that any subsequent infraction during a stated period of probation may result in suspension or expulsion. A student may be excluded from college activities and privileges as a result of a probationary status. The period of probation is determined by the individual responsible for imposing the sanction. That statement shall be placed in the student's file in the Office of the Dean of Students and may be removed according to conditions specified by the Office of the Dean of Students.

Disciplinary Suspension: A sanction consisting of a written statement to a student offender that he/she has violated a particular College policy, rule or regulation. Suspension shall mean exclusion from classes, from presence on campus and from all other privileges or activities for a definite period of time.

The statement of suspension shall be placed in the student's file in the Office of the Dean of Students and may be removed according to conditions specified by the Office of the Dean of Students.

In cases of suspension a student must reapply for admission by writing a letter of request to the Dean of Students.

Expulsion: A sanction consisting of a written statement to a student offender that he/she has violated a particular College policy, rule or regulation. Expulsion shall mean immediate dismissal from the College. The statement of expulsion shall be placed in the student's file in the Office of the Dean of Students but may be removed at any time according to conditions specified by the Office of the Dean of Students.

OTHER DISCIPLINARY SANCTIONS:

Residential Relocation: A sanction that moves a student to another area of on- campus housing.

Eviction from Residence: A sanction that terminates a students' ability to remain in on- campus housing. This eviction may be permanent or for a certain period of time to be determined by the Student Life Office, and may include specific weekends throughout the course of the year.

Weekend Evictions are issued in order to temporarily separate a student from residential community. Weekend evictions involve the student leaving the campus after his/her last class of the week and returning on Sunday afternoon. Specific arrangements will be made between the Office of Residence Life and the student.

During a Weekend Eviction the student may not participate in any aspect of the College's residential program. The student may be on campus to participate in academic or religious activities only unless specific permission is obtained by the Office of Residential Life prior to the requested activity.

Weekend Eviction with a written plan. A sanction that allows a student to stay on campus in lieu of a Weekend Eviction. This sanction may be for a certain period of time to be determined by the sanctioning officer, and may include specific weekends throughout the course of the year. The Weekend Written Plan must be turned into the sanctioning officer prior to the weekend sanctioned. Additionally the student must make phone contact with the AD/RD on duty on Thursday, Friday and Saturday as a means of accountability and support. Although a student is allowed to stay on campus, they are to have an academic only relationship with the College. All extracurricular activities will be suspended for the weekend assigned.

Further Definitions and Applications of Sanctions

Sanctioning Officer

Definition: The sanctioning officer refers to the representative of the Student Life Office that meets with the student who has violated one or more College policies. During the meeting, the incident is discussed and appropriate follow-up for the student, usually in the form of sanctions, is determined.

Application: For most first-time and minor violations, the Resident Director will usually meet with the student. Assistant / Associate Deans will meet with students for repeated or major first-time violations. As a student progresses through the Judicial system, other individuals and review boards will get involved, including but not limited to the Residential Review Conference, Senior Residential Review Conference, Director of Residence Life, Dean of Students, or Judicial Review Board. (although not necessarily in this order). Keep in mind that this is a “general” overview and that any Student Life Staff member can meet with a student at any time, depending on the circumstance.

Disciplinary Warning

Definition: A sanction consisting of a written statement to a student offender that he/she has violated a particular College policy, rule or regulation and warning that subsequent difficulties should not occur. The statement shall be placed in the student’s file in the Dean of Student’s Office and may be removed according to conditions specified by the Office of the Dean of Students.

Application: A Disciplinary Warning is the most common sanction for first-time, medium-level violations. A student does not need to do anything when they receive a warning – only make good decisions with the understanding that further violations may result in them being placed on Probation.

Active Sanction

Definition: Active Sanction is defined as a student being asked to do something for his/her personal development, education, or to give back to his/her community. It usually consists of one or more of the following and usually includes a reflection paper to be completed afterward.

Planning and implementing a bulletin board or program for a specified living area;
Assisting with the coordination of a specified campus event;
Attending a specified campus event (program, lecture, etc.);
Participating in Community Service (unless already specified as a separate part of the sanction)

Application: The active sanction is usually used as a lower level sanction. Different staff members have different ways of implementing this sanction. Some ways include:

Verification (written or verbal) from an RA or other staff member;
Verification from the sponsor of the event;
Contact made between staff member and student at the event;
Completion of a paper.

Attend Choices Class(es)

Definition: Choices is a confidential discussion group for students about alcohol and/or other drug use and abuse. The group, which meets every 2-3 weeks, is facilitated by one or more of the Personal Counselors. Students who are involved in alcohol and/or drug violations may be sanctioned to attend one or more sessions.

Application: Students who attend Choices will have the opportunity to “sign in” so that the Personal Counselors can share their name with Residence Life staff. After each class, the Personal Counselors will provide the Office of Community Standards and Student Conduct with a list of those in attendance.

Attend Respect & Responsibility Classes(es)

Definition: Respect and Responsibility is workshop designed to reach out to those students who have had multiple involvements in the judicial process to assist them in becoming a positive member of the Saint Michael’s community and make positive decisions in the future. The class will be facilitated by Student Life staff members on a rotating basis and will meet at regular intervals throughout the semester.

Application: All sanctioning officers will receive a schedule of Respect and Responsibility classes at the beginning of each semester. The sanctioning officer and student will agree on the meeting(s) that will be attended, and what, if any, follow-up meetings or reflections should take place. After each class, the names of those in attendance will be provided to the Associate Directors.

Community Service

Definition: Community Service is defined as a student asking to give back to the community after violating one or more policies. It is sometimes offered to students (upon their request) in order to reduce the amount of a fine. Other times it is a sanction itself in addition to others. Community Service can take one of four forms.

In-Hall: The student works for the Resident Director to help with assigned tasks in the residential area. Examples of this could be helping the custodial staff in the building helping, an RA or RD with a hall program, or helping the RD with other operational tasks such as hall closing or opening.

MOVE: The student participates in one or more activities with MOVE by signing up on the bulletin board in Alliot. The student does not need to inform MOVE that he/she is being sanctioned to do the service. They need to simply complete the service, and, if requested by the sanctioning officer, turn in documentation of the service and/or a reflection paper.

Campus: The student works with a specific campus office (arrangements made between sanctioning officer and specific office) to help with a specific project to better the campus. Examples of this could be working with Physical Plant (custodial or grounds), Public Safety (fire extinguisher checks), or Student Activities (large campus events such as concerts, dances, etc.).

Please note that this option is only available if the campus office(s) agrees to it and if the student's assistance would be of help to that office. Depending on the time of year, workload, or staffing levels, offices may or may not wish to participate.

Off Campus: The student may participate in an off-campus community service activity either in the local community or in their home community if there is a school vacation coming up. This is helpful when none of the other options are possible, or if the student has a standing commitment with an outside organization. Since this option is not affiliated with Saint Michael's, documentation of the service is usually required.

Application: The sanctioning officer and student will agree on the type of service, number of hours, completion date, and if documentation of service or a reflection paper is necessary. All of this information should be documented on the sanction form.

Disciplinary Probation

Definition: A sanction consisting of a written statement to a student offender that he/she has violated particular College policy, rule, or regulation and that any subsequent infraction during a stated period of Probation may result in suspension or expulsion. A student may be excluded from College activities and privileges as a result of a Probationary status. The period of Probation is determined by the individual responsible for imposing the sanction. The statement shall be placed in the student's file in the Office of the Dean of Students and may be removed according to conditions specified by the Office of the Dean of Students.

Application: Probation is the highest level of sanctioning in the Saint Michael's judicial system. Students are placed on Probation after repeated violation of College policies, OR for first-time violations that are very serious in nature. Students on Probation may be subject to the loss of privileges on campus, including but not limited to parking, Smuggler's Notch Pass, Cultural Pass, extracurricular activities including athletics, the ability to participate in certain aspects of the Room Lottery process, or the ability to remain on campus for weekends.

Students may be placed on Probation by any sanctioning officer at or above the Assistant / Associate Dean level. The length of Probation will be determined by the sanctioning officer and will be listed on the sanction form or in the sanction letter that the student receives. The length of Disciplinary Probation usually ranges in three month increments, but is dependent on the severity of the issue and judicial history.

Eviction / Weekend Eviction

Definition: A sanction that terminates a student's ability to remain in on-campus housing. This eviction may be permanent or for a certain period of time to be determined by the Student Life Office, and may include specific weekends throughout the course of the year.

Application: Weekend evictions have proven to be an effective sanctioning tool, by asking students who make poor decisions to remove themselves from the residential community for one or more weekends. Students who are placed on Disciplinary Probation are frequently issued one or more weekend evictions. The specific weekends will be determined by the sanctioning officer. During a Weekend Eviction, the student may not participate in any residential activities and may not be in any residential areas from the end of their classes for the week or 4:00pm on Friday

(whichever comes first) and may return after 3:00pm on Sunday. The student may, however, go to the library, chapel, gym, the academic buildings, and Alliot (only for the purpose of having meals in the Dining Hall). The student is to have an academic only relationship with the college for the specified eviction time.

Weekend Written Plan

Definition: A sanction that allows a student to stay on campus in lieu of a Weekend Eviction. This sanction may be for a certain period of time to be determined by the sanctioning officer, and may include specific weekends throughout the course of the year.

Application: The Weekend Written Plan must be turned into the sanctioning officer prior to the weekend sanctioned. Additionally the student must make phone contact with the AD/RD on duty on Thursday, Friday, and Saturday as a means of accountability and support. Although a student is allowed to stay on campus, they are to have an academic only relationship with the College. All extracurricular activities will be suspended for the weekend assigned.

Fine

Definition: Fines are usually issued for first and second time minor violations and are an automatic part of most sanctions. Fines are generally issued to serve as a deterrent to ensure that a behavior does not occur again. Monies collected from fines are used for various hall and campus programs as well as to improve the living environment in the residence halls.

Application: Fines can be assigned by any sanctioning officer. The student and sanctioning officer will agree on a due date for the fine.

Students have one option for paying their fine: having it charged to their student account.

Referred to Campus Offices

Definition: There are times when students may be referred to other campus offices as part of a judicial sanction. A referral typically fits into one of two categories. The first category is to assist a student with one or more issue(s) that he or she may be experiencing and would benefit from one or more services that an office can provide. Examples of this would be Wellness Center (medical), Personal Counseling within the Wellness Center (counseling), Career Development Office (career services), Academic Affairs (academic difficulties), and Edmundite Campus Ministry (spiritual).

The second category for a campus referral would be to help the student to establish a positive connection on campus through involvement in one or more activities. Examples of this would be MOVE (community service), Student Activities (involvement in campus clubs or groups), Wilderness Programs (outdoor activities), and Athletics (recreation, intramurals, varsity athletics).

Application: Referrals may be mandated or encouraged. The sanctioning officer should have a brief conversation with the student about how he or she would benefit from meeting with someone from the particular office, and contact information should be listed on the sanction

form. Whenever possible, the sanctioning officer should make contact with the office or individual in advance to inform them of the referral.

Residential Relocation

Definition: A sanction that moves a student to another area of on-campus housing.

Application: A residential relocation is issued when moving a student out of his/her current situation would be beneficial to both the student and the immediate community, to remove the student from potential negative influences, or when a student has somehow violated the standards of the community. Relocating a student is a difficult sanction to apply. To begin with, it is not always available, depending on if there are any vacant spaces on campus. When there are spaces available, a student may be relocated on a permanent or temporary basis. The student will work with the Housing Coordinator, and the Director of Residence Life to facilitate the relocation.

In years where there is a “flexible housing” location, students may be moved to that location for a specified period of time to be determined by the sanctioning officer. “Flexible Housing” locations are supervised by one or more staff members.

Judicial Review Board

Definition: The Judicial Review Board will hear cases referred to it by the Dean of Students or his/her designee. The Dean shall refer all cases involving serious or repeated infractions of College policies, rules or regulations including all cases which, in the opinion of the Dean, could result in suspension or expulsion from Saint Michael’s College.

Application: When the need for a Judicial Review Board is determined, the Director of the Office of Community Standards and Student Conduct will prepare a letter for the student. The Assistant / Associate Dean of Students will present the letter to the student at least three days before the scheduled hearing.

The Director of the Office of Community Standards and Student Conduct will assemble a schedule of Judicial Review Boards at the beginning of each semester. This schedule will establish the day and time of each Review Board as well as the members of the community who will serve on the Board. Each Judicial Review Board is comprised of three students appointed annually by the Student Association President, two staff members appointed annually by the President of the College, and 2 Faculty members appointed annually by the Provost. There is a list of alternate members who will serve in cases where a regular serving member cannot serve.

Each student appearing before the board has the ability to select a support person from among the College Faculty or Staff. This person is usually a member of the Student Life staff, since they are most familiar with the judicial system and usually have a good relationship with the student. Students have also selected coaches, club advisors, or Faculty members to serve in that role as well. The student and support person will meet regularly before the hearing so that the support person can assist the student in preparing a statement to be read as well providing emotional support, as this is always a high anxiety time for the student.

During the hearing, information is presented by the Student Life Office as well as the student. After the presentation of information and questioning, the board members will issue a decision. There are three possible outcomes of a Judicial Review Board Hearing:

Retention: The student is retained at the College. Retention usually comes with a number of sanctions as well as a series of check-ins with Student Life staff and other members of the community to insure success, and a statement of what will happen if the student is involved in any future violations.

Suspension: The student is separated from the College for a specified period of time. The board will determine the length of suspension as well as indicate any conditions that must be met in order for the student to return. In all cases after suspension, the student must reapply through the Dean of Students Office. The suspension is usually effective immediately, although in certain circumstances (i.e. near the end of a semester) it may take effect at a later date.

Dismissal: The student is permanently dismissed from Saint Michael's College. The dismissal is effective immediately.

After the conclusion of the hearing, the student will return to the Student Life Office with his/her support person and the Student Life staff to make arrangements for the appropriate follow-up.

Residential Review or Senior Residential Review

Definition: An administrative hearing where a student's behavior is discussed with members of the Residence Life Staff. Appropriate expectations and sanctions will be discussed with the student. Results of the Residential / Senior Residential Review may be presented to the Dean of Students for referral to the Judicial Review Board. Various combinations of professional and graduate level staff will be assigned to hear cases as appropriate in order to best meet the needs of both the student and the community.

Application: Decisions will be made on Monday as to which student(s) (if any) will receive a Residential Review Conference (RRC). RRC's will take place on Wednesdays at pre-determined times. Sanctions will be determined by the AD's and RD's present at the hearing, and will consist minimally of a Dean's Conference, Disciplinary Probation (usually for at least one semester), and at least three (3) weekend evictions. Other sanctions pertinent to the student's situation, including referrals to other offices, may be added.

APPEAL PROCESS

(does not apply to the Judicial Review Board or Sexual Misconduct Policy)

The right to appeal

Any student found responsible for a violation of the Student Code of Conduct, shall have the right to appeal his/her case (based on the grounds below) to the Disciplinary Appeal Committee.

Grounds for appeals

Students who have been found responsible for a violation of the Student Code of Conduct may request an appeal on the grounds that:

1. information was not available at the time of the hearing is now available, and could reasonably be expected to have altered the outcome of the case 2
2. the college disciplinary procedures were violated in a way that probably adversely affected the outcome of the case3
3. the student had an extraordinary life event occur that would preclude them from completing the assigned sanctions.

Timeline for appeals

The student shall have 4 days to appeal any sanctions from the time of written notification of the sanctions.

Disciplinary Appeals Committee

The college disciplinary appeals committee is a Student Affairs committee set up to consider written appeals by students found responsible by any general conduct hearing.

Composition

The Disciplinary Appeals Committee shall consist of the Director of Community Standards and Student Conduct and two to four Student Affairs staff members.

Role

The Disciplinary Appeals Committee is responsible for reviewing any appeals by students or organizations that are properly submitted.

Exceptions

The Judicial Review Board and the Sexual Misconduct Policy.

All appeals are final with the Dean of Students.

AMNESTY POLICY

The overarching priority of Saint Michael's College with respect to alcohol and other drugs is to ensure the safety and well-being of our students. The College is committed to providing guidance so that students can learn to develop a responsible approach to social challenges, including whether to use alcohol; how to do so in moderation; and how to comply with local, state, and federal laws governing alcohol consumption. Saint Michael's College expects students to abide by laws and College policies regarding alcohol and drug possession and consumption.

For those students who choose to consume alcohol or other drugs, Saint Michael's College expects that they do so in moderation and thereby minimize the incidence of alcohol and/or other drug poisoning and alcohol- and/or drug-related injuries. However, the College acknowledges there may be times when students may face medical emergencies involving excessive drinking and/or drug use. In these situations, students are expected to call for assistance (e.g., resident assistant, resident director, any on-call personnel like Public Safety, switchboard 654-2000 or 911) when concerned for their own health or welfare, or that of another student. In order to

encourage students to seek prompt and appropriate attention for alcohol or any other drug intoxication, the College has instituted an Amnesty Policy.

Saint Michael's College's Amnesty policy is applicable to the student requesting medical assistance for oneself, the student seeking medical assistance for another person, and the student for whom medical assistance was sought.

The College values and promotes responsible decision making. When a report clearly documents that a student sought help for themselves or another student, due to excessive alcohol or other drug consumption, the incident will be referred to the Student Conduct Process as outlined in the Code of Conduct, but since the incident will typically be covered by the Amnesty Policy the sanctioning recommendations will focus solely on getting the help and support needed to address the presenting concerns of the incident. Upon receipt of a report that a student was acting under the Amnesty Policy, the Office of Community Standards and Student Conduct (OCSSC) will reach out to the students involved, which may include the student(s) who sought medical assistance to process the incident. Students contacted are expected to cooperate with any instructions provided by the OCSSC. When the Amnesty Policy is applied to an incident, there will not be a formal hearing, however students may be required to participate in educational programs designed to help prevent future safety risks. Such programs can include, but is not limited to: CHOICES, Substance Abuse Assessments, and Wellness Center referrals. However, when processing an Amnesty incident, the Office of Community Standards and Student Conduct will not assign disciplinary fines or sanctions and will not report the incident or any follow up to a student's extra-curricular endeavors on campus.

To the extent permitted by FERPA, the College may inform a student's emergency contact of a student's transport to a hospital or medical facility for the reported misuse of alcohol or other drugs.

A record of the incident and use of the Amnesty Policy will remain on file. Please note that this policy does not excuse or protect those who repeatedly or flagrantly violate the Alcohol and Other Drug Policy. If the Amnesty Policy has been applied to a student for a prior incident, the availability of the Amnesty Policy for a subsequent incident is at the discretion of the Vice President for Student Affairs or a designee. The Amnesty Policy for alcohol or drug violations, however, will not be given to students whose conduct placed the health or safety of any other person at risk.

Amnesty for Students who Report Sexual Misconduct

Saint Michael's College encourages reporting of sexual misconduct and seeks to remove any barriers to reporting by making the procedures for reporting an incident of sexual misconduct ("an incident") transparent and straightforward. The College recognizes that a student who has been drinking or using drugs at the time of an incident also may be hesitant to make a report because of potential disciplinary consequences for their own conduct. Thus, a student 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 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.

Recognizing Signs of Intoxication/Overdose

If you drink or have friends who drink, it's important to know the signs and symptoms of alcohol poisoning; it's not necessary for all of these symptoms to be present before you seek help. Those signs followed by an asterisk may also indicate opiate or sedative/hypnotic drug overdose.

- Vomiting
- Confusion, stupor*
- Seizures
- Slow breathing (fewer than eight breaths a minute)*
- Irregular breathing*
- Blue-tinged skin or pale skin
- Low body temperature (feels cold and clammy to touch)*
- Unconsciousness ("passing out")*
- Signs of an amphetamine overdose may include:
- Rapid heartbeat
- Increased temperature/sweating
- Behavior changes indicated by increased anxiety, delirium, or psychosis
- Saucer like dilation of pupils or unequal pupils in eyes

A person who is unconscious or can't be roused is at risk of dying.

Seek assistance!

Even if you don't see the classic signs and symptoms, but suspect someone has alcohol poisoning, err on the side of caution and seek immediate medical care. In an emergency, follow these suggestions:

If the person is unconscious, breathing fewer than eight times a minute, or has repeated and uncontrolled vomiting, call 911, call the switchboard at 654-2000 and get help. Remember that even when someone is unconscious or has stopped drinking, alcohol continues to be released into the bloodstream and the level of alcohol in the body continues to rise. Never assume that a person will "sleep off" alcohol poisoning.

Don't leave an unconscious person alone. While waiting for help, turn the person on their side; don't try to make the person vomit. People who have alcohol poisoning have an impaired gag reflex and may choke on their own vomit or accidentally inhale (aspirate) vomit into their lungs, which could cause a fatal lung injury. Your assistance and support in helping the College keep you and your fellow student's safe is most the most important issue when faced with these types of high risk incidents.

CONFLICT MEDIATION

Philosophy

Saint Michael's College realizes that on occasion situations arise where an individual needs to examine and think through his/her options regarding a misunderstanding, a hurt (physical or emotional), or a violation of existing campus policy. Conflict Mediation has been established by the College to provide an invitational option for students who initially may not be sure whether to pursue formal judicial action.

Informal Resolution and Mediation Procedures

A person electing to explore Conflict Mediation should speak with one of the Conflict Mediators. These trained mediators will objectively provide the complainant with complete information regarding the various options available for addressing and resolving an issue, i.e., informal and formal in house procedures, and options beyond the college such as filing a grievance with the State of Vermont. Lists of these mediators are available in the Student Life Office, the Student Activities Office, the Edmundite Campus Ministry Office, and the Office of the Vice-President of Academic Affairs, the Personal Counseling Office, Student Health Services and the Office of Human Resources.

Mediation will not be utilized in cases involving allegations of sexual violence. In cases involving allegations of sex discrimination or sexual harassment, either party may decide at any point in a mediation process to forego further mediation procedures, and to utilize the formal grievance procedures instead.

If the person chooses to try to resolve the matter on an informal basis, the Conflict Mediator will facilitate this process by helping the complainant to deal directly with the matter him/herself (such as by writing a letter to the alleged offender in order to set limits, etc.) or when appropriate, by providing mediation. The Conflict Mediator's role as a mediator will be to resolve the complaint if possible. The mediator will handle complaints independently and will generally follow certain procedures, which usually include:

Speak with the complainant and the individual accused to determine the nature of the incident and the context in which it occurred. Mediate and resolve the complaint informally, if possible. Inform the parties of the formal grievance procedures available when no resolution is forthcoming or if either party is dissatisfied with the progress of the mediation. Keep confidential all information gathered during the investigation and all processes of the mediation and resolution to the extent reasonably possible within legal parameters and given the requirement of a thorough investigation.

Formal Grievance Procedures

To initiate a formal action, a student must notify the Dean of Students Office, the Vice President of Academic Affairs Office, or the Office of Human Resources (depending on whether the alleged offender is a student, a faculty member, or a staff member/administrator, respectively) and provide a written statement getting forth the nature and details of the complaint. This written complaint needs to be filed within 15 days after contact with one of the above offices. The alleged offender will be notified by the College Officer of the complaints against him/her within 3 days of receipt of the complaint.

Upon receipt of the formal complaint the Dean of Students or designee will initiate an investigation (including fact-finding), offer formal mediation or if appropriate convene a Judicial Review Board, (see Saint Michael's College Judicial System). The rights of both the complainant and the alleged offender will be respected. The complainant has the right to be heard, the right to non-retaliation and the right to harassment-free environment. The alleged offender has the right to know specific charges, the name of the complainant, and the opportunity to respond. All appropriate confidentiality will be observed. The right to non-retaliation is extended to witnesses and members of the Judicial Review Board. Any retaliation will result in

immediate disciplinary action. A hearing will be held within 10 days of receipt of the written complaint. The complainant and the alleged offender may also testify on their own behalf. No legal counsel will be allowed at these hearings. The complainant and alleged offender may each bring one support person from the College community to the hearings.

Specific additional procedural elements will be applied in cases involving allegations of sex discrimination, sexual harassment and/or sexual violence. Those elements are described in the College's Judicial System and Disciplinary Procedures.

