



# Student Policies and Procedures Handbook

## 2016 – 2017

50 Sunset Lane, Paxton, MA 01612

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# INTRODUCTION

## THE HANDBOOK

The Anna Maria College Student handbook serves as an agreement between the College and students to honor the standards, policies, and procedures set forth in the following pages. By accepting to attend Anna Maria College, a student is committed to understanding and abiding by these standards, as well as accepting responsibility for his/her actions.

This Student Handbook was