The Judicial Review Board will arrive at a finding and, where appropriate, recommend disciplinary action. The disciplinary action may range from reprimand up to and including suspension, expulsion or job termination. These recommendations will go to the Dean of Students, the Vice-President of Academic Affairs or the Director of Human Resources who will hear the recommendation and will decide a course of action.

Within 10 working days after the alleged offender receives notification of the decision, the alleged offender may file an appeal. Appeals must be submitted in writing to the President and should state the grounds for the appeal. The only grounds for appeal are a claim of inadequate procedural consideration or the existence of new evidence. A hearing on the appeal will be conducted within 10 days of receipt of the written appeal. The decision of the President is final, for purposes of the College's internal processes.

If a student wishes to file a complaint with the College's accreditor (the New England Association of Schools and Colleges), with the Vermont Attorney General's Office, the contact information for each entity is, respectively, as follows:

New England Association of Schools and Colleges, 209 Burlington Rd, Suite 201, Bedford, MA 01730-1433. Phone: (781) 271-0022; Fax (781) 271-0905. Web: www.neasc.org.

Vermont Department of Education, 120 State Street – Montpelier, VT 05620-2501. Phone: (802) 828-3135. Web: www.education.vermont.gov.

Vermont Human Rights Commission, 14-16 Baldwin Street – Montpelier, VT 05633-6301. Phone: (800) 416-2010, x25; Fax: (802) 828-2481; (877) 294-9200 (TTY): Web: hrc.vermont.gov.

Vermont Attorney General's Office, 109 State Street, Montpelier, VT 05609-1001. Phone: (802) 828-3171; (802) 828-3665 (TTY): Web: www.atg.state.vt.us.

A statement from the Vermont Department of Education about resolution of complaints regarding postsecondary education-related matters is available at:

http://education.vermont.gov/new/pdfdoc/pgm_postsecondary/EDU-Complaint_Resolution_Statement_for_Postsecondary_Education_Matters.pdf.

CONFLICT MEDIATORS

The Resident Director Staff

Residence Life Office, (802) 654-2566

The Assistant and Associate Dean Staff

Student Life Office, (802) 654-2566

HARASSMENT AND DISCRIMINATION POLICY

Philosophy and Scope

Saint Michael's College seeks to maintain an educational environment where every member of our community is free from unlawful physical and/or psychological harassment which adversely affects their learning, working or living environment. Similarly, each member of the Saint Michael's Community shares in the responsibility to respect each person in our community. The College maintains a separate policy that prohibits unlawful harassment of staff, administrators and faculty. This policy prohibits unlawful harassment and discrimination against students and third parties who are involved in education-related College programs.

This policy applies to statements and/or conduct of all administrators, faculty, staff, students, members of the Board of Trustees, agents of the College, and volunteers involved in College-related activities. The policy also applies to those who do business with the College in their interactions with members of the College community, and to other visitors.

Definition

Harassment in violation of this policy constitutes a form of discrimination and is defined as verbal or physical conduct or communications directed at, or made because of, an individual's race, creed, color, national origin, place of birth, ancestry, religion, age, sexual orientation, sex, gender identity, marital or civil union status, veteran or military service status, HIV-positive status or qualified disability, all as protected and defined by applicable law, or on the basis of any other status protected by law, this has the purpose or effect of substantially interfering with a covered individual's participation in College-related activities, or creating an intimidating, hostile or offensive environment. The College will not tolerate unlawful harassment, and it will not engage in unlawful discrimination against covered individuals.

Harassment includes such conduct specifically directed at covered individuals on the basis of stereotyped notions or beliefs, because of a person's identification with a particular group, or because of a covered individual's family member's possession of protected characteristics or membership in a protected group. Harassment may also include but is not limited to – slurs or taunts in the guise of a joke, offensive graffiti or other written demeaning email and other messages, disparaging references to members of a protected group, threats or acts of physical harm (abuse), stalking and intimidation.

With regard to sexual harassment, prohibited conduct also includes but is not limited to unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, if: 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's success in their educational program; 2) submission to or rejection of such conduct; by an individual is used as the basis for College program-related decision affecting such individual or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's educational performance or creating an intimidating, hostile, or offensive educational environment. Sexual assault and sexual violence, as described in the College's Sexual Violence and Sexual Misconduct Policy, is also a form of prohibited sexual harassment.

Saint Michael's College recognizes that the protection of free and open speech and the open exchange of ideas are essential to any academic or artistic community. It is, therefore, an important element in the "reasonable person standard" to be used in judging whether harassment has occurred. This harassment policy statement is meant neither to proscribe nor to inhibit discussion, in or out of the classroom, of complex, controversial or sensitive matters, when the judgment of a reasonable person they arise appropriately and with respect for the dignity of others.

Reporting and Resolution Procedures:

In general, covered individuals who believe they may have been victims of harassment or discrimination, or members of the College community who have observed statements of behavior that they believe are violation of this policy, are encouraged to report their concerns to a Conflict Mediator or a confidential resource on campus, i.e. Priest in Edmundite Campus Ministry, Person Counselor in the Personal Counseling Office or a nurse on our Student Health Services staff. Any one of these individuals will objectively provide the complaint with complete information regarding the various options available for addressing and resolving a discrimination or harassment issue. Additionally, any of these individuals may also assist the complainant in filing a formal complaint. A list of conflict mediators is available in the Student Life Office, the Student Activities Office, the Edmundite Campus Ministry Office, the Office of the Vice-President of Academic Affairs, the Wellness Center and the Office of Human Resources.

College officials who observe statements or behavior that they believe is in violation of this policy must report their concerns to an appropriate office, individual or Conflict Mediator. If a concern involves statements or behavior by an individual designated to receive complaints, a report regarding that concern should be directed to another designated recipient. If a concern involves statement or behavior by a member of the Board of Trustees or a third party, the report should be made to one of the offices, individuals or Conflict Mediators listed above, to the Office of the President, or to the Chair of the Board of Trustees.

It should be noted, however, that conflict mediation will not be utilized in cases involving allegations of sexual assault/sexual violence. Please refer to the Sexual Misconduct Policy for further information.

Formal complaints against students will be handled under the College's Judicial System and Disciplinary Procedures. Formal complaints against faculty and staff will be handled under procedures administered by the Office of the Vice-President of Academic Affairs and/or the Office of Human Resources, as appropriate.

The College will take steps to prevent recurrence of any unlawful discrimination and harassment and to correct its discriminatory effects on the complainant and others, if appropriate. Individuals who are found to have engaged in prohibited discrimination or harassment will be subjected to disciplinary action, including but not limited to suspension, expulsion or termination of employment, as applicable.

The College strictly prohibits retaliation (directly by the person complained of, indirectly by his/her associates, or by others) against individuals who make complaints or raise concerns about issues covered by this policy, and/or who serve as witnesses or otherwise cooperate with investigations, regardless of whether the College ultimately determines that the alleged conduct constituted unlawful discrimination or harassment. Any complainant or witness who believes he or she has been subjected to retaliatory behavior should report the conduct to the Dean of Student's Office or the Office of Public Safety. College will determine whether an investigation is appropriate, and if it is, it will initiate an investigation and make findings as it would in a case involving harassment or discrimination. Persons found to have engaged in retaliatory conduct are subject to disciplinary action including, but not limited to, dismissal or termination.

In cases involving discrimination or harassment on the basis of sex, sexual misconduct, or sexual violence, concerned individuals may, in addition to utilizing the reporting processes described in the Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy and in other College policies, contact the College's Title IX Coordinator. Title IX is a federal law that prohibits sex-based discrimination and harassment in education and employment. In his or her role as Title IX Coordinator, the Coordinator has oversight responsibility for Title IX-related complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints, and is available to meet with concerned individuals regarding issues that are or may be related to discrimination or harassment on the basis of sex.

Inquiries concerning the application of Title IX may be referred to the Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights ("OCR"). The Vice President for Human Resources may be reached at (802) 654-2635. OCR's contact information is: United States Department of Education, Office for Civil Rights, 33 Arch Street, Suite 900, Boston, MA 02110-1491, (617) 289-0111 (voice).

BIAS RESPONSE POLICY

Overview

Saint Michael's College is committed to maintaining a diverse and inclusive campus environment where bigotry and intolerance are unacceptable.

The Bias Response Team (BRT) is charged with assessing and communicating an appropriate institutional response to bias incidents and acts of intolerance involving students. The BRT will involve other members of the community in its response when appropriate. The BRT's goals are to promote and track the reporting of bias incidents, evaluate and take appropriate measures in responding to such incidents, including providing educational interventions to the Saint Michael's College community.

The BRT does not have the authority to conduct disciplinary proceedings or impose discipline on students, staff or faculty. Disciplinary matters will be referred and handled in accordance with Saint Michael's policies, as applicable. Accordingly, complaints of misconduct should be addressed as follows:

- Complaints of misconduct related to the behavior of students should be directed to the **Office of Student Life/Dean of Students**
- Complaints of misconduct related to the behavior of staff members should be directed to **Human Resources**
- Complaints of misconduct related to the behavior of faculty members should be directed to the **Vice President for Academic Affairs**

Concerns of potential harassment or discrimination prohibited by Saint Michael's Harassment and Discrimination Policy should be directed to **Human Resources and/or the College's Title IX Coordinator** for review. When the BRT is informed of conduct that could potentially violate Saint Michael's Harassment and Discrimination Policy, the BRT will so inform the Title IX Coordinator and/or Human Resources.

What is bias?

Saint Michael's defines a bias incident as a single act or multiple acts directed toward an individual or group on the basis of actual or perceived race, creed, color, place of birth, ancestry, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, marital status, service in the armed forces of the United States, positive-HIV-related blood test results, disability, culture, socio-economic status, spirituality or any combination of these or other related factors, or other characteristic or factor protected by law, with the purpose or effect, from the point of view of a reasonable person, of negatively impacting another. Bias incidents include, but are not limited to: slurs, degrading language, epithets, graffiti, vandalism, intimidation, symbols, and harassment; that are directed toward or affect the targeted individual or group. Incidents of bias may contribute to a hostile campus environment and can occur even if the act itself is unintentional or delivered as a joke, prank, or with humorous intent.

This definition is meant neither to proscribe nor to inhibit discussions in or out of the classroom of complex, controversial, or sensitive matters, when in the judgment of a reasonable person they arise appropriately and with respect for the dignity of others.

Note: This definition of a bias incident is intentionally broad to reflect our values to create and sustain an inclusive, safe, and productive community for all of our members.

How the BRT Works

- Any member of the SMC community may report an incident of bias on campus through the SMC portal page online reporting form, Public Safety or, for faculty and staff, directly through Human Resources.
- If a report goes to Public Safety, Public Safety will inform the Dean of Students or the Bias Response Facilitator when a report of a bias incident directed at a student is received through their office.
- The Residential Life on call staff will receive an electronic report of a bias incident when submitted directly through the portal link. If a student reports an incident orally, then the

on call staff member will complete the online reporting form so that all necessary people receive the information in a timely manner.

- The Facilitator of the BRT, Dean of Students and/or Vice President of Student Affairs assesses reports and convenes the BRT as appropriate.
- In conjunction with the Offices of the President and Marketing and Communications, the BRT in its discretion promptly addresses incidents it determines to have met institutional definitions shown above, by apprising the campus community of the incidents, advising on appropriate responses, and/or helping convene community groups to deliver those responses.
- Depending on the nature and severity of the behavior, the associated bias, and impact, incidents will be addressed as appropriate through interventions such as education, community dialogue, or referral to formal processes through institutional offices (e.g., review, investigation, resolution).
- Please note, review of and response to an incident by the BRT may be conducted in conjunction with an investigation by Public Safety, Human Resources, Academic Affairs, Student Affairs and/or the Title IX Coordinator.

Members of the Community Bias Response Team

- **Kerri Leach**, BRT Facilitator, Assistant Dean of Students/Director of Student Activities
- **Moise St. Louis**, Associate Dean of Students/Director of the Center for Multicultural Affairs and Services
- **Shefali Misra**, Associate Professor of Political Science
- **Traci Griffith**, Associate Professor of MJD
- **Jeff Trumbower**, Interim Vice President for Academic Affairs
- **Sarah Kelly**, Vice President for Enrollment and Marketing
- **Dawn Ellinwood**, Vice President for Student Affairs
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Other Applicable Information

HARASSMENT AND DISCRIMINATION POLICY

Philosophy and Scope

Saint Michael's College seeks to maintain an educational environment where every member of our community is free from unlawful physical and/or psychological harassment which adversely affects their learning, working or living environment. Similarly, each member of the Saint Michael's Community shares in the responsibility to respect each person in our community. The College maintains a separate policy that prohibits unlawful harassment of staff, administrators and faculty. This policy prohibits unlawful harassment and discrimination against students and third parties who are involved in education-related College programs. This policy applies to statements and/or conduct of all administrators, faculty, staff, students, members of the Board of Trustees, agents of the College, and volunteers involved in College-related activities. The policy also applies to those who do business with the College in their interactions with members of the College community, and to other visitors.

Definition

Harassment in violation of this policy constitutes a form of discrimination and is defined as verbal or physical conduct or communications directed at, or made because of, an individual's race, creed, color, national origin, place of birth, ancestry, religion, age, sexual orientation, sex, gender identity,

marital or civil union status, veteran or military service status, HIV-positive status or qualified disability, all as protected and defined by applicable law, or on the basis of any other status protected by law, this has the purpose or effect of substantially interfering with a covered individual's participation in College-related activities, or creating an intimidating, hostile or offensive environment. The College will not tolerate unlawful harassment, and it will not engage in unlawful discrimination against covered individuals. Harassment includes such conduct specifically directed at covered individuals based on stereotyped notions or beliefs, because of a person's identification with a particular group, or because of an individual's family member's protected characteristics or membership in a protected group. Harassment may also include but is not limited to – slurs or taunts in the guise of a joke, offensive graffiti or other written demeaning email and other messages, disparaging references to members of a protected group, threats or acts of physical harm (abuse), stalking and intimidation.

With regard to sexual harassment, prohibited conduct also includes but is not limited to unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature, if: 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's success in their educational program; 2) submission to or rejection of such conduct; by an individual is used as the basis for College program-related decision affecting such individual or 3) such conduct has the purpose or effect of unreasonably interfering with an individual's educational performance or creating an intimidating, hostile, or offensive educational environment. Sexual assault and sexual violence, as described in the College's Sexual Violence and Sexual Misconduct Policy, is also a form of prohibited sexual harassment.

Saint Michael's College recognizes that the protection of free and open speech and the open exchange of ideas are essential to any academic or artistic community. It is, therefore, an important element in the "reasonable person standard" to be used in judging whether harassment has occurred. This harassment policy statement is meant neither to proscribe nor to inhibit discussion, in or out of the classroom, of complex, controversial or sensitive matters, when the judgment of a reasonable person they arise appropriately and with respect for the dignity of others.

Reporting and Resolution Procedures:

In general, covered individuals who believe they may have been victims of harassment or discrimination, or members of the College community who have observed statements of behavior that they believe are in violation of this policy, are encouraged to report their concerns to a Conflict Mediator or a confidential resource on campus, i.e., Priest in Edmundite Campus Ministry, Personal Counselor in the Personal Counseling Office or a nurse on our Student Health Services staff. Any one of these individuals will objectively provide the complainant with complete information regarding the various options available for addressing and resolving a discrimination or harassment issue. Additionally, any of these individuals may also assist the complainant in filing a formal complaint. A list of conflict mediators is available in the Student Life Office, the Student Activities Office, the Edmundite Campus Ministry Office, and the Office of the Vice President of Academic Affairs, the Wellness Center and the Office of Human Resources.

College officials who observe statements or behavior that they believe is in violation of this policy must report their concerns to an appropriate office, individual listed or Conflict Mediator. If a concern involves a statement or behavior by an individual designated to receive complaints, a report regarding that concern should be directed to another designated recipient. If a concern involves statement or behavior by a member of the Board of Trustees, the report should be made to one of the offices, individual or Conflict Mediators listed above, to the Office of the President, or to the Chair of the Board of Trustees via the secretary to the Board of Trustees and the president of the college.

It should be noted, however, that conflict mediation would not be utilized in cases involving allegations of sexual assault/sexual violence. Please refer to the Sexual Misconduct Policy for further information.

Formal complaints against students will be handled under the College's judicial system and disciplinary procedures. Formal complaints against faculty and staff will follow procedures administered by the Office of the Vice-President of Academic Affairs and/or the Office of Human Resources, as appropriate.

The College will take steps to prevent recurrence of any unlawful discrimination and harassment and to correct its discriminatory effects on the complainant and others, if appropriate. Individuals who are found to have engaged in discrimination or harassment will be subjected to disciplinary action, including but not limited to suspension, expulsion or termination of employment, as applicable.

The College strictly prohibits retaliation (directly by the person responding to the complaint, indirectly by his/her associates, or by others) against individuals who make complaints or raise concerns about issues covered by this policy, and/or who serve as witnesses or otherwise cooperate with investigations, regardless of whether the College ultimately determines that the alleged conduct constituted unlawful discrimination or harassment. Any complainant or witness who believes he or she has been subjected to retaliatory behavior should report the conduct to the Dean of Students or the Office of Public Safety. The College will determine whether an investigation is appropriate, and if it is, it will initiate an investigation and make findings as it would in a case involving harassment or discrimination. Persons found to have engaged in retaliatory conduct are subject to disciplinary action including, but not limited to, dismissal or termination.

In cases involving discrimination or harassment based on sex, sexual misconduct, or sexual violence, concerned individuals may, in addition to utilizing the reporting processes described in the Policy against Sexual Misconduct, Domestic Violence, Dating Violence and Misconduct, and Stalking and in other College policies, contact the College's Title IX Coordinator. Title IX is a federal law that prohibits sex-based discrimination and harassment in education and employment. In his or her role as Title IX Coordinator, the Coordinator has oversight responsibility for Title IX-related complaints and identifying and addressing any patterns or systemic problems that arise during the review of such complaints, and is available to meet with concerned individuals regarding issues that are or may be related to discrimination or harassment based on sex.

Inquiries concerning the application of Title IX may be referred to the Title IX Coordinator or to the U.S. Department of Education's Office for Civil Rights ("OCR"). The Title IX Coordinator may be reached at (802) 654-2271. OCR's contact information is United States Department of Education, Office for Civil Rights, 33 Arch Street, Suite 900, Boston, MA 02110-1491, and (617) 289-0111.

Hate Crime

Vermont has a hate crime law that imposes increased penalties for crimes committed because of hatred or animus toward certain protected characteristics. Specifically, this law applies to "[a] person who commits, causes to be committed or attempts to commit any crime and whose conduct is maliciously motivated by the victim's actual or perceived race, color, religion, national origin, sex, ancestry, age, service in the armed forces of the United States, handicap..., sexual orientation or gender identity."

According to the Vermont Attorney General's office, assaults, unlawful mischief (damage or destruction of property), telephone harassment and disorderly conduct (by public yelling of threats and abuse) are the most common hate crimes in Vermont.

Possible incidents of hate crimes should be directed to Public Safety at 802-654-2000.

Notice

This policy does not alter, amend, or modify Saint Michael's Student Life Policies, the College Handbook (including but not limited to Saint Michael's Harassment/Discrimination Policy and Policy Against Sexual Misconduct, Domestic Violence, Dating Violence and Misconduct, and Stalking), and/or other applicable Saint Michael's policies. If any conflict or apparent conflict exists, Saint Michael's Student Life Policy, College Handbook, and/or other applicable Saint Michael's policy supersedes.

Confidentiality

All reports will be handled in a sensitive manner. Information will be shared with others only to the extent necessary to assess and manage the situation in compliance with Saint Michael's policies, or state and federal law.

In general, the law recognizes and protects the confidentiality of communications between a person seeking care and a medical or mental health professional and religious clergy. The medical, mental health and religious clergy at Saint Michael's College and their off-campus counterparts, respect and protect confidential communications from students, faculty, and staff to the extent they are legally able to do so. These professionals may have to disclose information when they perceive a serious risk of danger or threat to any person or property. In addition, medical and mental health professionals may be required by law to report certain crimes (e.g., any allegation of sexual and/or physical abuse of a person under 18). These exceptions to maintain confidentiality are governed by the law of the state in which the confidential resource is located.

An individual who exclusively reports allegations to a confidential resource must understand that Saint Michael's College may be unable to evaluate the allegations and/or pursue disciplinary action against any individual who may have engaged in prohibited behavior.

The BRT will handle information with sensitivity and discretion. The BRT may need to disclose allegations and/or other information (including the identity of parties and/or witnesses) to the extent necessary to allow Saint Michael's College to proceed with an investigation and/or adjudication under applicable policies.

Disclosure Required by Law

Saint Michael's College will not include the names of complainants or other identifying information in publicly available reports that are compiled as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. Saint Michael's College is part of a larger community, and a variety of additional factors and/or legal requirements may apply. As an example, if there is an investigation, lawsuit, or criminal proceeding related to a bias incident or hate crime, the parties, witnesses, and/or Saint Michael's officials may be

required by law to provide testimony or documents (e.g., investigation reports, witness statements, and any other information gathered or obtained in the course of a particular matter).

Disclosure to Law Enforcement

In certain circumstances, Saint Michael's College authorities may report an incident to law enforcement authorities. Such circumstances include but are not limited to incidents that warrant the undertaking of safety and security measures for the protection of the individual and/or the campus community, or situations in which there is clear and imminent danger and/or when a weapon may be involved. Complainants may always choose to notify authorities directly with or without Saint Michael's College assistance, or may choose not to notify such authorities.

Retaliation

Retaliating directly or indirectly against a person who has in good faith made a report under this policy or who has supported or participated in an investigation related to a bias incident is prohibited. Retaliation includes but is not limited to ostracizing the person, pressuring the person to drop the report or not participate in the investigation or to provide false or misleading information, or engaging in conduct that may reasonably be perceived to affect adversely that person's educational, living, or work environment. Depending on the circumstances, retaliation may be unlawful, whether or not the report is ultimately found to have merit. An individual who engages in retaliation under this policy will be subject to discipline in accordance with the College's Handbook, Student Life Policies/General Disciplinary Processes, Harassment and Discrimination policy, or other policies applicable to the program or individual(s) at issue.

Reporting

In consultation with the Offices of the President and Marketing and Communications, the BRT will annually publish a report of the bias incidents reported in the prior academic year. This report will contain the following information:

- Category of the bias incident reported
- The number of incidents per category
- The number of incidents that the BRT substantiated as bias per category

This information will be recorded in the Annual Safety Report (ASR) with an explanation of the BRT and the statistics.

SEXUAL HARASSMENT, SEXUAL MISCONDUCT, DOMESTIC VIOLENCE, DATING VIOLENCE, and STALKING POLICY

Notice of Nondiscrimination

Saint Michael's College does not discriminate on the basis of sex in its education programs and activities, and Title IX of the Education Amendments Act of 1972, as amended ("Title IX"), as well as applicable state law, requires that it not discriminate in such a manner. Prohibited sex discrimination includes sexual harassment (as defined in the College's Sexual Harassment

Policy) and sexual misconduct (as outlined in this new policy). Inquiries concerning the application of Title IX may be referred to the College's Title IX Coordinator (see below) or to the United States Department of Education Office for Civil Rights.

Title IX Coordinator

The designated Title IX Coordinator for Saint Michael's College is Catherine Welch, Assistant Dean of Students. The Title IX Coordinator is responsible for coordinating the College's efforts to comply with and carry out its responsibilities under Title IX.

The contact information for the Saint Michael's College Title IX Coordinator is:

Catherine Welch, Assistant Dean of Students
Saint Michael's College
One Winooski Place
Colchester, Vermont 05439
(802) 654-2271
cwelch2@smcvt.edu

The Title IX coordinator or designee is available to meet with students and employees as needed.

General Definitions

The definitions of sexual assault, domestic violence, dating violence and stalking used in this policy are consistent with the Clery Act, as amended effective 2014. In its primary prevention and awareness programs for incoming students and new employees, and its ongoing prevention and awareness programs for students and employees, Saint Michael's College includes the definitions of sexual assault, the definition of consent in reference to sexual activity, and the definitions of domestic violence, dating violence and stalking that are used by Vermont criminal laws. However, the College utilizes its own definitions of these prohibited behaviors for purposes of this policy that are consistent with the Clery Act, as amended effective 2014, and determines responsibility for violations of College policy through its own procedures and standards of proof (that is, by a preponderance of the evidence standard), not through the procedures or standards of proof employed in the criminal justice system.

Complainant:

A complainant is usually an individual filing a report of a violation of Saint Michael's College policies. In some cases (such as, for example, cases in which a person involved in an alleged incident of sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking does not wish to participate in the process but the College decides that the alleged misconduct needs to be investigated and addressed), the College may move forward with an investigation and/or related disciplinary proceedings without a designated complainant. In such cases, the College may extend the full rights of the complainant as defined in this policy to affected parties as deemed appropriate by the College. For ease of reference and consistency, the term "complainant" is used hereafter in this policy to refer to a person who believes that they have been subjected to sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, or who is believed by another to have been subjected to such conduct.

Respondent:

A respondent is an individual alleged to have violated the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy.

Retaliation:

Retaliation against an individual for reporting, in good faith, unwelcome conduct of a sexual nature, sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, or because they have cooperated in the investigation of a complaint of such conduct is unlawful and violates this policy. Retaliation includes, but is not limited to, adverse actions that have a substantial adverse effect on the working or educational environment of any individual involved in the complaint or the investigation such as:

- intimidation,
- reprisal,
- ostracism,
- actions altering the person's assignments, assessment of their work, or their living and learning environment, and/or
- threats, coercion, or otherwise discriminating against any individual for exercising his or her rights or responsibilities under this policy.

Any person who believes that they have been subjected to such retaliation should follow the complaint resolution procedures outlined in this policy.

Sexual Harassment Policy**The Definition of Sexual Harassment:**

It is against the policies of Saint Michael's College, and may also be illegal under state and federal law, for any person to sexually harass another person. Saint Michael's College is committed to providing a campus free from such unlawful conduct.

Saint Michael's encourages members of the College community to report unwelcome conduct of a sexual nature so that it can investigate reports appropriately through the procedures outlined below. If the College determines that a student's conduct is sufficiently serious—that is, sufficiently severe or pervasive—to deny or limit a person's ability to participate in or benefit from the College's program based on sex and thereby creates a hostile environment, it will take prompt, appropriate and effective action to eliminate the hostile environment, prevent its recurrence, and address its effects.

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: submission to that conduct is made either explicitly or implicitly as a term or condition of employment or educational status; submission to or rejection of such conduct by an individual is used as a component or the basis for employment or educational decisions affecting that individual; or the conduct has the purpose or effect of substantially interfering with an

individual's work or academic performance or creating an intimidating, hostile, or offensive working, shared living, or educational environment.

Examples of sexual harassment include, but are not limited to the following, when such acts or behavior come within one of the above definitions:

- either explicitly or implicitly conditioning any term of employment or educational decision on the provision of sexual favors;
- touching or grabbing any part of a person's body (in a manner that is sexual or offensive on the basis of sex but that does not constitute "fondling", which is defined below and addressed as sexual misconduct under this policy) after that person has indicated, or it is known or should be known that such physical contact is unwelcome;
- continuing to ask a person to socialize on or off-campus when that person has indicated he or she is not interested;
- displaying or transmitting sexually suggestive pictures, objects, cartoons, messages, web links or posters if it is known or should be known that the behavior is unwelcome;
- continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior;
- referring to or calling a person a sexualized name if it is known or should be known that the person does not welcome such behavior;
- regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior;
- retaliating in any way against anyone who has filed or supported a complaint of sexual harassment (e.g. ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's educational, shared living, or work environment, etc.);
- communicating derogatory or provoking remarks about or relating to a person's sex or sexual orientation;
- directing harassing acts or behavior against a person on the basis of their sex or sexual orientation;
- off-campus conduct which falls within the above definition and affects a person's on-campus educational, shared living, or work environment.

Saint Michael's College recognizes that the protection of free and open speech and the open exchange of ideas is important to any academic community. This recognition is therefore an important element in the "reasonable person" standard used in judging whether sexual harassment has occurred. This policy is meant neither to proscribe nor to inhibit discussion, in or out of the classroom, of complex, controversial or sensitive matters, when in the judgment of a reasonable person they arise appropriately and with respect for the dignity of others. Saint Michael's College also recognizes, however, that verbal conduct can be used specifically to intimidate or coerce and to inhibit genuine discourse, free inquiry and learning. Such abuses are unacceptable. If someone believes that another's speech or writing is offensive, wrong or hurtful, he or she is encouraged to express that judgment in the exercise of his or her own free speech or to seek redress under the noted procedure(s) when appropriate.

Sexual Misconduct Policy

As an educational institution, Saint Michael's College is committed to promoting, through educational and consciousness-raising activities (including the distribution of this policy), a campus environment where sexual misconduct is recognized as wholly intolerable, and where individuals subjected to sexual misconduct are provided with avenues of support and redress as appropriate. In accordance with this commitment, the College has developed the following policy on sexual misconduct. Other educational and consciousness-raising activities are conducted through the efforts of a few offices that fall under Student Affairs and Academic Affairs scope of service. These offices include Residence Life, Bergeron Wellness Center, The Center for Women and Gender and Student Life.

The College is committed to take action, and may be required to take action, if it learns of potential sexual misconduct, even if the person subjected to such misconduct does not wish to formally file a complaint.

The College prohibits a broad range of inappropriate sexualized activity through this sexual misconduct policy, including sexual assault and other sexual misconduct.

Sexual Assault

Sexual assault is one type of prohibited sexual misconduct. Committing sexual assault upon another person of any gender, is against the law and violates College policies. Sexual assault may be either rape, fondling without consent, incest, or statutory rape, as defined in the Clery Act and below. Rape is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent (as defined below) of the victim, including instances where the victim is incapable of giving consent because of his/her temporary or permanent mental incapacity. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law in the applicable jurisdiction. Statutory rape is sexual intercourse with a person who is under the statutory age of consent in the applicable jurisdiction.

Sexual assault occurs when a person engages in a sexual act with another person:

- Without his or her consent (see definition below); or
- By threatening or coercing the other person; or
- By placing the other person in fear that any person will suffer imminent bodily injury; or
- When the person knows, or reasonably should know, that the other person's ability to give or withhold consent is impaired:
 - by the consumption of drugs, alcohol or other intoxicants; or
 - because the other person is subject to a physical or mental incapacity such as sleep or unconsciousness.
- Engaging in a sexual act with a person who is under the age of 16 also constitutes sexual assault under this policy.
- The College defines a **sexual act** as conduct between persons consisting of:
 - Contact between the penis and the vulva.
 - Contact between the penis and the anus.
 - Contact between the mouth and the penis.
 - Contact between the mouth and the vulva.

- Any intrusion, however slight, by any part of a person's body or any object into the genital or anal opening of another.

For purposes of the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking policy, **consent** is defined by the following three criteria:

- That consent given is **informed**. A person engaging in sexual activity should consciously and fully understand what is occurring.
- That consent given is **voluntary**. A person engaging in sexual activity should do so without any coercion or pressure to do so.
- That consent is **clearly established**. An individual must be clear that their partner wishes to engage in all aspects of the sexual activity.

Consent is not present when the sexual act occurs because the respondent has threatened or coerced the other person, has placed the other person in fear that any person will suffer imminent bodily injury, or when the respondent knows, or reasonably should know, that the other person's ability to give or withhold consent is impaired:

- by the consumption of drugs, alcohol or other intoxicants; or
- because the other person is subject to a physical or mental incapacity such
- as sleep or unconsciousness.

Responsible, respectful communication is a standard of behavior that the College expects members of its community to uphold. **It should be understood by all that silence, passivity or lack of resistance by a partner to sexual activity cannot be assumed to indicate consent.**

It is the responsibility of those who initiate and/or engage in sexual activity to be clear that informed, voluntary consent is given before proceeding with further sexual activity. It should be noted that ignorance of the policy noted above, or the intoxication of the respondent, will in no way be considered an excuse for violating the policy.

Other Sexual Misconduct

The College also prohibits through this policy other forms of sexual misconduct, such as (but not limited to) video recording or photographing of sexual acts or nudity of another member of the College community without the consent of a person involved, transmitting such video recordings or photographs without the consent of the person involved, or engaging in unwelcome physical touching of a sexual nature that does not meet the definitions of sexual assault or sexual harassment described above.

To understand how to file a complaint of sexual misconduct at Saint Michael's College, please see the section below on Complaint Procedures for Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking.

College Policy on Domestic Violence, Dating Violence, and Stalking

Saint Michael's College prohibits conduct by students that affects other students and that constitutes domestic violence, dating violence, or stalking, as defined below.

Domestic Violence

Domestic violence is physical violence or a threat of violence committed—

- (a) By a current or former spouse or intimate partner of the person subjected to the violence;
- (b) By a person with whom the person subjected to the violence shares a child in common;
- (c) By a person who is cohabitating with, or has cohabitated with, the person subjected to the violence as a spouse or intimate partner;
- (d) By a person similarly situated to a spouse of the person subjected to the violence under the domestic or family violence laws of the jurisdiction in which the violence occurred, or
- (e) By any other person against an adult or youth who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the violence occurred (it should be noted, however, that physical violence between roommates who are not and who have not been in an intimate or sexual relationship will not be handled under this policy, and instead will be handled under the College's general misconduct policies).

For the purposes of this definition, domestic violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, if involving individuals who are in a relationship as defined above.

As a matter of Saint Michael's College policy, the College strictly prohibits conduct that would constitute domestic violence as defined above.

The College encourages complainants who believe they are being or have been subjected to such conduct, and others with knowledge of such conduct, to report the conduct to the College through the procedures described below, and to seek the support of the College and/or external resources identified in this policy.

Dating Violence

Dating violence is physical violence or a threat of physical violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the reported victim. Dating violence includes, but is not limited to sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

As a matter of Saint Michael's College policy, the College strictly prohibits conduct that would constitute dating violence as defined above.

The College encourages individuals who believe they are being or have been subjected to such conduct, and others with knowledge of such conduct, to report the conduct to the College through the procedures described below, and to seek the support of the College and/or external resources identified in this policy.

Stalking

“Stalking” is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (a) Fear for the person's safety or the safety of others; or
- (b) Suffer substantial emotional distress.

For the purposes of this definition—

(a) *Course of conduct* means two or more acts, including, but not limited to, acts in which the alleged stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

(b) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the person subjected to the stalking.

(c) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

As a matter of Saint Michael's College policy, the College strictly prohibits stalking as defined above.

The College encourages complainants who believe that they are being or have been subjected to such conduct, and others with knowledge of such conduct, to report the conduct to the College through the procedures described below, and to seek the support of the College and/or external resources identified in this policy.

When part of a pattern of behavior that falls within the definition of stalking described above, examples of stalking behaviors or activities may include, but are not limited to:

- Non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, text messages, written letters, gifts, or any other communications that are unwelcome.
- Use of online, electronic or digital technologies in connection with such communication, including but not limited to:
 - posting of pictures or text in chat rooms or on websites;
 - sending unwanted/unsolicited e-mail or talk requests;
 - posting private or public messages on Internet sites, social networks, and/or school bulletin boards
 - installing spyware on a person's computer;
 - using Global Positioning Systems (GPS) or similar technology to monitor a person.
- Pursuing, following, waiting, or showing up uninvited at or near a residence, workplace, classroom, or other places frequented by the person.
- Surveillance or other types of observation including staring or "peeping"
- Trespassing
- Vandalism
- Non-consensual touching
- Direct verbal or physical threats
- Gathering information about an individual from friends, family, or co-workers
- Accessing private information through unauthorized means
- Threats to harm self or others
- Using a third party or parties to accomplish any of the above.

Coordination with Other Policies

Where alleged conduct by a respondent that is reported in connection with a reported violation of this policy also involves potential violations of the Saint Michael's College Student Code of Conduct that would not constitute sexual harassment, sexual misconduct, domestic violence, dating violence or stalking covered by this policy, the College may, at its discretion, choose to investigate and resolve such other potential Student Code of Conduct violations through an investigation under the procedures set forth in this policy, rather than the procedures set forth in the Student Code of Conduct.

Separate Handling of Other Policy Violations by Reporting Students

The College's primary goals when responding to complaints of sexual misconduct, domestic violence, dating violence or stalking is to promote student safety, and to address that misconduct and prevent it from recurring. A student should not hesitate to report such misconduct due to a concern that the investigation process may indicate that they were under the influence of alcohol or drugs at the time of the incident. Violations of other College policies will be handled separately from sexual misconduct complaints, and the relatively minor sanctions that may result from a violation of other College policies under the circumstances should not dissuade a student from reporting relatively serious incidents of sexual misconduct, domestic violence, dating violence or stalking. The use of alcohol or drugs never makes the complainant at fault for such misconduct.

Confidentiality

The College understands that individuals who have concerns about sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking may look for assurances of confidentiality.

The College will protect the confidentiality of reported victims and other necessary parties to the extent practicable. When the College completes publicly available recordkeeping, including Clery Act Reporting and disclosures, it will not include personally identifying information about the reported victim and will maintain as confidential any accommodations or protective measures provided to the reported victim to the extent that maintaining such confidentiality would not impair the ability of the College to provide the accommodations or protective measures. The Title IX Coordinator or designee will work with the Director of the Department of Public Safety or designee to determine what information about a reported victim should be disclosed and to whom this information will be disclosed. Decisions about disclosure will be made by considering factors such as, but not limited to, the privacy interests of the reported victim and the potential need for disclosure in order to effectuate the accommodations or protective measures. If it is decided that some disclosure is necessary, reported victims will be informed of which information will be shared, with whom it will be shared and why.

Priests, Personal Counselors, and Health Services Professionals as Confidential Resources

At Saint Michael's College, our clergy in Edmundite Campus Ministry, the professional personal counselors and health services staff respect and protect confidential communications from students to the extent that they are able to do so under applicable law. These professionals may have the responsibility to disclose otherwise-privileged information appropriately when they perceive an immediate and/or serious threat to any person or property. In addition, medical and

mental health professionals are required by law to report any allegation of sexual assault of a person under age 18.

Other College Officials

Other College officials are not able to guarantee confidentiality. General inquiries or questions about the Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking policy and procedures may remain private, and the College will strive to protect the privacy of individuals to the extent it can while maintaining its obligations to uphold relevant policies and regulations and/or to take reasonable steps to promote the safety of members of the College community. The College has an obligation to investigate complaints of sexual harassment, sexual misconduct, domestic violence, dating violence, and/or stalking, and to take reasonable steps to prevent recurrence of such behavior. For this reason, absolute or strict confidentiality may not be guaranteed. When confidentiality is requested, the College will evaluate the request for confidentiality in the context of its responsibility to provide a safe and nondiscriminatory environment for all students, faculty and staff and to promote the health, safety, or well-being of members of the Saint Michael's community.

If an individual filing a report insists that his or her name or other identifiable information not be revealed and the College is able to respect that request, the College's ability to respond fully to the reported behavior may be limited.

The College will protect the confidentiality of individuals allegedly subjected to sexual misconduct, domestic violence, dating violence, and/or stalking to the extent practicable in light of the need to do investigations and conduct disciplinary proceedings.

The College will not include the names of complainants or other identifying information in publicly-available reports that are compiled as required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

Community Assistance and Resources for Victims of Sexual Misconduct, Domestic Violence, Dating Violence, and/or Stalking

Confidential On-Campus Resources

Kathy Butts, Asst. Director of Wellness Center/Director of Personal Counseling, 802-654-2234
Mary Masson, Executive Director of Wellness Center/Director of Health Services 802-654-2234
Health Services 802-653-2234
Personal Counseling Services 802-654-2234
Fr. Brian Cummings, Director of Edmundite Campus Ministry, 802-654-2333

Responsible and Respectful But Not Necessarily Confidential On-Campus Resources

Residence Directors and Resident Assistants

Academic Advisors
Faculty Members
Non clergy staff in Campus Ministry
Assistant and Associate Deans of Students
Public Safety 802-654-2000
Lou DiMasi, Dean of Students 802-654-2544
Dawn Ellinwood, Vice President for Student Affairs 802-654-2566

Off-Campus Community Resources

Hope Works (802) 863-1236
Colchester Police Department (802)264-5556
Chittenden Unit for Special Investigations (802)652-6800
Vermont State Police (802) 254-2382

Reporting and Grievance Procedures for Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, or Stalking Complaints

The reporting and grievance procedure outlined below applies to sexual harassment, sexual misconduct, domestic violence, dating violence, and/or stalking complaints filed by students against other students, College staff or faculty, or third parties over whom the College has some measure of control.

When a student or employee reports to the College that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options, as described in this policy.

Complaints of sex discrimination by College students, staff or faculty that do not involve alleged sexual harassment, sexual misconduct, domestic violence, dating violence or stalking as defined in this policy will be handled through the Office of Student Life (for students) and the Human Resource Office (for faculty & staff).

The procedures outlined below are designed to provide prompt, fair and impartial investigation and resolution of complaints of sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking.

If any person affected by the College's investigation or adjudication of a complaint of sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking is concerned that another person involved in the investigation or adjudication (such as, for example, an investigator or hearing panel member) may be biased against them or has a conflict of interest, the person should inform the office involved in investigating or adjudicating the complaint of that concern as soon as possible. The responsible official will consider the concern and inform the parties of their decision as to whether an alternate will be named.

Any student, faculty or staff member who wishes to report a complaint of or concern about sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking is encouraged to contact Public Safety, the Title IX Coordinator, the Dean of Students,

Assistant/Associate Deans of Students, Resident Directors, Academic Advisors, Counselors, Human Resources staff, College Administrators, and/or local law enforcement officials.

In addition to (or instead of) the College's processes, any student who wishes to report a complaint of sexual misconduct, domestic violence, dating violence, or stalking may and should also pursue criminal charges with local, state, or federal law enforcement agencies.

The Office of Student Life, Public Safety, Human Resources Office, Personal Counseling and Health Services will offer to, and will upon request assist students in contacting law enforcement agencies. This action may be taken regardless of whether an individual chooses to file a complaint with the College. For their own part, a complainant may choose to notify such agencies with or without assistance from the College, or may choose not to notify such authorities. The procedures for making a police report will vary depending upon the particular law enforcement agency involved, but in general, making a police report will involve meeting with law enforcement officers for an interview, the collection of evidence, and follow-up communications with law enforcement as their investigation proceeds.

Individuals who are being or who may have been subjected to domestic violence, dating violence or stalking may have the right to obtain orders of protection, restraining orders and/or relief from abuse orders from Vermont courts. The College will support complainants if they wish to have the College's assistance in making contact with law enforcement authorities and other external resources to seek such orders.

The College will respect such orders to the extent applicable. In addition, the College can also impose no-contact conditions on students, employees and third parties over which it has some measure of control. The College will inform complainants of their options in this regard.

Medical Care –Whether or not you decide to pursue criminal charges or a complaint at the College, you are encouraged to immediately seek any necessary medical care after an incident of sexual misconduct, domestic violence or dating violence, and to seek help from appropriate law enforcement, medical or College personnel. Even if you are unsure initially whether you will want to pursue criminal charges or seek a protection order, it is important to preserve all possible evidence in case you decide at some point to do so.

Therefore, you should refrain from changing clothes, showering or otherwise changing your physical state after an incident, until after you have consulted with medical or law enforcement personnel about how to best preserve evidence.

In cases that have involved sexual contact, a forensic examination by a Sexual Assault Nurse Examiner (S.A.N.E.) is the best way to preserve potentially valuable evidence. S.A.N.E. examinations are available at the University of Vermont Medical Center's Emergency Department, which is located at 111 Colchester Avenue, Burlington, Vermont 05401 ((802) 847-0000. The College will assist a reported victim who would like to be transported to the UVM Medical Center for a S.A.N.E. examination. Having a S.A.N.E. examination does not require a reported victim to file a police report or pursue criminal prosecution or a protective order, but having an examination can be very important if the reported victim decides at a later time to pursue any of those options.

Interim Measures

If you report sexual harassment, sexual misconduct, domestic violence, dating violence or stalking to College authorities, College personnel will work with you to determine whether alternative academic, transportation, working and/or living situations are reasonably available and necessary in your particular case. Such measures will be provided if requested and reasonably available. These measures may be **remedial** (measures designed to maintain continued access to educational opportunities) or **protective** (involving a restrictive action against a respondent).

Interim remedial measures may include:

- Access to counseling and medical services;
- Assistance in obtaining a sexual assault nurse examination;
- Assistance in arranging rescheduling of exams and assignments and extensions of deadlines;
- Academic supports;
- Assistance in requesting long-term academic accommodations through the Office of Access and Learning Accommodation, if the complainant qualifies as an individual with a disability;
- Change in the complainant's class schedule, including the ability to transfer course sections or withdraw from a course;
- Change in the complainant's work schedule or job assignment;
- Change in the complainant's campus housing;
- Assistance navigating off-campus housing concerns;
- Escort and other safety planning steps;
- Imposition of a "no contact directive," an administrative remedy designed to curtail contact and communications between two or more individuals;
- Voluntary leave of absence;
- Referral to resources which can assist in obtaining a protective order under Vermont law;
- Referral to resources which can assist with any financial aid, visa, or immigration concerns; and/or
- Any other remedial measure that can be used to achieve the goals of this policy.
- Interim remedial measures are available to the complainant regardless of whether the complainant pursues an investigation or seeks formal disciplinary action.

Interim protective measures may include:

- Change in the respondent's class schedule;
- Change in the respondent's work schedule or job assignment;
- Change in the respondent's campus housing;
- Exclusion from all or part of College housing;
- Exclusion from specified activities or areas of campus;
- Prohibition from participating in student activities or representing the College in any capacity such as playing on an official team, serving in student government, and performing in an official band, ensemble, or production;
- Interim suspension and/or
- Any other protective measure that can be used to achieve the goals of this policy.

The availability of remedial and protective measures will be determined by the specific circumstances of each report. The College will consider a number of factors in determining which measures to take, including the needs of the student or employee seeking remedial and/or protective measures; the severity or pervasiveness of the alleged conduct; any continuing effects on the complainant; whether the complainant and the respondent share the same residence hall, academic course(s), or job location(s); and whether judicial measures have been taken to protect the complainant (e.g., protective orders or relief from abuse orders). The College will work in good faith to implement the requirements of judicially-issued protective orders or relief from abuse orders and similar orders, to the extent that doing so is within its authority.

The determination of whether to impose the interim protective measure of interim suspension will be made by the Title IX Coordinator in consultation with other College officials as appropriate. A respondent may be suspended on an interim basis when the College has received information which indicates that the continued presence on campus of the respondent will likely have a serious effect on the physical, mental, or emotional health, safety or well-being of another person, when physical safety is seriously threatened, or when the ability of the College to carry out its operation is threatened or impaired.

Any interim measures will not disproportionately impact the complainant. Requests for interim measures may be made by the complainant to the Title IX Coordinator. The Title IX Coordinator is responsible for ensuring the implementation of interim measures and coordinating the College's response with the appropriate offices on campus. The Title IX Coordinator has the discretion to impose and/or modify any interim measure based on all available information and is available to meet with a complainant or respondent to address any concerns about the provision of interim measures. The College will maintain the privacy of any remedial and protective measures provided under this policy to the extent practicable and will promptly address any violation of protective measures.

All individuals are encouraged to report to the Title IX Coordinator any concerns about the failure of another to abide by any restrictions imposed through interim measure. In the event of an immediate health or safety concern, individuals should contact 911 immediately. The College will take immediate action to enforce a previously implemented measure, and disciplinary penalties can be imposed for failing to abide by a College-imposed interim measure. You do not have to file a formal complaint, participate in a disciplinary process, or file a criminal complaint in order to ask for such help from the College.

The College will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims both within the institution and in the community.

Reporting

Individuals with supervisory or oversight responsibility (for example, Assistant/Associate Deans of Students, Academic Advisors, Public Safety Staff, Department Chairs, staff supervisors or faculty) are responsible for promptly reporting to the Title IX Coordinator or Human Resources, any complaint or suspected and/or alleged acts of sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking. Failure by a supervisor to appropriately report such complaints and/or alleged acts could result in disciplinary action.

Informal Resolution of Student Sexual Harassment Complaints

Students who believe they have been subjected to unwelcome conduct of a sexual nature that does not constitute sexual assault and/or sexual harassment may seek informal resolution of the issues without filing a formal complaint by contacting the Title IX Coordinator (or designee). At the discretion of the Title IX Coordinator (or designee), the consideration of a complaint under this section may be assigned to their designees. Informal complaints may be oral or written. In many instances, informal discussion and counseling can be useful in resolving perceived or actual instances of sexual harassment. Problems are sometimes easier to resolve when an informal atmosphere encourages people to identify the difficulty, talk it out, and agree on how to deal with it. Informal complaint resolution does not involve disciplinary proceedings against the alleged harasser.

If requested by the complaining party, the Title IX Coordinator (or designee) will assist in attempting to resolve the complaint informally. Such assistance may involve, for example, advising the complainant with respect to communicating with the respondent about the cessation of the behavior. Alternatively, the complainant may ask the Title IX Coordinator (or designee) to meet with the alleged harasser, or to explore other possible resolutions. The Title IX Coordinator (or designee) may enlist the help of other College personnel, such as deans, administrators or Human Resources personnel, in resolving an informal complaint, but only with the written permission of the complaining student.

Use of the informal procedures set forth in this section is not a prerequisite to initiating a formal complaint. Students seeking informal resolution have the right to end the informal process at any time and begin the formal complaint process. This informal mediation process will not be used in cases involving alleged sexual misconduct, domestic violence, dating violence, or stalking.

Informal complaints should be raised as soon as possible, because the more time that elapses between alleged incidents of sexual harassment and the filing of an informal complaint, the more difficult it may be to resolve the complaint successfully.

The College will endeavor to reach resolution of informal complaints within a timely manner after receiving the initial report, absent extenuating circumstances. The College will keep the parties informed regarding the timeline of the resolution as it proceeds.

Filing a Formal Complaint of Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, Stalking or Related Retaliation

A student may file a formal complaint of sexual harassment, sexual misconduct, domestic violence, dating violence, stalking or related retaliation by a student or a third party by contacting the Title IX Coordinator (or in the case of a complaint against the Title IX Coordinator, by contacting the President of the College, who will designate an alternate contact person). A student may file a formal complaint of sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking by an employee or a third party by contacting the Director of Human Resources (or in the case of a complaint against the Director of Human Resources, by contacting the President of the College, who will designate an alternate contact person). A student who is filing a complaint against an employee may also seek assistance from

the Title IX Coordinator, who will provide support to the student in making contact with the Director of Human Resources.

The College's procedures for handling formal complaints will be prompt, fair and impartial from the initial investigation to the final result, in that they will be:

- Completed within reasonably prompt time frames as designated in the College's policies, which time frames may be extended for good cause and/or due to extenuating circumstances, with written notice to the complainant and the respondent of the delay and the reason for the delay;
- Conducted in a manner that is consistent with the College's policies and transparent to the complainant and the respondent, including timely notice of meetings at which the complainant or respondent may be present, and providing the complainant, the respondent, and appropriate College officials with any information that will be used during the College's process in accordance with the policies herein; and
- Conducted by officials who do not have a conflict of interest or bias for or against the complainant or the respondent. If either party is concerned that an official involved in the investigation or adjudication may be biased or have a conflict of interest, the party should share their concerns with the Title IX Coordinator immediately.

After an initial discussion, the complainant will be asked to make a verbal statement to the Title IX Coordinator or designee describing the complaint. The statement should include information such as the date and time of the alleged sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking, the name of the respondent, the circumstances of the alleged sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking, and the identity of any persons who may have knowledge or information regarding the circumstances.

The Title IX Coordinator will receive the verbal (or written) statement and promptly determine whether it alleges conduct prohibited by the policy. In cases where the Title IX Coordinator believes that the allegations, if proven, would not constitute a violation of this policy, the complainant will be advised of other judicial and support options as appropriate (which may include a referral for handling under another College conduct policy and procedure), and no further investigation will be pursued under this policy. If new information is subsequently provided to the Title IX Coordinator, this decision may be re-evaluated. If the Title IX Coordinator determines that the complaint alleges conduct prohibited by this policy, the complaint will be assigned to an investigator or investigators.

The Title IX Coordinator (or designee) will inform the respondent of the allegations that will be investigated and the policies that may be implicated by the allegations.

Respondents will be notified that taking any retaliatory action (directly or through others) that affects the learning, shared living, or working environment of any person involved in the investigation is prohibited by law and will also be considered a separate violation of College policy.

Investigation

The Title IX Coordinator will appoint an investigator or investigators (referred to in the singular here for convenience). Investigators may be College employees or third party contractors, as determined at the College's discretion. The office coordinating the investigation will provide a copy of this policy to the complainant and respondent, and will inform both parties in writing that the College is investigating the possibility that the respondent may have committed sexual assault, sexual misconduct, domestic or dating violence, or stalking and/or related retaliation.

Should a respondent who has been notified of an investigation fail to cooperate with the investigator, the investigation may proceed, a finding may be reached, and a sanction may be imposed based on the information available. The rights of complainants and respondents are described below.

Rights of Complainants

Individuals whose complaints of sexual harassment, sexual misconduct, domestic violence, dating violence, stalking or related retaliation, are being investigated and adjudicated by the College can anticipate that:

- They will be treated with sensitivity, dignity, respect and in an unbiased manner by all involved administrators, investigators and adjudicators.
- They will be informed in writing that their complaint is being investigated, and of any other related policy violations being explored through this investigation.
- They will be afforded the same rights and opportunities as the respondent throughout the investigation and adjudication process.
- They will be given periodic status updates throughout the investigation and adjudication process.
- They may access College and/or external resources for medical and counseling services at any time.
- They may choose to pursue a formal complaint with external law enforcement authorities or other federal or state agencies at any time, or they may decline to do so.
- They may be accompanied by an advisor of their choice to any meeting, interview or proceeding that they are attending regarding the investigation and adjudication process.
- They may submit one character reference letter for consideration.
- They may meet with an investigator prior to the determination of a finding.
- In the event of a finding of a policy violation, they may submit a Sanction Statement.
- They will be informed in writing, simultaneously with the respondent, of:
 - the adjudication result;
 - any applicable procedures to appeal the result of the College's disciplinary proceedings, to the extent they are available;
 - any change to the result following an appeal; and
 - when such results become final.
- If the respondent has a right to appeal the result under applicable College policies, the complainant will have the same right. An investigator will provide written notification to a complainant of any applicable appeal procedures at the time the complainant receives notice of the result.
- They may retain legal counsel at any time. An attorney who wishes to communicate with the College about a case may contact the College's legal counsel directly. An attorney who is asked to serve as an advisor during this process is subject to the same restrictions applicable to all advisors.

Rights of Respondents

Individuals responding to sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking that are being investigated and adjudicated by the College can anticipate that:

- They will be treated with sensitivity, dignity, respect and in an unbiased manner by all involved administrators, investigators and adjudicators.
- They will be informed in writing that a complaint of sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking against them is being investigated, and of any other related policy violations being explored through this investigation.
- They will be afforded the same rights and opportunities as the complainant throughout the investigation and adjudication process.
- They will be given periodic status updates throughout the investigation and adjudication process.
- They may access College and/or external resources for medical and counseling services at any time.
- They may be accompanied by an advisor of their choice to any meeting, interview or proceeding that they are attending regarding the investigation and adjudication process.
- They may submit one character reference letter for consideration.
- They may meet with an investigator prior to the determination of a finding.
- In the event of a finding of a policy violation, they may submit a Sanction Statement.
- They will be informed in writing, simultaneously with the complainant, of:
 - the adjudication result;
 - any applicable procedures to appeal the result of the College's disciplinary proceedings, to the extent they are available;
 - any change to the result following an appeal; and
 - when such results become final.
- If the respondent has a right to appeal the result under applicable College policies, the complainant will have the same right. An investigator will provide written notification to a respondent of any applicable appeal procedures at the time the respondent receives notice of the result.
- They may retain legal counsel at any time. An attorney who wishes to communicate about a case with the College may contact the College's legal counsel directly. An attorney who is asked to serve as an advisor during this process is subject to the same restrictions applicable to all advisors.

Investigation (continued)

The investigator will conduct an appropriate investigation which may include interviews with the complainant, respondent, and other persons with information. These interviews may be audio-recorded. As required by the Clery Act, individuals conducting investigations and determination proceedings will receive training annually on the issues related to sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking, and how to conduct an investigation and/or determination process that protects the safety of complainants and promotes accountability.

The College may choose to discontinue an investigation at any time. The complainant may request that an investigation be discontinued at any time. The College will attempt to honor the wishes of the complainant. However, to accommodate cases where compelling evidence suggests significant individual or community safety concerns, the decision to continue an investigation is within the sole discretion of the College.

To the extent permitted by law, the complainant and respondent will be afforded the same rights and opportunities throughout the investigation and adjudication process, including the opportunity to recommend witnesses and submit evidence. However, investigation logistics, including but not limited to the sequence of interviews, the decision to interview particular witnesses, and the decision to allow or consider evidence offered by the parties, are within the discretion of the investigator.

The College's investigation process does not require or permit the complainant and respondent to interact or communicate directly or indirectly with each other concerning the process or the matter under investigation at any time. The parties are therefore not permitted to question or cross-examine each other during the course of the investigation.

The complainant and respondent will be asked to identify, preserve and submit all evidence pertaining to the matter under investigation, and to identify witnesses they believe may have relevant testimony to share. The investigator is not required to consider the evidence submitted or interview any particular witness, even if identified by one of the parties. However, in determining whether to interview witnesses or review evidence, the investigator should consider such factors as equity, fairness, thoroughness, and impartial treatment of both parties.

All participants in the investigation are expected to cooperate fully by providing complete, accurate, and truthful information. They may also be expected to sign statements or other documents memorializing the information they provided, and may be asked to keep the substance of the interview confidential. Failure to cooperate fully with the investigator may subject the individual to the full range of disciplinary actions, as applicable.

Complainants and respondents are entitled to the same opportunities to have an advisor of their choice present at any interviews, meetings, or proceedings that they are attending related to the investigation and adjudication process under this policy. The advisor may advise the complainant or respondent privately, but cannot act as a speaking advocate at a meeting. An investigator or other College representative may terminate meetings, and/or proceed with the investigation or adjudication based on otherwise-available information if an advisor is disruptive or otherwise refuses to comply with the requirements of this policy.

While each party may have an advisor of choice, they may not compel any specific person to serve as their advisor. The College's faculty and/or staff may be available to serve as advisors, but none are required to do so.

An individual designated by the Title IX Coordinator will enable communications between the parties and the investigator.

Once the investigator has gathered all of the information that they determine should be gathered as an initial matter, they will prepare preliminary findings of fact that will, together with any notes or other information gathered by the investigator, be made available to the parties for their

review. The parties will have a period of five calendar days to review such information and, if they choose, to, they may: 1) suggest additional investigation by the investigator, including but not limited to interviews of additional witnesses; and/or 2) suggest questions to be posed by the investigator of the other party or witnesses. The investigator will determine in their discretion whether and to what extent to pursue some or all of the additional investigation and questioning requested by the parties, and will frame any resulting investigation and questioning at their discretion.

Once any additional investigation is completed, the investigator will create a final investigation report that will contain any updated findings of fact, any additional evidence gathered, and the investigator's analysis, rationale and recommendation regarding whether a preponderance of the evidence establishes a violation of any of the College policies under investigation. The parties will then have 3 business days to provide a written response to the final investigation report. Each party will be allowed to review the other party's written response. The final investigation report, its attachments, and the parties' written responses will be provided to a determination panel, for its consideration as provided below. These time periods may be extended upon request for good cause, at the discretion of the Title IX Coordinator or their designee.

Each party may submit one character reference letter no later than when they provide their written response to the final investigation report. The person providing the character reference is invited to introduce the party to the investigator and to the determination panel outside of the context of the incident in question. The person providing the reference is not permitted to offer testimony or commentary related to the incident in question, or to include that person's assessment of the case or the party's role in it in any way.

After considering the parties' written responses to the final investigation report and attachments and their character reference letters, if any, the investigator will prepare a report for the determination panel. The report will include the investigator's recommended finding of whether the policy or policies under investigation has/have been violated, and the investigator's rationale. The investigator's recommendation will be based on the preponderance of evidence standard, i.e., whether it is more likely than not that the policy was violated. The recommended findings are within the discretion of the investigator. The determination panel members will have access to all investigation materials deemed relevant by the investigator, and to character references, when they review the investigator's report.

In a case where a criminal investigation or criminal proceeding may be underway for the same complaint, the College may choose to delay its investigation for a reasonably short period while police are gathering evidence. During this period, the College reserves the right to take interim steps to promote the safety and well-being of the complainant and the College community while the law enforcement agency's fact-gathering is in progress. The College, after a reasonable period and communication with law enforcement, will initiate or resume, and complete its own investigation.

To protect the integrity of the investigation, complainants, respondents, witnesses, affected parties and advisors shall not disclose any information discussed or revealed during the investigation while the investigation and adjudication process is still pending, other than to the investigator, and/or a confidential resource such as their mental health counselor or attorney (who also must not disclose such information), or a non-attorney advisor (who also must not disclose such information), except if they reasonably believe that disclosing such information to

a law enforcement agency is necessary to lessen or avoid a substantial and imminent risk of physical harm to any person, or they are otherwise required by law to do so.

The College will endeavor to complete its investigation within a timely manner after receiving the initial report, absent extenuating circumstances. The College will keep the parties informed regarding the timeline of the investigation as it proceeds.

Determination Panels in Cases Involving Student Respondents

After the investigator's report is final, it will be transmitted to a determination panel. Upon initial review of the report, the determination panel may move forward with a determination or may direct the investigator to pursue an additional investigation and supplement their report. If the report is supplemented the parties will have access to the report and any additional evidence and will have an opportunity to submit a written response by a deadline established by the determination panel.

The determination panel is responsible for making the determination of whether any College policy under investigation has been violated. It will consist of three members selected from a list of six to seven potential panel members. Potential panel members will be members of the College faculty or staff appointed by the President of the College. As described above, they will receive the same training as investigators, at least annually.

The determination panel is not bound by the investigator's report; rather it is advisory to the panel. The panel may accept or reject the investigator's recommended finding in whole or in part, and may request additional relevant information before making a determination. The panel will avoid duplicating the efforts of the investigator, and will not accept the investigator's recommended finding without careful review of the evidence.

After a review of all evidence, the investigator's report and recommended finding, and the parties' written responses and character references, the panel will issue a determination, in writing, as to whether the allegations that sexual harassment, sexual misconduct, domestic or dating violence, stalking, related retaliation, and/or any additional prohibited behaviors being investigated, are proven by a preponderance of the evidence. In the event of a decision that is not unanimous, the determination will note that one panel member dissented but the majority's finding will be the finding of the panel. The determination will contain an explanation of the rationale for the determination, including (1) how the evidence and information presented during the investigation and adjudication process was weighed; (2) how the standard of evidence was applied; and (3) how the evidence and information support the determination.

The complainant and respondent will be simultaneously informed, in writing, (a) of the panel's determination (that is, the result of the proceeding and the rationale); (b) of the College's procedures for complainants and respondents to appeal the determination and/or actions imposed, if applicable; (c) of any change to the results of the disciplinary process that occurs prior to the time that such results become final; and (d) when such results become final.

If the panel decides that a policy violation occurred and makes a finding of responsibility, that finding will be forwarded to an office with jurisdiction in order to decide the appropriate sanction.

Any official record will be kept on file at the Office of Student Life. After the College's investigation and adjudication process has concluded, complainants, respondents, witnesses, affected parties and advisors are prohibited from disclosing, describing, or publishing any and all documents the College provided during the investigative and/or adjudicative process, unless the disclosure is required or expressly permitted by law or applicable guidance. While this provision prohibits dissemination of the College's investigation materials and information an individual learns from these materials, it does not prohibit the sharing of information about which individuals have independent knowledge as long as they do not engage in retaliation or violate any other College policies.

In accordance with applicable law and/or federal guidance, a complainant is not prohibited from sharing the results of a case involving a report of sexual assault, domestic violence, dating violence, or stalking. The results of a case consist of the name of the respondent, any violation found to have been committed, and any sanction imposed against the respondent by the College.

All materials collected and generated in the course of an investigation are the property of the College. Complainants, respondents, witnesses, affected parties and advisors may not record interviews or administrative meetings associated with the investigation and adjudication process.

Sanctions

The possible sanctions the College may impose following a finding of responsibility for an allegation of sexual harassment, or misconduct covered by the Policy that does not constitute sexual assault may include but are not limited to:

- verbal or written warning;
- training;
- counseling;
- probation;
- residential relocation;
- class or academic re-assignment;
- no contact order;
- no trespass order;
- suspension of a student's enrollment;
- dismissal from the College:

The possible sanctions the College may impose following a finding of responsibility for an allegation of sexual assault covered by the Policy may include but are not limited to:

- probation;
- class or academic re-assignment;
- residential relocation;
- suspension of a student's enrollment;
- dismissal from the College.

For a full description of these sanctions, please see the policy under "Disciplinary Status Sanctions" in the **Student Code of Conduct and Policies** booklet.

Standard of Proof

Like Saint Michael's College's student disciplinary system in general, the process to address complaints of sexual harassment, sexual misconduct, domestic violence, dating violence, stalking or related retaliation uses the standard of proof of "a preponderance of the evidence" or "more likely than not." This means that for a finding of responsibility to be made, at least two members of the determination panel must conclude that there is more than a 50 percent likelihood that actions or behavior in violation of the policy at issue did occur.

Disposition Without A Determination/Dean's Sanction

In cases where the facts are not in dispute, and a student respondent is prepared to accept responsibility for his/her actions, the College may offer the option of Disposition Without a Determination, also called a Dean's Sanction. For a full description of these sanctions, please see the policy under "Disciplinary Sanctions" in the **Student Code of Conduct and Policies** booklet.

Appeal Procedure for Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, Stalking or Related Retaliation Decisions

Within seven (7) calendar days of the panel's determination, the complainant or respondent may appeal the decision to the Vice President of Student Affairs (or designee) by delivering a written statement of appeal to the Vice President of Student Affairs. The other party may be notified of any submitted appeal through the Title IX Coordinator or his or her designee. The other party may submit a written response to the appeal to the Vice President of Student Affairs within 5 working days of delivery of the statement of appeal. Both parties will be informed of any change to the results of a disciplinary process that occurs prior to the time that such results become final, and when such results become final. The decision of the Vice President of Student Affairs is final.

Disciplinary Procedure for Cases Involving Employee Respondents and Others

Disciplinary procedures for employees charged with violating the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking Policy are available from the Human Resources website.

Educational Programming

The College will provide educational programming for students and employees addressing the issues of domestic violence, dating violence, sexual violence, and stalking, which will include: 1) primary prevention and awareness programs for all incoming students and new employees; 2) safe and positive options for bystander intervention; 3) information on risk reduction to recognize warning signs of abusive behavior; 4) ongoing prevention and awareness programs for students, faculty and staff who have responsibility for working with students.

RESIDENCE LIFE POLICIES

Philosophy

The residence hall experience should provide opportunities for individual growth and development and an interpersonal environment that reflects responsible citizenship and a concern for others, as well as an atmosphere conducive to learning.

Residence halls should foster sufficient self-discipline among students so that a reasonable degree of order and a maximum degree of personal freedom and privacy prevail. To this end students develop “social contracts” with members of their living areas to define appropriate behaviors geared towards respect for one another and creating a non-intimidating environment. Students are then free to enjoy those personal growth experiences that come both through introspection and through interpersonal relationships, complementing and enriching the education gained in formal classroom instruction.

HOUSING REQUIREMENTS

All full-time undergraduate and ALD students must live in residence areas. Exceptions include those students who live with their parents or who are financially self-supporting according to federal guidelines (with appropriate documentation). Housing requirements do not pertain to graduate students.

The Residence Fee is for room, board and campus services. The Apartment Residence fee is charged to upper class students living in the Townhouses, Hodson Hall and Ethan Allen Apartments. The Traditional Residence fee is charged to students living in the remaining areas. Students living in College housing are required to have their meals in the College Dining Hall. Students in traditional housing will have a “carte blanche” meal plan. Upper-class students living in apartment housing will have a 40 block meal plan per semester. The college reserves the right to change meal plans as deemed appropriate. All meal plans cease at the end of each semester and are not transferable.

Each Fall prior to the beginning of school, each student shall sign a Residential Contract which states specific terms and conditions relating to College room and board. The contract is binding for the academic year. Termination of the contract can only be granted in exceptional cases, at the discretion of the Director of Residential Life.

EXCEPTIONS TO ON-CAMPUS RESIDENCY REQUIREMENT

If space in the residence areas is unavailable in which case, seniors have priority. Marriage, family, completion of degree program, leaves of absence, or medical reasons.

Documentary evidence may be required to show cause for being exempted.

All requests for exception must be made in writing to the Director of Residence Life.

OFF-CAMPUS HOUSING

Permission is required to move off campus. Students who acquire off-campus housing should understand that terms of rental should be agreed upon between the student and the owner of the residence. The College can in no way act on behalf of either party. Students also forfeit their right to participate in future campus housing lotteries.

TRANSPORTATION OFF CAMPUS

Students who are transported off campus for violation of campus policy will be transported via the Colchester Police or Saint Michael's College Fire and Rescue. Students who need to be transported off campus for emergency medical or mental health needs will be transported via Saint Michael's College Fire and Rescue. If a student refuses to be transported by Saint Michael's College Fire and Rescue they will be responsible for their own transportation.

All other transportation to off campus appointments is the responsibility of the student.

ROOM OCCUPANCY

Rooms may be occupied from the day before classes begin until twenty-four hours after the student's last final examination or at the designated time specified in the student's Residential Contract. The Residence Areas will be open during Thanksgiving and Easter break at no extra charge. In accordance with the Residential Contract, meals will not be served during these times. The Residence Areas will be closed during periods between semesters. In special circumstances, students may be allowed to stay in the Residence Halls during semester recess at the discretion of the Director of Residence Life.

Unauthorized room changes are prohibited and may result in fines and /or further sanctions. All students must have room changes approved by the Student Life Office. This includes room changes within residence halls, suites, apartments, and townhouses.

Rooms of all students should be kept locked when occupied. The College is not responsible for personal property missing from rooms.

Saint Michael's College reserves the right to enter student rooms during all vacation and break periods for routine inspection for maintenance, housekeeping and safety reasons. Specifically, turning down radiators, unplugging electrical appliances, and closing and locking windows are some of the routine inspection tasks to be accomplished with the permission of the Dean of Students and/or his or her designee. Routine inspections will be done by pairs of Residence Hall staff members and/or Facilities department staff who will tour houses, apartments, halls, suites, and/or student rooms according to a plan approved by the Dean of Students. Residence Life staff will notify Public Safety when these inspections are complete and the residence halls are empty. During these inspections, any property in open view to be Saint Michael's College food service, municipal or illegally possessed property will be written up by residence hall staff and reported to the student and the Student Life Office. The Student Life Office may follow up on any reports with room occupants with the intent of returning wrongfully possessed property to its rightful owners. Appropriate disciplinary or civil action may result in those cases where it is determined that a student in possession of stolen or illegally possessed property.

Every effort will be made to respect the privacy of the occupants. However, the Dean of Students or a designee reserves the right to enter any room at any time where the Dean of Students or a designee believes that the safety of the occupants or other individuals may be at risk, or that serious violations of College policy may be occurring.

Preferably there shall be at least one occupant present at the time of such entry, but this cannot be guaranteed under all circumstances. Student Life Office may require a student to move whenever the best interest of the College indicates such action. Housing assignments may be altered by the Director of Residence Life in to achieve the goal of accommodating students with special needs and/or if the best interest of the college indicates such action.

ROOM SELECTION

Each spring the Office of Residence Life will conduct a room draw. The purpose is to select rooms for the following year. Before the room draw is conducted, the terms of the process will be outlined to all students through various means such as the Student Association, through the mail, through email, the campus cable channel, and the Residence Hall Staff.

KEY SYSTEM

Residence Hall Keys

The administration and distribution of room keys is the responsibility of the Student Life Office. Each student, upon admission to a College residence hall, will be issued a key. Students who withdraw from the college or leave for the summer and do not return their keys will be billed \$25.00 per key. Students will also be required to pay for the cost of replacing the lock when necessary. A student losing a key may replace it by paying the \$25.00 fee per key and filling out the key request form in the Student Life Office. In the event of a lock change, an additional charge will be levied. Students may be fined for excessive lockouts (more than 3) performed by Residence Life and/or Public Safety staff.

The Student Life Office may initiate a lock change in situations where the safety and security of the resident and/or the greater community is compromised. The cost of the lock replacement (\$250.00) will be the responsibility of the individual student except in extending circumstances.

Post Office Keys

Post Office Keys, combination locks, and mailbox assignments will be issued from the Post Office during regular Post Office hours. When a student graduates or withdraws from the college and does not return his/her Post Office keys, they will be billed for replacement. If a Post Office key is lost, a new key can be obtained from the Post Office.

Unauthorized Keys

Both unauthorized possession of keys (including copies) to College buildings and facilities, and breaking and entering are an offense which normally result in disciplinary action.

Exterior access to all residence halls is via a proximity card system. As a Saint Michael's student, it is necessary to carry your College ID with you at all times, and especially since it will now serve as your residence hall key.

PLEASE DO NOT PUNCH HOLES IN YOUR ID AS IT WILL DEACTIVATE THE ELECTRONICS CONTAINED INSIDE THE CARD.

ROOM ALTERATIONS

Lofts

Due to Federal and State building codes and/or fire safety standards, there are strict guidelines limiting the construction of 'lofts' in residence hall rooms. Generally speaking, lofts may be installed for the purpose of raising beds so as to provide additional useable floor space in a room.

Key considerations in this policy are safety and function of the fire protection systems in residence hall rooms. There must be reasonable access to the room and bed, and the loft may not hinder in any way the function of the smoke detector or sprinkler head.

The following guidelines must be adhered to in the installation of any lofts:

Students must inform a residence hall staff member of their intent to build a loft in a residence room. All lofts must be registered and are subject to inspection for adherence to this guideline. The loft area may not exceed 150% of the surface it supports. (i.e. if a single mattress is 16 sq. ft. then a single loft may not exceed 24 sq. ft.)

The top of the mattress may be no less than 36 inches from the ceiling. Lofts may not be installed directly below a sprinkler head.

Access to the room may not be compromised in any way by the installation of a loft. Metal lofts are available and recommended. Any lofts constructed of combustible material (wood) must be painted or coated to retard combustion.

College beds must be incorporated into the structure of lofts and may not be removed from rooms. The College does not provide storage.

No structural or electrical changes may be made to the room, and lofts may not be bolted or nailed to walls.

Any lofts that does not adhere to this guideline or is deemed to be unsafe may be ordered removed from the hall.

All lofts or other changes must be removed by the final day of the academic year and room returned to its original condition.

Students departing prior to the end of the academic year will be responsible for insuring that their room is restored to its original condition.

Failure to do so will result in a charge to cover the cost of removing any construction and the cost of reinstating the room to its original condition after the room is vacated. Abandoned material must be carried to exterior trash dumpsters.

Room Condition

All rooms must be restored to their original or comparable condition at the end of the academic year.

A final room check will be conducted by representatives of the Student Life Office and Facilities personnel after the students have vacated their rooms at the completion of the academic year.

Students will be billed for any damage, missing furniture, or excessive cleaning of the room.

All furniture issued by the college must stay in the room.

The painting or stenciling of any room, suite, or townhouse is considered damage.

Residents of rooms/suites/townhouses that have been painted will be assessed a service fee of \$250.

Residents of Rooms/Suites/Townhouses that are repainted in an attempt to restore the room to its original color will be assessed an additional service fee of \$250.

Student Life and Facilities staff will perform health and safety inspections at least twice during the academic year. These inspections will occur after the close of the residence halls for the fall semester and two weeks prior to the closing of the residence halls for the academic year.

Room Decorations

Pictures and decorations must be hung in such a way as to protect and not to damage the walls, ceilings, doors, and paint.

ROOM CARE / SANITATION

The College has tried, within its resources to provide a comfortable and pleasant environment for its students as one of the means of achieving academic and personal success. It is a normal expectation that only a minimum amount of repair and renovation will be necessary from one year to the next to make living areas ready for new occupants. It is the responsibility of every student to help achieve this goal.

Cooking

Any type of cooking except by low voltage microwave ovens and what is done in designated areas in residence halls is forbidden at all times. For reasons of safety, hot plates and cooking apparatus are not permitted.

Refrigerators

Refrigerators (4.0 cubic feet or smaller) are permitted in student rooms. For reasons of safety, refrigerators are never permitted in the corridor of any student residence hall.

Cleanliness

Cleanliness in the residence halls, classrooms, and the grounds is the responsibility of each individual. Students found littering either the grounds, rooms or buildings will be subjected to fine or disciplinary action. Please do your part to keep our campus attractive.

Pets

No pets may be kept in residence halls and campus apartments or brought into any buildings on campus other than service or assistance animals for individuals with disabilities, the presence of which is required by law. Students found in violation of this would be subject to a fine and/or disciplinary action.

Lighting

Because candles and incense are both open flames and considered fire hazards, neither are permitted in any residential facilities. Halogen torchiere lamps are prohibited in all residence halls/apartments/houses. All holiday lighting must be UL approved and only used INDOORS.

Cinder Blocks

Cinder blocks are not allowed in the Residence Halls or Apartments.

DAMAGE / PERSONAL BELONGINGS

Residents are responsible for the condition of their living area and will be held responsible for any costs for repair or replacement. Students have 24 hours from the time they move in to report any issues regarding their room condition to their RA. If nothing is reported, the student accepts the room in the current condition and will be responsible for any damages or repairs from that point on. Each room, suite, apartment, and townhouse will be provided with a list of items that are in each room at the beginning of the year. Repair and Replacement charges are assessed at the conclusion of the academic year by Residence Life and Facilities Staff. A list of repair and replacement costs is available from your RA. This information can also be found online and in the Student Life Office.

DAMAGE CHARGE PROCESS

Overview

Saint Michael's College provides housing to students that will be safe, functional and well maintained. This creates a partnership between the students and the Residence Life, public safety and Facilities staff. Through scheduled inspections and work orders, the SMC Facilities staff will work diligently to maintain the housing to these standards. Students living in campus housing are responsible for their space. When work orders are placed, Facilities will repair damages to units.

- Items that wear out or are broken due to normal wear and tear will be fixed at no cost to students.
- Items that are broken due to vandalism, mistreatment or blatant disregard for property or conditions will be charged to the student or students responsible for the space.
- Examples include: Kicked in doors, holes in walls, frozen pipes/mechanical equipment due to open windows in cold conditions and similar instances.

Damage that gets billed

Damage assessments will be done by Facilities and a Residential Life staff member. In the event damage meets the criteria listed above, or has a similar cause, bills will be added to a student's account soon after it is noticed by a walk through, or by Facilities when making a repair.

If a damage charge is billed, it will be accompanied by a description and supporting documentation which will be attached to the work order. The documentation may include pictures, written descriptions, or a written description of witness accounts.

Billing amounts will reflect amounts listed in the housing pricelist, or be the actual cost of material + any hired contractor costs + any off hour overtime charges for SMC staff.

Students are responsible for their housing unit. If damage happens in your bedroom, you are responsible. If damage happens in your suite or apartment, you and your roommates are responsible.

You are responsible for your living space and anyone in that living space including guests of the campus. If someone else causes the damage and they are willing to take responsibility, they will be charged. If not, the room owner, or apartment tenants will be responsible and will be charged.

Damage bills are meant as a way to hold parties accountable, and not as a source of income, although they will help offset the cost of repairs.

Facilities staff members will try to be fair with charges and will only issue charges for obvious items of mistreatment or neglect.

GUEST POLICY

In accordance with the Mission Statement of the College and for privacy, safety and security, the following guidelines are set forth concerning guests: Guest registration is the responsibility of each student having guests coming onto campus. Students should contact Residence Life staff for procedural guidelines.

Guests of the opposite sex are allowed in the residence living areas and apartments Sunday through Thursday 9:00 a.m. to 1:00 a.m., and on Friday and Saturday 9:00 a.m. to 2:00 a.m. Overnight guests of the opposite sex are not permitted. Students may invite guests of the same sex to occupy their rooms overnight by informing the Residence Life Staff. In multiple occupancy facilities, a guest may be invited only upon unanimous consent of all room or apartment members. The host student must be in residence during the guest's visitor's occupancy. Meals for guests or visitors may be purchased in the College dining hall. Each student is responsible for the conduct of his or her guest and may be held liable for any violation of campus policy, any damage to College property or the property of others caused by the guest or visitor. Any infraction of the above policy, or conduct by a guest that does or would violate College policy, may result in loss of the student's guest privileges.

QUIET HOURS

Being courteous to your neighbor is a value that is important to the development of positive communities. In this light, courtesy hours are in effect at all times and quiet hours have been

established between 9:00 p.m. and 9:00 a.m. Sunday through Thursday and 11:00 p.m.-9:00 a.m. on Friday and Saturday.

During the final exams periods there will be 24-hour quiet hours in all residence halls and apartment buildings. This period will begin on the last day of classes and go through the end of the final exam schedule.

HALL SPORTS

Games or sports including but not limited to activities such as hockey, golf, bouncing balls, water fights and bike riding are not permitted in the residence halls. Concern for safety of students and disruption to the living community serve as rationale for this policy.

COMMON AREAS

Bathrooms, hallways, lounges, and laundry rooms are considered common areas, and are made available to all students. Personal items, such as, but not limited to clothing, bicycles, and athletic equipment may not be stored in common areas.

This policy also applies kitchens in Canterbury, Cashman, and Pontigny halls.

Students will be held responsible for damages occurring in common areas. If the individual student(s) who are responsible cannot be identified, charges will be divided among all student who live in the affect building. Stairways and hallways must be kept free from all furniture and personal belongings as such objects can pose a fire safety hazard.

SMOKING

Saint Michael's College is a tobacco free institution and smoking is not allowed in any area on campus. Please see the Tobacco Free Campus Policy.

ANIMAL POLICY

For reasons of health, safety, compassion for animals, and inconvenience to other students; animals other than service and ESA's for individuals with disabilities, the presence of which is required by law are not permitted in College buildings or on college properties.

SERVICE ANIMALS POLICY

Saint Michael's College recognizes that Service Animals can play an important role in facilitating the independence of some individuals with certain types of disabilities. In addition, the health and safety of Saint Michael's College students, faculty, and staff are important concerns. Therefore, Service Animals that meet the criteria described below will be exempt from the College's Animal Policy.

College community members who have questions or concerns about the presence of Service Animals on campus should direct those questions to the Dean of Students or the Director of the Bergeron Wellness Center as well as the Office of Accessibility.

Service Animals

A Service Animal is defined for purposes of the Americans with Disabilities Act and similar federal and state laws as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. The work or task must be directly related to the person's disability. Examples of such work or tasks include guiding a person with impaired vision, alerting a person with a hearing impairment, pulling a wheelchair, alerting and protecting a person who is having a seizure, reminding a person with mental illness to take prescribed medications, and/or performing other duties. Trained Miniature Horses are also considered to be Service Animals in some cases. Service Animals are working animals, not pets. The provision of emotional support, well-being, comfort, or companionship does not constitute work or tasks for the purposes of this definition (see the College's "Emotional Support Animal" Policy). Service Animals in training who are with a member of the College community who has a disability, and with whom the animal will be working as a Service Animal, are considered to be Service Animals for the purposes of this policy.

Students with Service Animals are permitted generally to bring their Service Animals in all areas of a place of public accommodation, such as classrooms, residence halls (including the private residence assigned to the student), activities and events, and dining facilities. However, Service Animals are not permitted if they pose a direct threat to health or safety, if their presence constitutes a fundamental alteration to the nature of a program or service, if they cannot effectively be controlled, or if they are not housebroken.

Students planning to bring a Service Animal to campus are encouraged to work closely with the Student Life office and the Office of Accessibility. Students intending to keep a Service Animal in a residence hall are encouraged to provide notice to the Director of Residence Life at least 30 days in advance on a form obtained from the Student Life office. When it is not readily apparent that the animal is a Service Animal, the Director of Residence Life may ask the student if the animal is required because of a disability, and what work or task the animal has been trained to perform, but will not ask about the nature of the student's disability for this purpose. The Director of Residence Life will not require documentation about the training of a Service Animal.

Students are encouraged to provide identification that the animal is a Service Animal so that others are aware it is a working animal.

See below for a description of the student's responsibilities and the reasons for removal of Service Animals.

Requirements of Service Animals and their owners include:

- The owner of the animal must be in full control of the animal at all times.
- Animals must be licensed in accordance with municipal regulations and, if appropriate, must wear a valid vaccination tag.
- Animals must be in good health. Any service/assistance animals occupying College housing must have an annual clean bill of health from a licensed veterinarian.
- Service Animals should wear some type of easily recognized identification symbol (i.e., harness, backpack).

- The owner is responsible for appropriate waste clean-up and overall cleanliness of the animal.
- The owner is responsible for the appropriate management of his or her animal in all College facilities. Disruptive and/or aggressive behavior on the part of the animal may result in the owner being asked to remove the animal from College facilities.
- The owner is responsible for any property damage or personal injury caused by the animal, or pest control (i.e. flea treatment) required because of the animal.

Etiquette with Service Animals

- Allow a Service Animal to accompany their owner at all times and everywhere on campus except where Service Animals are specifically prohibited. Do not pet a Service Animal without permission of the owner; petting a Service Animal when the animal is working distracts the animal from the task at hand. Service dogs typically wear a leather harness, scarf or sign to indicate they are working animals.
- Do not feed a Service Animal. The animal may have specific dietary requirements.
- Do not deliberately startle a Service Animal.
- Do not separate or attempt to separate an owner from her or his Service Animal.

EMOTIONAL SUPPORT ANIMALS POLICY (ESA'S)

Saint Michael's College recognizes that Emotional Support Animals (ESAs) can play an important role in facilitating the independence of some individuals with certain types of disabilities. In addition, the health and safety of Saint Michael's College students, faculty, and staff are important concerns. Therefore, ESAs that meet the criteria described below will be exempt from the College's Animal Policy.

College community members who have questions or concerns about the presence of an ESA on campus should direct those questions to the Assistant Dean of Students/Director of Housing Operations OR Director of Bergeron Wellness Center.

Emotional Support Animals

An ESA is any animal that does not meet the definition of "Service Animal" outlined in Saint Michael's College policy but that provides emotional support that alleviates one or more symptoms or effects of a residential student's disability.

Qualifications and Process

1. With advance approval, a student with a disability may have an ESA in their residence hall as an accommodation. The ESA must either be: within the confines of the owner's residence hall; with the owner on the grounds immediately surrounding the hall; or with the owner in other outdoor areas where animals are not prohibited. Only ESAs that do not pose a direct threat to the health or safety of others, do or would not cause substantial physical damage to College property or the property of others, or do or would not fundamentally alter housing operations will be allowed.

2. Though a request may be made at any time, the Office of Student Life and the Office of the Bergeron Wellness Center requests appropriate documentation for need to be made at least two weeks prior to an ESA's arrival on campus, so that the College can review the request thoroughly.
3. The request must be supported by documentation from a licensed mental health professional (e.g., psychologist, psychiatrist, social worker) or otherwise qualified medical professional (e.g., a physician or physician's assistant) who is providing on-going treatment for the condition that causes the disability, which documentation must include the information requested on the College's Request for Information Re: Emotional Support Animal form. That form requires the student and their treating professional to provide, in general, information about:
 - The student's physical or mental impairment and how it substantially limits one or more major life activities;
 - The proposed ESA; and
 - Why, in light of the student's disability, the ESA is necessary to provide the student an equal opportunity to use and enjoy College housing.

More detailed requests for information under these sub-headings are outlined on the Request for Accommodation Re: Emotional Support Animal form.

4. Prior to approval, the student must provide a physical description of the animal, and must agree that if their request to reside with an ESA is granted, they will comply with all of the terms and conditions of the College's Emotional Support Animal Agreement, which include the "Responsibilities of the Owner" specified below. It is recommended that the animal is at least 12 months old and has been in the possession of the owner or family for at least 6 months.
5. The request will be reviewed by:
 - a. Director, Bergeron Wellness Center
 - b. Assistant Dean of Students/Director of Housing Operations
 - c. Dean of Students/Director of Residential Life

Responsibilities of the Owner

Owners granted the accommodation of an ESA in their residence hall unit will be subject to the following rules, in addition to any other College rules not specifically related to ESAs. The owner must:

- **Keep the Animal in Residence Hall Unit or Other Approved Areas.** An ESA must either be: within the confines of the owner's residence hall; with the owner on the grounds immediately surrounding the hall; or with the owner in other outdoor areas where animals are not prohibited. The animal must be contained within the owner's privately assigned individual living accommodations except to the extent the owner is taking the animal out for natural relief. When the animal is outside the private individual living accommodations, it must be in an animal carrier or controlled by a leash or harness. ESAs are not allowed in any College facilities other than the housing to which the resident is assigned.
- **Keep the Animal under Control.** The ESA must be properly housed and restrained or otherwise under the dominion and control of the owner at all times. No owner may permit the animal to go loose or run at large. If an animal is found running at large, the animal is subject to immediate removal from College housing. Likewise, the dog cannot exhibit aggressive behavior towards other animals or people. Such behavior will be grounds for immediate removal of the animal from campus.
- **Abide by Laws and Policies.** The owner must abide by current city, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the owner's responsibility to know and understand these ordinances, laws, and regulations. The College has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate and license. Additionally, the owner must abide by all equally applicable residential policies, such as assuring that the animal does not unduly interfere with the routine activities of the residence or cause difficulties for other individuals who reside there.
- **Ensure the Animal is Well Cared For.** The owner is required to ensure that the ESA is well cared for at all times. Any evidence of mistreatment, abuse, neglect, or leaving the animal unattended for unreasonably long periods of time may result in immediate removal of the animal and/or discipline for the responsible individual pursuant to the Saint Michael's College Student Code of Conduct and/or any housing-related sanctions. College personnel will ***not*** provide care or food for any animal including, but not limited to, removing the animal during emergency evacuation for events such as a fire or fire alarm. Emergency personnel will determine whether to remove an ESA and may not be held responsible for the care of, damage to, or loss of the animal. Additionally, ESAs

may not be left overnight in College housing to be cared for by any individual other than the owner. If the owner is to be absent from the residence hall overnight or longer, the animal must accompany the owner. The owner is responsible for ensuring that the animal is contained appropriately when the owner is not present during the day if attending classes or engaging in other activities.

- **Be Responsible for Property Damage.** The owner is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner and, when provided, must use animal relief areas designated by the College. The College may charge an individual with a disability for any damage caused by their ESA beyond reasonable wear and tear to the same extent that it charges other individuals for damages beyond reasonable wear and tear. The owner's living accommodations may also be inspected for fleas, ticks or other pests if deemed necessary. If fleas, ticks or other pests are detected through inspection, the owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls. The College will have the right to bill the owner's account for unmet obligations under this provision.

Notify the Office of Student Life if ESA is No Longer Needed.

An ESA is allowed in College housing for only so long as it is necessary because of the owner's disability. The owner must notify the Office of Student Life if the ESA is no longer needed or is no longer in residence. If an owner wishes to replace an ESA, the owner must, at a minimum, provide with respect to the proposed replacement ESA the information about proposed ESAs that is requested on the Information About the Proposed ESA portion of the Request for Information Re: Emotional Support Animal form; the College will determine on a case-by-case basis what other information and related documentation needs to be provided with respect to a proposed replacement ESA, and will determine whether to approve or deny a request for a replacement ESA. The College will inquire annually regarding any potential changes in a student's need for an ESA.

Remove the Animal if Directed by the College.

The College reserves the right to direct the student to remove the animal from campus if:

- The animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others, including College property;

- The animal's presence results in a fundamental alteration of a College program;
- The owner does not comply with the Responsibilities of the Owner set forth above and/or an Emotional Support Animal Agreement signed by the owner; and/or
- The animal or its presence creates an unmanageable disturbance or interference with the College community.

Violations of this policy will be referred to the Office of Student Conduct and Community Standards through the Dean of Students Office.

SAINT MICHAEL'S COLLEGE TOBACCO-FREE CAMPUS

Preamble

Saint Michael's College is committed to providing a healthy working and learning environment for the entire campus community. To that end, a tobacco-free campus shall be established. The purpose of this policy is to reduce harm from tobacco use and secondhand smoke, provide an environment that encourages persons to be tobacco-free, and promote a campus culture of wellness.

Definitions

College property All college-owned property, which includes but is not limited to college grounds (including North Campus), campus buildings, residential buildings, parking areas, walkways, recreational and sporting facilities and college-owned vehicles.

Tobacco use

Use of all forms of tobacco, including but not limited to cigarettes, cigars, shisha, pipes, water pipes (hookah), electronic cigarettes, and all forms of smokeless tobacco including but not limited to chew, snuff, sticks, strips, and orbs.

Policy

Saint Michael's College is a tobacco-free campus. This policy applies to faculty, staff, students, contractors, vendors and visitors. The use of tobacco, e-cigarettes, vapor pens and all smoking products are not permitted on any college-owned property.

The sale, advertisement, distribution, and sampling of all tobacco products and tobacco-related merchandise are prohibited at College properties and its owned, leased, or operated buildings. Institutional Review Board approved research on tobacco or tobacco related products is not covered by this policy.

Smoking and/or tobacco use may be permitted for traditional ceremonial activities of recognized cultural and/or religious groups.

Education:

Educational information and smoking cessation services, programs, and resources are available to students, faculty and staff through Student Health Services and the Office of Human Resources.

Roles and Responsibilities

It is the shared responsibility of all members of the campus community to respect and abide by this policy. Administrators, deans, directors, department chairs, supervisors, and event sponsors will communicate the policy within their areas of responsibility.

Saint Michael's College will provide access to tobacco cessation resources to SMC students and employees.

Visitors refusing to comply with this policy may be asked to leave campus.

Implementation

The successful implementation of this policy depends on the courtesy and cooperation of the entire campus community. Appropriate signage will be posted in campus facilities, on the SMC website and elsewhere to inform members of the campus community and visitors of the Tobacco-Free Campus Policy.

The policy will be communicated in appropriate college publication and contracts. College publications include but are not limited to electronic notifications, handbooks, brochures and other college-generated materials.

This policy shall be effective on September 1, 2016. Compliance with this policy is expected.

If an individual has a difficult time complying with this policy, he/she should talk to a supervisor or the Division of Student Affairs to access resources for stopping tobacco use.

Resources

For more information about the Tobacco Free Campus Policy and/or tobacco cessation resources and services, contact Student Health Services at 802-654-2234.

Saint Michael's College appreciates your compliance with this policy for the benefit of everyone deserving access to a campus that promotes health and wellbeing for all.

ALCOHOL AND OTHER DRUG POLICY

Philosophy

A goal of Saint Michael's College is to encourage preparation of our students for living, learning and working as responsible members of our community. Given this goal, the College pursues seeks two fundamental goals:

To provide an atmosphere in which students are encouraged to make informed and responsible decisions. To demonstrate reasonable care to keep our campus free from conditions that create or increase the risk of harm.

Students should have the information, resources and support necessary to make responsible decisions regarding alcohol use and abuse. Information available through Student Health Services, the Persona Counseling Office, the Student Life Office, and the Student Association enhance education efforts regularly presented on campus. A variety of services are available from these offices as well for students who seek assistance for substance abuse problems. Saint Michael's College seeks to construct a learning and living environment in which students will behave responsibly. Activities that promote or encourage abusive drinking, such as drinking games, drinking paraphernalia, multi-liter containers or rotational parties are considered by the college to be irresponsible and in violation of College policy. Such activities hinder the College's attempt to eliminate condition that create or increase the risk of harm.

ALCOHOL POLICY

Our policy is framed with the following consideration in mind:

Vermont State Law dictates that in order to legally possess or consume alcohol and individual must be 21 years of age.

Vermont Law, and therefore, Saint Michael's College:

Prohibits misrepresenting one's age for purposes of purchase or consumption of alcoholic beverages.

Prohibits those of legal age from serving an individual who is visibly intoxicated.

Prohibits those of legal age from purchasing for and/or serving alcohol to minors.

Prohibits operating a motor vehicle while under the influence of alcohol.

Mandates that any individual who is dangerously intoxicated be taken into protective care. In light of these consideration Saint Michael's College has established the following goals:

To stress moderation, safety and individual accountability.

To provide a college atmosphere free from social pressure to drink.

To maintain and encourage a sense of community where the effects of alcohol abuse are minimal and where problem behavior is reduced.

To provide information and education which encourages responsible decision making with regard to alcohol use.

To provide and atmosphere where we can further encourage programming that is not alcohol related.

To provide confidential and effective counseling services for those with special needs related to alcohol abuse and alcoholism.

To minimize the potential liability of both the individual and the institution.

GUIDELINES

Common sources of alcohol (kegs, beer balls, or their equivalent) are permitted at a college approved event when catered by a licensed caterer. (See Approval of Events Involving Alcohol). Kegs and beer balls, whether empty or full, tapped or untapped, will be confiscated by the College. Possession of a tap will be regarded as evidence of a violation of the keg policy.

Outdoor drinking on college grounds is permitted at an organized and catered event approved by the Dean of Students or appropriate designee. Alcohol is not permitted on or near the athletic fields during athletic contests, i.e., intercollegiate, club or intramural.

At events sponsored by the college, college organizations, or employees where underage students are in attendance no alcoholic beverages will be served with the exception of those approved events served by licensed caterers. Carrying open containers of alcoholic beverages or consuming them in any public area of campus is prohibited. Student groups, organizations or clubs which sponsor an event where alcohol is sold/served may not use Student Association monies to purchase to provide by any mean alcoholic beverages for the event. It is a violation of these policies to be intoxicated to the point of significant impairment of mental or physical ability. Students who are intoxicated beyond control may be mandated by the Dean of Students or designee to attend a College alcohol education program and may also be subject to disciplinary action. Students who procure alcoholic beverages for, or who serve underage individuals are not acting in a responsible manner. A student who contributes in anyway, however minor, to the intoxication of another person may be held personally liable for any injury or damage the intoxicated person causes or in which he/she becomes involved.

APPROVAL OF EVENTS INVOLVING ALCOHOL

Events where alcohol is present may be approved depending on the nature of both the event and the facility and capacity of the facility, age distribution, and demonstration by the sponsoring organization of its ability to comply with State law and college regulations.

Only those of legal drinking age may have and consume alcohol in TOWNHOUSES AND GRADUATE (AND APARTMENT TYPE) HOUSING. Consumption of alcoholic beverages is prohibited in the remainder of campus housing.

The approval of the Student Life Office is required and the event must be registered with the Student Life Office.

Methods for the accomplishment of these guidelines will be outlined by the Student Life Office during the event planning process.

These methods include the following:

All events must end by 1:00 a.m.

All parties are prohibited Sunday through Thursday except with special permission.

Sponsors are responsible for supervision of the event.

Public Safety must be notified and hired when deemed necessary by the Office Student Life.

Access must be restricted and accommodation limits (in conformance with Vermont fire/safety laws and the Student Code of Conduct) must be adhered to.

Non-alcoholic beverages and food must be provided.

A guest roster is required.

Sponsors are responsible for cleanup.

Approved campus-wide events involving alcohol must be catered and licensed in accordance with Vermont State Law.

Alcoholic beverages may only be sold at catered events. To request money (donation, tickets) as a condition of admission to a non-catered event is comparable to selling alcohol without a license and is therefore a violation of Vermont State Law and College policy.

ALCOHOLIC BEVERAGE ADVERTISING, MARKETING, AND PROMOTION POLICY

Events at which alcohol is served may be advertised on campus only when the service of alcohol is in full compliance with a valid liquor license or catering license and appropriate state regulations. Alcohol must not be the primary focus in any publicity. The sponsoring group is responsible for any advertising/publicity that is disseminated in conjunction with the event. The sponsoring group also bears the responsibility for cleanup of any and all advertising relative to the event. Alcohol must not be used as an inducement to participate in an activity.

Advertisements will avoid demeaning sexual or discriminatory portrayals of individuals or groups. Promotion of alcohol will not encourage misuse or place emphasis on quantity or frequency of use. Drinking will not be portrayed as contributing to the personal, academic or social success of students or individuals. Alcohol advertising will subscribe to the philosophy of responsible or legal use. Alcohol will not be associated with the performance of tasks that require skilled reactions, such as the operation of a motor vehicle or machinery.

PROMOTION / SPONSORSHIP

Departments, programs or officially recognized organizations of Saint Michael's College will not enter into any promotional agreements or advertising agreements with alcoholic beverage distributors/companies or their agents. Student organizations, and programs affiliated with the College should ensure that any alcohol advertising and promotional activity accepted by their organization adhere to the guidelines outlined above.

DRUG POLICY

Vermont State Law and Saint Michael's College prohibits the use, possession or transfer of controlled drugs, and subjects the offender to fine and/or imprisonment (18 VSA 4205; 18 VSA 4224). Transfer under this section is defined as including both sale and gift. Any violation of these laws will be considered serious and dealt with accordingly. Any person possessing or transferring illegal drugs shall be subject to disciplinary action. Sale and distribution may result in immediate dismissal.

The College also prohibits the possession, use or distribution of all types of paraphernalia. Possession of such paraphernalia will be considered sufficient evidence that a violation of the College drug policy has occurred.

Marijuana is classified as a Schedule I drug according to the Controlled Substances Act. Thus, the use, possession, cultivation, or sale of marijuana violates federal policy. Federal grants are subject to college compliance with the Drug Free Communities and Schools Act, and the Drug Free Workplace Act. Campuses found in noncompliance of these laws risk loss of federal funding for financial aid. Any violation of the federal law governing Marijuana is a violation of campus policy and will be dealt with accordingly.

Medical Marijuana Policy

Saint Michael's College students and employees should understand that possessing, using or selling marijuana in any form is prohibited on campus and during College activities. Although

students, staff, and faculty who legally obtain a medical marijuana “registration card” from the Vermont Dispensary are allowed to possess and consume certain quantities of marijuana, doing so is not permitted on the Saint Michael's College campus or at SMC sponsored events. Marijuana is classified as a Schedule I drug according to the Controlled Substances Act. Thus, the use, possession, cultivation, or sale of marijuana violates federal policy. Federal grants are subject to college compliance with the Drug Free Communities and Schools Act, and the Drug Free Workplace Act. Campuses found in noncompliance of these laws risk loss of federal funding for financial aid.

If a student is registered as a medical marijuana user, and intends to possess and use marijuana he/she must confine that use to off campus locations. If that student is subject to the required residency policy, he/she may present his/her VERMONT medical marijuana registration to the Office of Student Life and request a waiver of the residency requirement so that he/she may reside off campus. The card must be a Vermont medical marijuana registration card. No other state cards are recognized.

FIRE AND LIFE SAFETY POLICIES

The following policies and procedures are in place as part of a preventive program that is designed to promote safe living and working environments in the Saint Michaels' College residence halls and to eliminate the conditions that may pose dangerous to life and property as a result of fires, or unsafe conditions, occurring in or around the residence halls.

Fire, Health, and Safety Inspections

The College reserves the right to inspect any residential space when it is deemed necessary. In addition, the professional staff members of Residence Life and Public Safety have the right to enter the premises at any time for any reasonable cause. The primary purpose of entering is to take those precautions that College officials find necessary to protect health and life safety of the occupants and/or of other persons therein, and to enforce College policy.

Each semester, the Department of Residence Life and the Department of Public Safety will conduct fire safety inspections, and health and safety inspections of residential buildings and rooms on campus. The inspections will occur at a reasonable hour during the day or evening.

The fire safety inspections will be conducted by Public Safety staff on an on-going basis and will occur at random throughout the semester. Students will be reminded at the beginning of each semester that the inspections will occur. If someone is found to be in violation of fire safety policies, and it is a non-life threatening violation, they will have twenty-four (24) hours to correct the issue. Life threatening violations will require immediate correction and will be subject to a fine and/or disciplinary action. Any materials causing violation of the policy will be confiscated at the time of inspection. If violations are found during an inspection, students will be subject to fines and/or disciplinary action.

The health and safety inspections will occur twice a semester and will be conducted by the Residential Life staff. Notice will be given prior to the health and safety inspection starting.

If blatant violations that could affect student safety are observed by other college staff members who are entering rooms as part of their job assignments (i.e. Facilities), they will be reported to the Residence Life office and/or the Public Safety office.

Fire Emergency / Drill Procedures

When the fire alarm sounds, residents are required to evacuate the residence hall/apartment. Failure to evacuate in a timely fashion, or at all, will lead to a fine and/or disciplinary action.

If a fire alarm sounds, residents should check their doors by feeling for heat and/or if smoke is coming under the door, making sure it is safe to exit. If it is safe to exit, students must evacuate immediately, by way of the nearest exit. Residents should not use elevators during the alarm. Residents must not prop doors, and keep hallways and stairways clear. Once students have exited the building, they should stand at least 50 feet away from the building, and not be standing in or near fire lanes. Students are not allowed to re-enter the building until the Fire Department and/or Public Safety has allowed them to do so.

If personal safety permits, Public Safety staff and Residence Life staff will assist with evacuations; however, it is the responsibility of the individual to evacuate when the alarm sounds. Students must not wait for staff to tell them to evacuate.

Once a semester, the Department of Public Safety will conduct an unannounced fire drill in each of the residence halls and apartments on campus. The objective of the drill is to practice evacuating in a timely fashion and become familiar with the procedures. Students will need to evacuate the building and will be able to re-enter once the Public Safety staff allows it. Full cooperation of all residents is expected.

False Alarms

Causing a false alarm is extremely dangerous. Multiple false alarms can lead to resident complacency. Causing a false alarm is a very serious offense and is subject to a fine of not less than \$500.00 and may be automatically referred to the Judicial Review Board by the Student Life Office for possible suspension or dismissal. Eviction from campus housing may be an automatic result for any resident who pulled a false alarm. Furthermore, a false alarm under some circumstances may be a criminal offense.

Fire Safety Equipment

The use of fire alarms, fire protection equipment, or firefighting equipment for any purpose other than for what it is intended for, is prohibited. Impairment of any of the systems could cause loss of life, and severe damage to personal and College property.

Residents found tampering with, obstructing, covering, removing, disconnecting, falsely setting off and/or damaging fire safety systems and equipment will be subject to fines and/or disciplinary action. Residents will also be responsible for any cost associated with repairing or replacing damaged equipment. Fire safety systems and equipment includes fires alarms, alarm equipment, pull stations, smoke detectors, smoke detector batteries, carbon monoxide detectors, heat detectors, sprinklers, sprinkler pipes, stand pipes, stand pipe connections, fire extinguishers,

fire hydrants, emergency exits, emergency exit signs, emergency exit lights, fire doors, emergency phones, and any other equipment or sign associated with the above list.

Exits and Egress

All exits and egresses are to be kept free from obstructions at all times. These areas include hallways, stairways, landings, emergency exit doors, bedroom doors, hallway doors, windows, and fire escapes. Bicycles, other sporting equipment, and furniture are prohibited from being in any of the areas listed above. Fire escapes may only be accessed during fire drills or for a fire emergency.

Prohibited Actions / Items

For the safety of all residents on campus, the following actions and items are prohibited and considered fire safety violations. Residents found to be in violation will be subject to fines of \$100-\$500 and/or disciplinary actions.

Candles, of any kind/shape/size (including decorative candles)
Devices designed to melt wax
Incense
Potpourri burners
Hookahs
E-cigarettes and Vapes of any kind
Fireworks
Items suspended from sprinkler head and pipes
Temporary dividers or partitions
Cinder blocks
Unauthorized locks on any door
Appliances that have exposed heating elements, such as toasters, hot plates, electric frying pans/grills (including “George Foremen” grills), toaster ovens and rice cookers are prohibited in Residence Halls. (Town House 100’s, 200’s, 300’s, 400’s, Residence Hall IV and Hodson are exempt and can have a toaster/toaster oven only in the Kitchen).

Irons (unless equipped with automatic shutoffs)
Coffee makers (unless equipped with automatic shutoffs)
Sun lamps
Fog machines, smoke machines
Halogen lamps
Portable heaters or space heaters (including kerosene)
Dangerous or hazardous chemicals/materials
Air conditioners
Spider/Octopus style extension cords
Electric water coolers
Waterbeds
Hair straighteners or curling irons (unless equipped with an automatic shutoff)
Oversized refrigerators (larger than 4.0 cubic feet)
Oversized microwaves (larger than 500 watts)
Firearms/weapons
Holiday lighting that is not UL approved
Exterior holiday lights

Larger carpets with foam or rubber backing
Rooms that are overly congested with furniture or are extremely untidy
Live Christmas trees or other live décor
Drapes or tapestries that interfere (or cover) with egresses, sprinkler head, or smoke detector
Electric blankets
Wall coverings (covering more than 50% of the wall)
Coverings on doors
Hover Boards

Smoking

Smoking is prohibited in any College space. Please see the Tobacco Free Policy.

Outdoor cooking / outdoor fires

Any type of outdoor fire or open flame is prohibited on campus. This includes campfires, bonfires, portable fire pits, and/or torches. Propane or charcoal grills are allowed on campus for cooking purposes and must be placed 20 feet from any building when in use. The grills must be attended at all times while in use. Propane tanks or canisters are not to be stored inside any residential area.

Residential maximum capacity limits

Over crowdedness in the residential areas is a concern for when evacuations are necessary and people need to evacuate in a timely fashion. Dangerous situations can occur when people are unable to evacuate quickly and efficiently. The College has set maximum capacity limits for the different types of residential areas on campus. Failure to abide by the capacity numbers listed below will be considered a fire safety violation. Residents will be subject to fines and/or disciplinary action if their residential space is found to be over capacity.

Townhouses 100s, 200s, 300s, 400s – Max. 45 people
Hodson, Ethan Allen Apts , RH4– Max. 30 people
Suite common areas (Canterbury, Cashman, Pontigny) – Max. 25 people
Quad Commons common areas – Max. 25 people
Triple rooms – Max. 15 people
Double rooms – Max. 12 people
Single rooms – Max. 7 people

Judicial Process for Fire and/or Life Safety Violations

First time offenses will result in a campus citation being issued immediately.
The fines will be as follows (Categorized as listed in the previous pages):

Fire Safety Equipment - \$100.00 - \$500.00 per person involved
Prohibited Actions / Items - \$100.00 - \$500.00 for each action and/or item per person
Smoking Violations - \$100.00 per person
Residential maximum capacity limits - \$100.00 per resident of the
townhouse/apartment/suite/room

Second time offences will result in the same fines as stated above AND referral to the Office of Community Standards and Student Conduct. For all malicious and/or deliberate fire alarm activations, the offender(s) will be immediately referred to the Office of Community Standards and Student Conduct. If the violation or cause of the alarm is in a common space with no individual(s) taking ownership then a fine will be issued to all residents of the townhouse/apartment/suite/room. Any student who is issued a campus citation by Public Safety will have 10 days to appeal the citation and 15 days to pay the citation to Public Safety. A copy of the ticket will go to the Fire and Life Safety Officer and he/she will enter the citation and handle any appeals or follow up that is needed. The Office of Community Standards and Student Conduct will be notified of any and all citations via Maxient; however the Officer of Community Standards and Student Conduct will not need to take action until the second offence.

GAMBLING POLICY

Students are expected to abide by all federal and state law prohibiting illegal gambling. Students who are experiencing serious difficulties with gambling are urged to call the Persona Counseling Office at (802) 654-2547 or Gambler's Anonymous Nationwide at 1-888-GA-HELPS.

HAZING POLICY

The College defines hazing as any action or activity committed by a person, whether individually or in concert with others, against a student in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization, group or team affiliated with the College, and which intentionally or recklessly endangers the physical or mental health of a person, which violates the dignity of another person, or which humiliates, intimidates, demeans, degrades, abuses, or endangers them. Purported consent is not a defense to disciplinary action under this policy, given the socially coercive nature of hazing activities. Hazing also includes soliciting, directing, aiding or otherwise participating actively or passively in the sorts of acts described in this policy. Hazing either on or off the College's campus is prohibited equally. Initiation activities and initiation parties fall into this category.

Hazing activities may include, but are by no means limited to the following: use of alcohol and other drugs; paddling in any form; branding or shaving of heads; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips, or any other such activities carried on or off-campus; wearing of apparel which is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; and any other activities which are not consistent with state and local law (including legal drinking age), or the regulations and policies of the educational institution. The College will treat the action of even one member of a group constituting hazing by the entire group. Saint Michael's College has a zero tolerance for hazing and the consequences can be severe. Participation in hazing activities may lead to individual disciplinary actions (which can include but are not limited to suspension or expulsion), team disciplinary actions, and/or sanctions that may include but are not limited to termination, revocation or suspension of a team's or organization's operations or permission to exist within the College's purview.

Sanctions will apply to those initiating the hazing, and may apply to those receiving the hazing as well. The College may suspend the activities of student organization, athletic team, or individual members thereof, pending the outcome of an investigation.

Many hazing activities would violate Vermont law. The College will report allegations of hazing to law enforcement authorities when, in the judgment of the College, the nature of the allegations suggests that the hazing activity, if it occurred or is occurring, presents a risk of serious harm to students or other persons, or involves a potentially serious violation of law. All members of the College community are encouraged to report any actions or activities that could potentially involve hazing as defined in this policy to the Dean of Students or designee, to the Athletics Director or designee, or to other College officials.

COLLEGE COMMUNICATIONS POLICY

Saint Michael's College has two means of official communication with students:

Electronic (Mikenet email)

Saint Michael's College provides each student with an email account on the College network. Students using another account bear the responsibility of checking their College account on a regular basis.

On college letterhead and distributed to campus PO Box and/or permanent address. Saint Michael's College provides each student with a post office box. Students residing off-campus should make sure the College has their current mailing address.

Any one or both methods may be used at any time to communicate official College business and time-sensitive information. Official communications might include, but are not limited to, faculty/student communication, administration/student communication, course registration information, storm-related delays or closings or other emergency announcements. Students will be expected to check both means of communication on a regular basis and will be responsible for their timely response to the information provided.

DEMONSTRATIONS

Philosophy

Central to the functioning of an academic community is the free and full exchange of ideas. Although differing points of view are best reconciled by honest and open discussion, the College Community recognizes that orderly demonstrations can communicate ideas and are a valid means of speech and assembly.

Definition

Disorderly demonstrations are those, in the judgment of the Dean of Students or his/her designee that would: Threaten to endanger the safety of any members of the College Community, or pose a threat to the physical facilities, or significantly obstruct or disrupt the normal functions of the College, or attempt to deny others the ability to engage in free of speech or assembly.

Policy

For reasons of good order and safety, the Dean of Students must be notified prior to a planned demonstration. The Dean of Students or his/her designee may impose reasonable restriction on

the time, place, and manner of demonstrations in his/her reasonable discretion. Participants in a disorderly demonstration shall be accountable for their actions and may be subject to judicial action where injury or damage occurs or the rights of others are violated. Negotiations will not take place while any member of the College Community is under duress because of a demonstration.

ELECTRONIC INFORMATION SYSTEMS POLICY

This document identifies the rights and responsibilities of those who use the electronic information resources at Saint Michael's College. This includes the academic and administrative computer systems, the networks, the on-campus information resources, and the Internet resources reached through Saint Michael's College systems.

Introduction

The computing systems at Saint Michael's College are provided for the purposes of instruction, research, personal development, and administration. This policy informs users of the rights they may expect and their responsibilities. This policy applies to all users of SMC computing resources, including those who access these resources from off campus.

Rights

The College will provide an environment in which there is respect for freedom of inquiry and expression; opposition to censorship; privacy and confidentiality; freedom from sexual and other unlawful harassment and related retaliation; and protection of intellectual property. In particular, the same standards and principles of intellectual and academic freedom already supported by the College in other areas extend to material received through the network. This extends also to publication: the same standards of intellectual and academic freedom developed for faculty and student publication in traditional media are applicable to publication in computer media. In addition, respect for law, for due process, and the presumption of innocence are crucial elements of this environment.

Responsibilities

Users are expected to abide by the policies of the College, whose existence makes the use of these resources available. Every user is also expected to be considerate of the right of other users. Examples of infringements of these principles may include, but are not limited to the following:

- Using the Saint Michael's College system for illegal or criminal purposes.
- Unauthorized use of resources for commercial enterprises.
- Substantially and willfully interfering with another person's authorized use.
- Obstructing other people's work by consuming gratuitously large amounts of system resources (e.g., network bandwidth or printers). This includes but is not limited to game playing or monopolizing information resources for entertainment or personal use.
- Allow unauthorized access to accounts and passwords.
- Violate license agreements.

Illegal File Sharing Issues:

Students must recognize that the illegal distribution of copyrights materials (including unauthorized peer-to-peer file sharing) may subject them to criminal and civil penalties. The College will take steps to detect and identify such distribution and will cooperate fully with law enforcement agencies and copyright owners. In addition, internal disciplinary action, including but not limited to termination of network access, may be taken.

A list of legal alternatives for downloading music and other copyrighted material is available on the College's Website. The following is a summary of civil and criminal penalties for violation of federal copyright laws:

Copyrighted infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties.

In general, anyone found liable for civil copyright infringement may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For detail, see Title 17, United States Code, Section 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offence.

For more information, please see the Website of the U.S. Copyright Office at www.copyright.gov, especially their FAQ's, at www.copyright.gov/help/faq.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT OF 1974

The Family Educational Rights and Privacy Act of 1974 pertains to student educational records maintained by Saint Michael's College. The Act provides that students can have access to their educational records, and limits the disclosure of student educational records, unless the student consents to disclosure or an exception applies. The following guidelines are presented to assist all members of the Saint Michael's community in understanding the provisions of the act as they apply to Saint Michael's College.

College Policy on Student Access to Educational Records

All current and former students can have access to their educational records upon written request to the applicable office. Each office will comply with all requests within a reasonable length of time, but not later than forty-five days from the date of receipt of the written request. Educational records include academic records, disciplinary records, confidential letter and statements.

Records not covered by the act include, for example, any record received prior to January 1, 1975, financial records of parents, private notes of faculty and administrative officers, law

enforcement records/campus public safety records, and medical or psychiatric records. A physician or psychiatrist may review medical or psychiatric records if requested by a student.

Students may waive, in writing, access to recommendations and evaluations. A waiver must be filed with each individual office. The act does not provide for blanket waivers of access to all educational records.

A student who requests access to an educational record is expected to present valid identification.

Student may request unofficial copies of any educational record and also request that official copies sent directly to other institutions. A fee is incurred; please contact the **Registrar's Office** for that amount.

FERPA Provisions Regarding Release of Records

FERPA provides that student educational records should not be released absent student consent, unless an exception applies. For example, records may be shared, without student consent, with: Faculty, staff, administrator, other professional or service provider employed by or contracted with the College having legitimate educational interests in the record. Authorized federal and state officials in the process of administering educational programs. Requirements of administration of the Financial Aid Program. Accrediting organizations in carrying out their accrediting function. Parents providing documentation that the student is a dependent. Directory Information (see below). Organizations conducting studies on educational programs provided that the identity of the student is not revealed. In an emergency situation involving the health or safety of the student or other persons.

The College will advise all recipients of student records that only authorized persons may see the records. Each College office will keep a record of all individuals requesting or receiving student records except as noted in item number one above.

Students who wish to give a blanket authorization for the College to share information from the educational record with parents, legal guardians or other designated persons may file a form with the Registrar's Office.

Directory Information

The College will, in the course of the school year, release to the public certain information regarded as directory data. If a student does not want this information publicized, he/she must request in writing on an annual basis that such information not be published. Saint Michael's College considers the following to be "Directory Information":

Hearings

A student may challenge any educational record that he/she feels to be inaccurate, misleading, or a violation of privacy. This policy does not apply to academic grades received for course work except when there is reason to believe that an error was made in recording grades to the transcript.

When a student desires to challenge a record, every effort should be made to resolve the question with the office involved. If this is not possible, the student must submit in writing to the coordinator of the Family Educational Rights and Privacy Act of 1974 a statement outlining the alleged inaccurate, misleading or inappropriate date or statement contained in the record. The coordinator will appoint an impartial college official who will conduct a hearing within forty-five days of receipt of the written request. The results of the hearing will be transmitted in writing to the student and all other parties involved. The student may appeal the decision to the president of Saint Michael's College. The President's decision will be final.

The above policy statement is subject to amendment from time to time, subject to approval by the Board of Trustees.

Family Educational Rights and Privacy Act Coordinator
Registrar, Founders 112, 802-654-2571

GENDER-FAIR LANGUAGE GUIDELINES

The mission statement of Saint Michael's College demands that we "respect the dignity of each human person." The College's non-discrimination clause furthermore mandates fair treatment regardless of gender. In light of these objectives, faculty, staff, administrators, students, trustees, and friends of Saint Michael's are encouraged to communicate in a gender-fair manner.

Since the admission of women to Saint Michael's in 1970, the proportion of women in College has grown at a steady rate. Over half of our community is now composed of women. Gender-fair communication expresses the experiences of these women in language which does not exclude them (e.g. "mankind," "manpower"). At the same time, gender-fair language seeks to avoid stereotyping members of either gender (e.g. through the use of generic male terms such as "policemen," "chairmen"). Such language implies that we must respect each other as individuals and not make assumptions based on gender.

Aside from the moral imperative to treat others as individuals, equally and with dignity, there is a practical side as well. Communication is less effective if it is imprecise or inaccurate (e.g. "Man, like other mammals, breastfeeds his young"), or distracting and offensive (e.g. "An editor should present his changes in the form of suggestions"). Moreover, gender-fair language is used and supported by most major textbook publishers, The American Psychological Association, the Associated Press, the New York Times, the Wall Street Journal, and many academic journals. It is increasingly supported in the legal and business communities. Those who work within these contexts need to be able to express themselves according to current guidelines and expectations.

Instances of gender-bias language, while common, are often subtle and unconsciously expressed. However, they can be eradicated or minimized through awareness and conscientious effort. As an educational institution, Saint Michael's College has an especially important role to play in discussing this issue, and supporting ongoing efforts to act, speak, and write in non-discriminatory, inclusive ways. Saint Michael's recommends Guidelines for Bias-Free Writing (Indiana University Press, 1995), a publication of the Association of American University Presses, as a reference work to help writers and speakers recognize and use gender-fair language.

PHOTO RELEASE POLICY

Unless a written statement to the contrary is filed with the Office of Marketing, all students, faculty and staff give permission and authorization to Saint Michael's College to use any still photograph of themselves that is taken or is authorized by a Saint Michael's College staff member for instructional or promotional purposes. By granting permission, individuals release the College from any and all claims or damages for libel, slander, or invasion of privacy.

SOLOCITATION POLICY

For purposes of this policy, **commercial solicitation** shall be defined as activity which promotes or tends to promote the sale of goods or services, including events, and/or the exchange of money. Commercial solicitation materials shall include posters, flyers, banners, signs, notices, leaflets and similar material used in connection with commercial solicitation.

For purposed of this policy, **non-commercial solicitation** shall be solicitation, which does not meet the definition of commercial solicitation. It may involve the promotion of ideas or the encouragement of activity. Examples of non-commercial solicitation include voter registration or health promotion. Non-commercial solicitation materials shall include posters, flyers, banners, signs, notices, leaflets and similar materials used in connection with non-commercial solicitation.

All commercial solicitation on campus must be approved by the Office of Student Activities and must be sponsored by a student organization, a group affiliated with the College or an administrative office. All non-commercial solicitation on campus must be approved by the Office of Student Activities.

Exceptions to this are solicitations at athletic events or in residence halls. Solicitations at athletic events must be approved by the Director of Athletics. Within residence halls all solicitation is prohibited unless specifically approved by the Director of Residence Life.

This is to insure and maintain the safety, Public Safety and expected privacy of the living areas and an environment conducive to academic pursuits.

Solicitation of external sources for funds or advertising is not permitted without the approval of the Vice-President for Institutional Advancement or his/her designee.

The College reserves the right to withhold approval to solicit or vend from any organization. The following applies to both commercial and non-commercial solicitation as indicated:

General

Commercial solicitation is prohibited in the residence halls. The distribution on campus of any commercial/non-commercial solicitation materials must be approved by the Director of Student Activities prior to distribution. The placement of commercial and non-commercial solicitation materials inside campus buildings is restricted to designated bulletin boards.

Commercial and non-commercial solicitation materials shall not be affixed to any building, statue, walkway, plant, tree or vehicle. Commercial and non-commercial solicitation materials which consists of sheet signs, banners or other such notices may be hung outside buildings or across pedestrian walkways or roadways only with prior permission of the Office of Student Activities, Residence Life and where appropriate, the Director of Physical Plant who shall ensure that safety hazards are not created. All commercial and non-commercial solicitation and all

commercial and non-commercial solicitation materials shall avoid demeaning sexual expression in innuendo and discriminatory portrayals of individuals or groups.

Alcohol Advertising

Events at which alcohol is served may be advertised on campus only when the service of alcohol is in full compliance with a valid liquor license or catering license and appropriate state regulations. Alcohol shall not be the primary focus of any solicitation or solicitation material. For more specific information on alcohol beverage advertising and solicitation, please refer to Alcohol and Other Drug Policy in this book. The sponsoring group is responsible for any solicitation material that is disseminated in conjunction with any event. The sponsoring group also bears the responsibility for cleanup of any and all solicitation material relevant to the event.

STUDENT ORGANIZATIONS AND CO-CURRICULAR ACTIVITIES

Saint Michael's College aims to contribute to the intellectual and personal growth of its students through classroom experiences and co-curricular activities.

The College takes note of the individual needs and talents of its students, and recognizes the concept of a student's development as an integral part of the college experience.

By its recognition and support of a wide variety of clubs and organizations, Saint Michael's College reinforces its commitment to stimulate the intellectual and personal growth of its students. In addition, the leadership opportunities available in Student Activities assist in preparing students to meet the needs of a changing world.

CLUB RECOGNITION GUIDELINES

Recognition

The Student Association shall have the authority to recognize and regulate all student organizations. The financial accounts, activities, and statutes of all student organizations are subject to the supervision of the Student Association

The College reserves the right to review the recognition of clubs and organizations to insure compatibility with the Mission of the institution.

Advisors

Each student organization is to have one or more advisors chosen from the faculty or full-time staff by vote of the organization. It is the responsibility of the club president to maintain regular contact with the advisor concerning all of the activities of the organization.

Use of College Facilities

For use of rooms and facilities on campus, all recognized student organizations and groups must make reservations in advance with the Office of Conferences and Special Events.

Contracts

All contracts involving student organizations and activities may be initiated by club and organization officers. However, all contracts must be submitted for approval by the Secretary of Finance for the Student Association, the Office of Student Activities and the Vice-President for Finance.

CLUB RECOGNITION PROCESS

For official recognition, a student club or organization must fulfill the following requirements: It must meet a need not currently being met by other clubs, organizations, or departments on campus. It must demonstrate that it contributes to the overall educational mission of Saint Michael's College. It must demonstrate that its activities will contribute to the advancement of social, cultural, intellectual, or spiritual development of its individual members and the college community. It must provide the following information to the General Assembly: A statement of goals (mission statement) including a list of standing officers, and an inventory of all equipment, and a journal of financial holdings. A constitution in keeping with the guidelines set forth by the Student Association. At least one faculty/staff advisor chosen by the majority of the members of the organization. The views of a recognized club may or may not be those held by Saint Michael's College or the Student Association.

Club Privileges

Use of College facilities in accordance with applicable policies for meetings and activities. Solicitation of membership on campus under the organization's name. Listing of the organization in any official publications of the College. Use of campus bulletin boards and other designated posting areas. Access to campus services, resources and equipment and the expertise of a faculty/staff advisor. Ability to seek funding under guidelines established by the Student Association.

Club Responsibilities

Any club seeking recognition shall follow provisions granted by the Student Association Constitution and by-laws available in the Student Association Office in the Student Activities Center. It is the responsibility of all clubs and organizations to adhere to the rules and regulations outlined in the **Student Code of Conduct**. Each club must have on file with the Student Association, a constitution, a mission statement, and the name of the club's leadership, including advisor.

The College has a right to expect that freedom of expression will be exercised in a peaceful, non-disruptive manner and with appropriate consideration and respect for opposing points of view. Student organizations at the time of their recognition should agree to the policies and procedures appropriate to their activities and conduct both on and off campus.

The name Saint Michael's College or any name implying affiliation with Saint Michael's College, may only be used if such organization is officially recognized and approved as in good standing with the Student Association.

WITHDRAWAL POLICY

A student who at any time within the school year wishes to withdraw from the College MUST procure a withdrawal form from the Associate Dean of the College in Founders Hall and the Financial Aid Office, obtain the required signatures and RETURN the withdrawal notice to the Student Information Center/Registrar's Office. Failure to comply with this procedure will result in the student's remaining on the official registrar until the end of the semester.

Failure to withdraw properly may affect any financial adjustment which might otherwise have been due.

Forms for entrance to, or withdraw from, classes may be secured from the Student Information Office/Registrar's Office. After proper signatures have been obtained, the form must be returned to the Student Information Center/Registrar's Office before action may be considered official. Failure to execute a proper entry to or withdrawal from a class will result in the same penalty as described above for total withdrawal.

Withdrawal Pending Discipline

A student will not be permitted to graduate or receive academic credit for a program in which they are enrolled while a disciplinary matter is pending; the student's graduation will be held in abeyance until the matter is resolved. If a student withdraws with a disciplinary matter pending, the withdrawal will be considered a resignation from Saint Michael's College. Notation will be made in the student's permanent file that the student has withdrawn with a disciplinary matter pending, with a disciplinary sanction pending, or with an appeal of a disciplinary outcome pending, as appropriate. Should the student be readmitted to Saint Michael's College, the disciplinary matter must be resolved either before the student's return, or immediately upon the student's return.

PARENTAL NOTIFICATION

The College reserves the right to notify parents or guardians, regardless of the student's age, status, or conduct, in health or safety emergencies, hospitalizations, or when in our judgment, the health or well-being of the student or others may be at risk.

MEDICAL WITHDRAWAL

Policy Statement

Saint Michael's College is strongly committed to supporting students achieving success in their intellectual and extracurricular endeavors. When illness or significant personal hardship intrudes upon a student's ability to successfully meet the requirements of his or her course of study, it is the college policy to assist with the student's withdrawal from the college for the purpose of focusing on those matters requiring attention. Prior to re-matriculation, it is the college's intent to provide students with information about resources which may be of use to them as they resume their studies and to provide support where possible in order to optimize the likelihood of a successful return campus life.

It is the college's goal that all students are able to participate fully in the academic community. In usual circumstances, however, when a student's illness causes him or her to pose a threat to self

or others or creates a significant disruption to the activities of the campus community, the student may be required to withdraw from the college.

Reason for the Policy

It is the goal of the college to foster an environment in which each student is able to fully pursue his or her academic goals. When illness prevents a student from achieving these goals, it is the intent of the college to provide a mechanism whereby the student may withdraw from his or her studies and return to them when able. In unusual circumstances, illness may cause a student to pose a threat to others or significantly disrupt the life of the community. In such circumstances, the college may find it necessary to involuntarily withdraw a student from the college.

Strategic Direction

This policy supports the following goal in the college's Strategic Plan:

- **Student Experiences:** Provide a distinctive college experience that prepares students for success as accountable leaders in the 21st century.

Applicability of the Policy

This policy applies to all undergraduate and graduate students at Saint Michael's College and is in force for the entirety of each academic calendar, including summer.

Procedures

Medical Withdrawal

1. Students who seek to withdraw from the college because of illness must meet with or submit a written request to the Director of the Bergeron Wellness Center (Mary Masson). If the director is unavailable, the student may meet with the Director of Personal Counseling (Kathy Butts), the Dean of Students (Lou DiMasi) or the VP of Student Affairs (Dawn Ellinwood). As necessary, the VP or his/her designee will confer with appropriate campus medical or psychological professional in order make the final determination regarding the student's request. In unusual or complicated situations, the VP or designee may convene a committee composed of representatives from Students Health Services and/or the Office of Personal Counseling.
2. Students who are granted a withdrawal because of illness will receive a 'W' for all courses attempted during that term.
3. Students granted a medical withdrawal will have a hold placed upon their registration by the VP's office pending successful petition for re-enrollment to the college.
4. Graduate and undergraduate students granted a medical withdrawal should address the impact of withdrawal on the continuation of scholarship, research, graduate assistantship or other forms of educational support with the appropriate program administrator in their academic department, the Dean of the School or College, and for graduate students, the Dean of the Graduate College. Any adjustment to the student's tuition will be made in according with standing college policy.

Students who wish to appeal the outcome of their request for medical withdrawal may do so by submitting their appeal in writing to the Director of Bergeron Wellness Center (mmasson@smcvt.edu).

It is the college intention to support students in a successful return to the college community when illness has necessitated withdrawal. To this end:

1. Students will be informed by the VP's office that the college expects the leave to be of **sufficient duration** to allow the student to address the issues involved in necessitating a medical leave. It is common for students who withdraw because of serious illness to take a minimum of one full semester away from the college in order to enhance the likelihood of success upon return.
2. Students wishing to return to their studies following medical leave must complete the following steps:
 - a. Notify the Director of the Bergeron Wellness Center (Mary Masson) of their desire to return to the college.
 - b. Submit documentation from their treating clinician to the Medical Leave Committee (in the care of Bergeron Wellness Center, Box 259 One Winooski Park, Colchester, VT 05439) attesting to the student's ability to resume studies with a reasonable likelihood of success. This information must be specific in its description of the student's illness and the treatment rendered. It must outline, as appropriate, a plan of treatment to be followed upon return. All documentation will be held in strict confidence by the college; it will be maintained in the student's health record. Upon request, the student will authorize the Medical Leave Committee to secure any additional information necessary to assess the student's readiness for readmission.
 - c. Submit documentation by the following dates: **July 1st** for the fall semester, **December 1st** for the spring semester, and **April 1st** for the summer term.
3. The Medical Leave Committee will consult with appropriate resources in considering the student's request.
4. When the Medical Leave Committee has concerns about the likelihood of the student's success, the committee's designee will communicate this to the student and, with the student's permission, to the treating clinician.
5. Students are expected to meet with Mary Masson, Director of the Bergeron Wellness Center within two weeks of the first day of classes for the purpose of assessing their experience thus far and reviewing support resources available for them. An appointment can be made by calling 802.654.2234. A plan shall be outlined by the student and the Director determining plan of care and resources for the student.

Involuntary Withdrawal

1. The College may involuntarily require a student to withdraw from classes or require conditions for continued attendance when, as a result of a medical or psychological condition, one of the following transpires:

- a. The student threatens the safety of others.
 - b. The student causes or threatens to cause significant property damage.
 - c. The student significantly disrupts the activities of the college.
 - d. The student demonstrates evidence of significant impairment and is unable to make an independent determination that a voluntary leave is needed.
2. When a student exhibits any of the behaviors described above, he or she may be brought to the attention of the Vice President of Student Affairs. The VP or designee, in consultation with appropriate medical, psychological, or academic resources, may involuntarily withdraw a student from his or her classes or place conditions on the student's continued education.
 3. Under certain circumstances involving the safety of the college community, the Office of the Vice President may mandate that the student undergo a psychological or medical assessment to assist in evaluating the student's ability to participate successfully in college life.
 4. The results of the requested inquiry will be shared in written form with student.
 5. If a student is involuntarily withdrawn from classes, the VP of Student Affairs, in consultation with appropriate campus resources and the committee, will make a determination regarding the length of separation from the college and describe the conditions under which the student may seek to return. A hold will be placed on the student's registration until the student has been granted readmission.
 6. A student may appeal the results of the college's decision to involuntarily withdraw him or her from classes to the Vice President of Student Affairs and the director of the Bergeron Wellness Center. These individuals will review all available information and render a final determination. This result will be shared with the student.
 7. Students involuntarily withdrawn from classes will receive a "W" for all courses attempted during that semester.
 8. Students involuntarily withdrawn from classes will receive a "W" for all courses semester.
 9. Students seeking readmission to the college following involuntary withdrawal must follow the same procedure outlined for students returning following voluntary withdrawal.
 10. All records concerning involuntary withdrawal will be kept separately from the student's academic record in accordance with the college's policy on the confidentiality of student records.

Concerns Regarding Discrimination

Any student who believes they have been discriminated against under the policy because of their medical condition should discuss their concerns with the representative for Affirmative Action

and Equal Opportunity and may file a complaint with that office. It is Michael New at 802-654-2635.

Contacts

Questions related to the daily operational interpretation should be directed to:

Vice President for Student Affairs
Dawn Ellinwood
(802) 654-2566
dellinwood@smcvt.edu

Director, Bergeron Wellness Center
Mary Masson
(802) 654-2234
mmasson@smcvt.edu

EMERGENCY PLANNING

Saint Michael's College has an emergency response plan in place to guide staff in dealing with various emergencies that might affect the campus. The college has a fully operational fire department and rescue squad on campus and is in a unique position to manage many of its own emergencies utilizing its own resources.

Emergency communication is a pivotal element of a functional response plan. Among the communications media to be utilized during an emergency is a text messaging system. All members of the campus community are urged to register with the system so that updates and information can be delivered to their mobile devices during critical emergencies. The service provided at no cost and registration is simple by logging on to www.getrave.com.

Additionally, the college has a Hostile Intruder Community Guideline in place. This guideline and other pertinent emergency information can be found on the Public Safety offices webpage. www.smcvt.edu/publicsafety.

EMERGENCY CALLS

For all emergency calls, tell the Dispatcher the name, location and type of emergency. Stay on the line until all pertinent information is clearly understood. The Dispatcher has direct radio contact with Public Safety, Fire and Rescue agencies, and can provide immediate response to any emergency.

ON CAMPUS: Call Telephone & Dispatch Services by dialing 911 from any campus phone or pick up any emergency phone, no dialing necessary.

OFF CAMPUS: Fire and Rescue: **(802) 655-3212** or **(802) 654-2911 (both are Emergency Only)**

PUBLIC SAFETY: Public Safety is available 24 hours per day. Dial **(802) 654-2374** during regular business hours, Monday through Friday, 7:30 am – 4:00 pm or the Dispatcher by dialing “0”. Public Safety and the Dispatcher are in constant radio contact with each other.

EMERGENCY PHONE LOCATIONS

Updated August 2012

10 College Parkway: Parking Lot

Alliot Student Center: Elevator. Wall by Dining Hall

Alumni Hall: Outside RD Rm. 115, Front Door Hall:

North Parking Lot, Front Door

Campus Green: Between Lyons Hall and Library

Cashman Hall: Elevator, Front Door, Laundry Room

Cheray Science Hall: Elevator, Room 200, 1st/2nd/3rd Floor Hallways

Doc Jacobs Field: Inside Walkway Gate, Entrance Near Tennis Courts

Ethan Allen Apts: Parking Lot

Founders Hall: Back Door, 2nd Floor Center Landing, Outside North Entrance

Gate 5 Road: Along Red Pines fence

Hamel Hall: Back Door, Outside RA Room 101

Hodson Hall: 1st Floor Hallway, South (front) Door

Hoehl Welcome Center: Parking Lot, Walkway between Hoehl and Nicolle Hall, Elevator

Jeanmarie Hall: Outside Room 166 (in wall)

Joyce Hall: Front Door, Lobby

Library: #1 and #2 Elevator

Linnehan Hall: Front Door, Outside Room 118

Lyons Hall: Front Door, Lobby, Laundry Room

Observatory

Old Fire Station: On left bay door wall

Pontigny Hall: Front Door

Purtill Hall: Back Door, Outside Room 101

Ross Sports Center: Parking Lot by Library, Flag pole Lot, Swimming Pool, Pool Office

Ryan Hall: Front Door, Parking Lot, Bus Stop, Basement Stairwell, Outside Room 111

Salmon Hall: Outside Front Door

Senior Hall: Outside Front Door, 1st floor by Bathroom

St. Edmund’s Hall: Chair Lift 1st/2nd/3rd Floors, Elevator

St. Joseph’s Hall: Outside Front Door

Sullivan: Parking Lot

Tarrant Center: Outside Fitness Center, Track Near Balcony, Elevator, Parking Lot at Campus Rd

Tennis Courts: Near Pump House

TH 100s: Outside ACA Apartment 112

TH 200s: Outside 201, Behind Laundry Room in Parking Lot

TH 300s: Across from Laundry Room on 307, Sidewalk by 319, Parking Lot (2 locations)

TH 400s: Outside Laundry Room Door, Northwest Parking Lot

STUDENTS OF CONCERN

What is a Student of Concern?

A student of concern is any student who is displaying behaviors that may hinder a student's ability to be successful at Saint Michael's.

Sometimes small changes in personality or actions are the first indicator that student may need more assistance. Other times, behaviors are bring noticed by many members of our community and creating a significant amount of concern. While Saint Michael's does its best to give individual time and attention to every student, there are some behaviors that may go unnoticed until a caring person tells us about them. We invite you to share your concerns so that Student Life professionals can reach out and provide support to students who may need more assistance.

Faculty and staff can play an invaluable role in helping student who may need support. Your expression of interest, concern, and compassion may be the connection a student needs to get the assistance they need. It is important to note that the College does not expect you to assume the role of counselor, therapist or police officer. For those responsibilities, Saint Michael's has trained professionals who are ready to assist you with students who are of concern to you.

We have a committee of people that meet monthly to discuss best ways to support those students that are of concern on campus. All meeting are confidential with the main goal of success for each student. Additionally, while the confidential resources are a part of these discussions, at no time is confidential information shared with this group or people making reports. If you have a concern about a student on campus, please feel free to contact anyone listed here or call Student Life directly at 654-2566:

Toni Messuri, Disability Services
Catherine Welch, Student Life
Jeff Vincent, Student Life
Kimoi Seale, Student Life
Moise St. Louis, Student Life
Lou DiMasi, Student Life
Kerri Leach, Student Life
Kathy Butts, Personal Counseling
Jonathan D'Amore, Academic Services
Mary Masson, Health Services
Megan Ohler, Student Life
Jeff Fontaine, Public Safety
David Barrowclough, Registrar's Office

Additionally, if you want to report and anonymous concern about a student, please contact Public Safety's Anonymous Tip Line at: www.smcvt.edu/On-Campus/Wellness-and-Safety/Public-Safety/Helpful-Forms/silent-witness.aspx

THREAT ASSESSMENT

Violence Prevention Begins With You

Violence is a part of our society. There's just no way of getting around it. Mention the names of Columbine, Virginia Tech, or Sandy Hook to most people and they know exactly what you are talking about. Could events like those happen here in Vermont? Unfortunately the answer is "yes." That's the harsh and simple truth of it, but working together we can head off acts of

violence before anyone gets hurt. If you observe worrisome behavior or suspect that a potentially dangerous situation is developing, speak up. If you are wrong, no harm is done. But if you are right, you could avert a tragedy. Violence prevention depends on all of us.

At Saint Michael's College, we have a Threat Assessment Team – a group of trained professionals who are able to receive, analyze, and respond sensitively to reports of potential violence.

Threat Assessment Team

The Threat Assessment Team is appointed by the Vice President for Student Affairs of Saint Michael's College and is responsible in part for: receiving reports and gathering and analyzing information regarding acts of violence, behavior of concern or statements and/or potential threats posed by individual(s); developing, implementing and monitoring intervention strategies and management plans, which are designed to respond appropriately to statements, behavior and/or circumstances that generate concern that an individual may pose a risk of harm to a member of the College community, including, but not limited to, incidents of violence, threatening behavior or statements, unwanted pursuit, stalking, and harassment; and coordinating with appropriate authorities, including law enforcement, medical personnel, and other outside agencies, as appropriate.

Individuals may make a report to any member of the Threat Assessment Team:

Doug Babcock
Director of Public Safety
802.654.2559
psoons@smcvt.edu

Jeff Fontaine
Investigator/Public Safety
802.654.2864
jfontaine@smcvt.edu

Toni Messuri
Academic Support, Director
802.654.2818
amessuri@smcvt.edu

Mary Masson
Health Center, Director
802.654.2234
mmasson@smcvt.edu

Kathy Butts
Personal Counseling, Director
802.654.2546
kbutts@smcvt.edu

Jeff Vincent
Office of Community Standards and Student Conduct

802.654.2754
jvincent@smcvt.edu

Jonathan D'Amore
Associate Dean of the College
802.654.2905
jdamore@smcvt.edu

Lou DiMasi
Dean of Students/Director of Residence Life 802.654.2566
ldimasi@smcvt.edu

Megan Ohler
Associate Dean of Students
802.654.2248
mohler@smcvt.edu

Dawn Ellinwood
Vice President for Student Affairs
802.654.2566
dellinwood@smcvt.edu

The Vice President for Student Affairs/Dean of Students serves as the chair of the Threat Assessment and Management Team and, in consultation with other College officials as appropriate, will assess the reported information and determine whether to convene the Team.

THREAT ASSESSMENT AND RESPONSE POLICY

Saint Michael's College is committed to maintaining a campus and workplace environment that is safe and secure for all students, staff, faculty, and visitors. As part of this commitment, Saint Michael's has established a Threat Assessment Team, which is empowered to assess risk and, in cooperation with other College teams or offices as appropriate, formulate an appropriate response in situations where an individual's behavior and/or statements generate concern that he or she may present a threat to the health or safety of others. The Team seeks to mitigate potential risks before they result in harm. Nothing in this policy shall be construed to amend Saint Michael's Student Code of Conduct and Policies or other applicable Saint Michael's policies.

Threat Assessment Team

The Vice President for Student Affairs/Dean of Students appoints the members of the Team and names its chair, and appoints new or different team members as necessary. The Team will usually consist of representatives from the Department of Public Safety, Academic Affairs, Student Affairs, Human Resources, Health Services and Personal Counseling. The College's legal counsel services as an advisor to the Team. Members of the Team are identified in Section IV, below, and in other College publications, as appropriate. Other College personnel and outside resources with relevant areas of specialization and responsibility may be called upon to assist the Team, including but not limited to Residence Life staff, supervisors, law enforcement agencies, medical personnel, or other outside experts. The Office of the President will be kept apprised of the team's work as appropriate.

Purpose

As appropriate to the circumstances of a particular situation, the Threat Assessment Team may engage in activities that may include, but are not limited to, the following: receiving reports and gathering and analyzing information regarding acts of violence, behavior concern or statement and/or potential threats posed by individual(s); developing, implementing, and monitoring intervention strategies and management plans, with or without the involvement of other College teams or offices as appropriate, that are designed to respond appropriately to statements, behavior and/or circumstances that generate concern that an individual may pose a risk of harm to a member of the College community, including but not limited to, incidents of violence, threatening behavior or statements, unwanted pursuit, stalking, and harassment, coordinating with appropriate authorities, including law enforcement, medical personnel, and other outside agencies, as appropriate; implementing reporting protocols and developing strategies to encourage reports from the College community; assisting in conducting periodic campus-wide awareness education for students, staff, and faculty regarding threat assessment, threat management, pertinent information sharing issues, and the Team's responsibilities. Such training and education will be coordinated with other departments such as the Department of Public Safety, Human Resources, Academic Affairs, and the Dean of the College; and keeping apprised of best practices and participating in periodic training in threat assessment and management.

Reporting Potential Threats

All students, faculty and staff should be committed to ensuring the safety and security of the campus and workplace environment. As such, anyone who believes that an individual has committed or may commit an act of violence, is engaging in behavior or making statements that generate concern about the potential for violence, or otherwise may pose a threat to the health or safety of any member of the College community should **call the Department of Public Safety immediately at 802.654.2000. In case of emergency, please dial 911.**

Individuals may also make a report to any member of the Team. The Team membership is listed in the previous section.

The Vice President for Student Affairs/Dean of Students (or designee) will serve as the chair of the Team and, in consultation with other College officials as appropriate, will assess the reported information and determine whether to convene the Team.

In cases where an appropriate level of assessment indicates that a report involves a person who poses a threat to self only, the matter will be referred to the appropriate College official. In cases where available information suggests that the person may pose a threat to self and others, the Team will remain involved and will involve the other officials listed here as appropriate. In cases where a referral is made, the Team may be re-involved as necessary and appropriate.

In situations where an individual has concerns about someone's behavior but is unsure whether such behavior constitutes a "threat" to self or others, the individual should report the information to the Department of Public Safety or other College official, as appropriate, to allow the College the opportunity to assess the situation and respond as necessary:

Students

Concerns about statements and/or behavior of students may be reported to the Vice President/Dean of Students, Senior Associate Dean of Students, Associate Dean of the College or Public Safety.

Faculty or Staff:

Concerns about the behavior of faculty or staff may be brought to the appropriate supervisory authority.

Confidentiality

All reports under this policy will be handled in a sensitive manner. Information will be shared with others only to the extent necessary to assess and manage the situation and in accordance with state and federal law. In general, the law recognizes and protects the confidentiality of communications between a person seeking care and a medical or mental health professional or religious advisor.

The medical, mental health and religious professionals at Saint Michael's College respect and protect confidential communication from students, faculty, and staff to the extent that they are legally able to do so. One of these professionals may have to breach a confidence, however, when he or she perceives a serious risk of danger to another person or property. Saint Michael's College is also part of a larger community and context. If there is an independent investigation or lawsuit relating to an act of violence or a potential threat, those involved or others may be required by law to provide documents, testimony, or other information.

Retaliation

Retaliating directly or indirectly against a person who has in good faith made a report under this policy or who has supported or participated in an investigation is prohibited. Retaliation include but is not limited to ostracizing the person, pressuring the person to drop the report or not participate in the investigation, or to provide false or misleading information, or engaging in conduct that may reasonable be perceived to affect adversely that person's educational, living, or work environment. Depending on the circumstances, retaliation may be unlawful, whether or not the report is ultimately found to have merit. An individual who engages in retaliation under this policy will be subject to discipline in accordance with the College's Employee Handbook or Student Code of Conduct and Policies or other policies applicable to the program at issue.

Outline of Potential Team Activities

The following outline of potential Team activities is intended to provide insight into some of the options that may, among other strategies, be utilized by the Team when it is assessing and managing potential threats. It is not intended to be and should not be construed as an all-inclusive or exclusive list, a mandatory procedure, or a "checklist." The Team will assess and manage each situation in accordance with its best judgment and other applicable College policies, and any of the potential activities listed below may or may not be engaged I, depending on the circumstances of a particular situation. The Department of Public Safety and/or other law

enforcement agencies will usually coordinate all actin in cases of a violent incident or imminent threat of violence on campus.

Once information of concern is received by the Team, the information will be evaluated and, if appropriate, representatives from the Team will be convened (based on the College program and persons involved, and team member availability).

The Team, or the Team's Chair or designee, will first determine whether there is an imminent threat of harm or other emergency situation that requires immediate intervention. If so, the Team, Chair or designee may notify law enforcement, seek the assistance of Public Safety, seek emergency medical assistance, or take other appropriate measure to address the imminent threat or situation. If not, the Team or some portion of the Team will usually conduct an initial screening to determine whether a full inquiry is warranted.

If the Team determines that there does not appear to be an emergency or imminent threat of harm, but that a full inquiry is warranted, the Team will conduct a full inquiry to determine whether the person or situation of concern may pose a threat of violence or other harm. As part of its inquiry, the Team may obtain information from multiple sources including, but not limited to, faculty, student life staff, coaches, family members, or others who may have relevant knowledge or information. Community members are encouraged to cooperate fully with and provide information to the Team.

The Team will evaluate the information obtained in the course of the inquiry to determine whether the person or situation in question appears to pose a threat of violence or other harm.

If the Team determines that the person or situation poses a threat of violence or other harm, it usually will then develop, implement, monitor, and document a management plan designed to intervene and reduce the risk of harm that may be posed by the individual. The management plan may include, but is not limited to, the following (as circumstances and resources may dictate): family/parental notification; law enforcement intervention; disciplinary review and action; a behavioral contract, voluntary referral for mental health evaluation or treatment; mandated psychological assessment or other medical treatment; voluntary or involuntary withdrawal or suspension from the College; expulsion or dismissal of a person of concern; modification of the environment or other reasonable accommodations to mitigate risk; collaboration with the identified alleged target(s) to decrease vulnerability; engaging with the person of concern to de-escalate the situation; and ongoing monitoring.

If the Team determines that the person of concern does not pose a threat, the Team may take no action or may opt to monitor the person or situation for a period of time and re-evaluate the case, as necessary.

Cases handled by the Team will generally remain open until it appears that a management plan is no longer necessary.

The Team will participate in periodic training and conduct periodic assessments of outcomes of its management plans and actions taken.

ACADEMIC CONDUCT POLICY

Saint Michael's College is dedicated to the pursuit of knowledge through the free expression and exploration of ideas. Instructors seek to develop and maintain a learning environment which is both open to differing opinions and respectful of all members of the campus community. While the principle of academic freedom protects this freedom of inquiry as essential to our academic mission, it does not protect conduct that is disruptive to the classroom environment in which learning occurs. Students, in adherence to the Saint Michael's College Code of Conduct, are required to follow course policies, expectations, and instructions regarding behavior and interactions with peers and instructors. Unacceptable student behavior may include, but is not limited to, the following types of disruptive conduct in or out of the classroom:

Rude or disrespectful behavior directed at peers, staff or faculty;

Unwarranted interruptions;

Failure to adhere to instructor's directions in a classroom activity;

Inappropriate language;

Physically or verbally abusive behavior; and,

Other forms of intimidation in any setting.

A student may be withdrawn from a course by the instructor for not complying with classroom standards of behavior. The normal procedure for responding to unacceptable behavior is the following:

The instructor is advised to keep careful written records regarding any incident of disruptive conduct.

Following an initial incident, the instructor may choose to give an informal verbal warning to the student, or may decide to inform their department chair and the Associate Dean's Office immediately. This decision is the prerogative of the instructor and may take into account the severity of the incident.

Depending on the severity of the incident and the input of the instructor, the Associate Dean may issue a formal written warning to the student via email. This will be followed by a one-week probationary period, which will be noted in the student's file. If there is not further disruptive behavior the probationary period is terminated.

If the disruptive conduct recurs at any point during the probationary period, the student may be withdrawn immediately from the course by the Registrar's Office. This action is taken by the Associate Dean, in consultation with the instructor.

Egregious or extreme example of disruption, or repeated patterns of disruption, will be addressed in the Office of the Vice President of Academic Affairs and may result in suspension or expulsion from the college.

ACADEMIC INTEGRITY POLICY

Scholarship, teaching and learning are possible only in an environment of academic integrity characterized by honesty and mutual trust. Simply expressed, academic integrity requires that one's work be one's own. Every member of the College community – students, faculty and administrators—has the responsibility to ensure that the highest standards of academic honesty and integrity are maintained.

To achieve this end the College has established policies and procedures regarding breaches in academic integrity.

To achieve this end, the College has established the following policies and procedures regarding breaches in academic integrity.

OFFENSES AGAINST ACADEMIC INTEGRITY

The following are examples of offenses to academic integrity that are prohibited by Saint Michael's College. The passages in italics constitute the Academic Regulations regarding academic integrity. These are followed by a brief discussion of the policies. Given the complex nature of the topic, the discussion does not include every possible offense against academic integrity but provides some typical examples.

PLAGIARISM

Presenting another person's ideas as one's own, by directly quoting or indirectly paraphrasing, without properly citing the original source. This includes inadvertent failure to properly acknowledge sources.

When using ideas, arguments, and/or data from other sources, the student must clearly define the sources using appropriate quotations and citations. Plagiarism may occur even when not using the exact words of another author. Paraphrasing a section of an article, book, or website without the proper attribution is considered plagiarism. A student should ask his/her professor if there is any question about the proper use and citation of material from other sources.

Compositions, term papers, or computer programs acquired either in part or in whole from other students, the Internet, commercial resources, or any other source and submitted as one's own work shall be considered plagiarism. If the work contains the thoughts or words of others, and the student inadvertently fails to acknowledge the source(s), this action is considered plagiarism. Plagiarism applies to printed sources, electronic sources, video/audio sources, social media and material obtained through network sources, including e-mail.

UNAUTHORIZED ASSISTANCE

Giving or receiving assistance during an examination or in the preparation of other assignments without the authorization of the instructor.

There are many possible instances of unauthorized assistance. Using cell phones and other electronic resources or any unauthorized notes during an exam is prohibited unless the professor provides explicit permission. Copying from another individual's examination or providing information to another student during an examination is a breach of academic integrity.

Soliciting, obtaining, possessing, or providing to another person an examination prior to the administration of the exam is prohibited.

Take-home exams, papers, and other outside work, such as online assignments, are the sole responsibility of the individual student. Certainly the above regulation do not prohibit group study sessions and consultation with other students to clarify points under study. In certain instances a professor may permit and even encourage students to work together on certain projects. This is generally not the case when the work is represented as the student's own effort. If the student have any questions they should ask the professor to provide clear guidelines regarding what assistance is authorized.

INTERFERENCE

Interfering with the work of any other member of the College community by: (a) comprising academic material (laboratory reports, papers, presentations, etc.) or (b) infringing on the fair and equal access of all to the academic resources of the College.

Any action that limits another student's access to the academic resources of the College or modifies their work is considered interference. For example, the unauthorized removal or relocation of library material is forbidden. Any tampering with another student's lab work or other academic work is a breach of academic integrity.

INTERFERENCE USING INFORMATION TECHNOLOGY

Interfering with the work of any other member of the College by using information technology to: (a) alter another person's files, reports or data; (b) Compromise data housed in the College's academic information systems; or (c) engage in any unauthorized access to computer material whether on a College system, on a personal device located at the College, or over the Internet using College systems.

Accessing computer data of any sort without authorization is a violation of academic integrity. This includes stealing or decoding passwords, destroying or modifying data, and reading or altering another person's files (including e-mail). In addition, any dissemination of the computer-generated material such as viruses or spam, as well as preventing legitimate access to information via technology, are violations of this policy.

MULTIPLE SUBMISSIONS

Submitting the same academic work to fulfill the requirements for more than one course without authorization of all instructors involved.

Submitting the same paper for more than one course is a breach of academic integrity. There may be instances where a student may want to extend the research completed on a different project.

In these cases, the student must obtain the explicit permission of the professors involved.

PROCEDURES

OFFENSES WITHIN A COURSE

If a breach of academic integrity occurs in a course, the primary responsibility for dealing with alleged offenses to the Academic Integrity Policy rests with the instructor in whose course the alleged offense occurs. The instructor may notify the student via email if a meeting with the student is not possible at the time the alleged offense is discovered. In these cases, the instructor shall thoroughly discuss or explain in writing the evidence of the offense and the sanction to be imposed. Depending on the severity of the offense, the instructor may require that an assignment be repeated with a reduction in grade for the assignment, may record a grade of zero or failure for the assignment, or may record a failure for the course. Possible sanction for academic integrity violations should be noted in writing on the instructor's syllabus. The instructor will file a Academic Integrity Offense Report with the Associate Dean of the College, noting the nature of the incident and the sanction imposed. The report shall be maintained in a confidential file in the Office of the Vice-President for Academic Affairs. The instructor shall send a copy of the report to the student(s) involved in the incident.

When an instructor has filed an Academic Integrity Offense Report, the Associate Dean will meet with the student to discuss the matter and the sanction imposed. The Associate Dean will ensure that the student has a full understanding of the seriousness of the offense, the procedures to be followed and the possible consequences of the breach of academic integrity. The Associate Dean will ask the student to sign a form acknowledging the offense and accepting the imposed sanction. This form will be filed along with the Academic Integrity Offense Report.

If upon the submission of an Academic Integrity Offense Report the Associate Dean determines that a student has a prior offense, the Judicial Review Board will examine the case according to procedures outlined in the **Student Code of Conduct**.

If a student does not accept the determination of the instructor and prefers to not sign the form accepting the sanction, the student may appeal the decision of the instructor to the Judicial Review Board. In such instances, any other reports regarding violations of academic integrity involving the student shall be made available to the Judicial Review Board.

At any point in this process prior to being referred to the Judicial Review Board by the Associate Dean, the instructor may refer the matter to the Judicial Review Board, or the student may appeal and ask the Judicial Review Board to hear the case.

There are several points in the above passage that should be highlighted for the sake of clarity. The primary responsibility for maintaining the Academic Integrity Policy lies with the professor. If a professor believes that a student has committed an offense against the policy, he or she must discuss the situation with the student before imposing sanctions. The professor will submit a report of the offense and the sanction to the Associate Dean of the College, who will in turn file the report in a confidential file in the Office of the Vice-President for Academic Affairs. The student will receive a copy of this report. The primary purpose of this requirement is to determine whether a student has committed multiple offenses. These reports ARE NOT part of the permanent record, will not appear on the transcript or in any other individual student file maintained in the Associate Dean's Office, and will be destroyed when the student graduates or permanently withdraws from the College. (It should be added that any suspensions or expulsions by the Judicial Review Board do become part of a student's permanent record.) If the Associate Dean determines that a student has committed multiple offenses the Judicial Review Board will

review the case. The Associate Dean shall ask the student to meet and discuss the Academic Integrity Offense Report, as well as any sanctions imposed. In addition, the student will be asked to sign an acknowledgement of the offense and acceptance of the sanctions. The student has the right to not sign the form and to appeal a professor's sanction to the Judicial Review Board. An appeal may be made to dispute the severity of the sanction or the facts of the case. If a student wishes to appeal a professor's decision, he or she should contact the Associate Dean of the College.

OFFENSES OUTSIDE A COURSE

In instances of alleged academic "vandalism" outside the context of a specific course, such as interfering with another's work using information technology systems, the case shall be presented to the Associate Dean of the College for review. The Associate Dean shall undertake a thorough investigation of the alleged offense, and if sufficient evidence warrants further action the Associate Dean shall refer the case to the Judicial Review Board. The Associate Dean shall file a report in the Office of the Vice-President for Academic Affairs.

SANCTIONS

When an offense occurs in a course, the instructor will determine the specific sanctions imposed for each offense. These sanctions include, but are not limited to (a) repeating the assignment with a reduction in grade for the assignment; (b) failure for the specific assignment; (c) a reduction in the student's grade for the course; (d) failure for the course; (e) dismissal from a course. The Judicial Review Board may determine that additional sanctions are warranted.

When an offense occurs outside the context of a course, the Judicial Review Board will determine the sanctions for each offense. These sanctions may include: (a) suspension from the College for a determined amount of time; or (b) expulsion from the College.

JUDICIAL REVIEW BOARD PROCEDURES

The Judicial Review Board for hearing cases of academic integrity consists of three members appointed annually: one student appointed by the President of the Student Association, and two faculty members appointed in accordance with Faculty Regulations. The Associate Dean of the College convenes the Judicial Review Board.

The Judicial Review Board shall examine alleged offenses to the Academic Integrity Policy in the following instances: (a) when they occur outside the context of a course; (b) when the case is referred or appealed by any of the parties of an alleged in-course offense; (c) when the Associate Dean of the College determines that the student has a prior offense. As soon as an offense against Academic Integrity has been reported, the Associate Dean of the College shall call a meeting of the Judicial Review Board to hear the evidence and make a determination regarding any further action to be taken. The Board will determine its own chair.

The Judicial Review Board shall hear all relevant evidence from the involved parties on the matter. Based upon its determination of the facts, the Board may impose the full range of sanctions, which an instructor may impose, but the Board may also impose more severe sanctions including suspension or expulsion from the College. Since multiple offenses are

particularly grave, the Board may find that suspension is the minimum sanction to be imposed in such instance, but may also choose lesser academic sanctions, including upholding the instructor's original sanction, increasing the severity of the sanction for the assignment in which the charge has occurred, lowering the final course grade, or failing the student for the course. The President shall have the power to review any decision of the Judicial Review Board and to reverse or modify any decision.

There are four situations when Judicial Review Board may adjudicate issues related to the Academic Integrity Policy: (1) when a student appeals a professor's decision, (2) when professor asks the Board to review a case, (3) when a student has committed multiple offenses, (4) when there are offenses outside the context of a course. Students may appeal any decision of the Judicial Review Board regarding academic integrity to the Vice-President for Academic Affairs.

ACADEMIC CONFLICT RESOLUTION PROCEDURE

A student who believes that course work has been unfairly evaluated, or who has another conflict regarding academic matters less than Academic Probation/Dismissal or that do not involved the Academic Integrity Policy, should use the following procedure:

As soon as possible, no later than the end of the sixth week of the following semester, the student must approach the faculty member to discuss the issue (when possible). In the event of a grade dispute, the student should seek an explanation of the method of evaluation and seek a determination that no error has been made.

If the student is not satisfied with the results of this conference, or if a meeting with the faculty member was impossible or unadvisable, the case must presented in writing with supporting documentation to the department chair.

If, after consultation with the faculty member (when possible) and after a review of the written evidence, the department chair finds legitimate cause for complaint, he or she will try to work toward an equitable solution with the student and faculty member. If this fails, he or she will bring the matter to the Associate Dean of the College. If the department chair concludes there is no cause for complaint, the student may approach the Associate Dean of the College, who will confer with the faculty member and the student.

If a student is still not satisfied with the outcome of the conference with the Associate Dean, the student may formally appeal the grade. The grade will be reviewed by a panel consisting of the Dean of the College, the faculty member who gave the original grade, and a member of the Curriculum and Education Policy Committee, selected by that committee's chair. If for some reason the original faculty member is unavailable, the department chair may appoint a substitute. The majority decision of this three-person panel will be final. If the decision is made to change the grade, the department chair from that field of study will be consulted by the Dean to help determine the final grade.

This Student Handbook has been compiled after consultation with representatives of the Saint Michael's College Administration, Faculty, and Student Association. The Student Handbook is the official statement of College policies concerning student life.

This Student Handbook outlines our mutual responsibilities, College policies and expectations, and your individual rights as a member of this community. Please remember that as a student you are expected to become familiar with campus regulations and policies and to abide by them.

Student members of the Saint Michael's College community must also be aware that they are members of the larger society. The College is committed to observance of state, federal and municipal laws and regulations. Students are not immune to prosecution by local, state or federal enforcement agencies, whether or not the College takes action on a violation.

The President of the College shall have the power to suspend any section or sections of this Handbook when s/he determines that due to the seriousness of a condition or action the College would be best served by such a decision. Such suspension may include forthwith imposition of disciplinary sanctions on students.

Saint Michael's College reserves the right to make modifications pertaining to matters included in this Handbook when such modifications are deemed necessary. In such cases, reasonable notice shall be provided to those affected by modifications.

Saint Michael's College is an equal opportunity institution. It does not discriminate against students, employees, or applicants for admission or employment, on the basis of race, color, sex, age, national origin, place of birth, marital status, veteran or military service status, HIV-positive status, ancestry, ethnicity, religion, disability, sexual orientation, gender identity or any other characteristic protected by law, to the extent and as such characteristics are defined by applicable law.

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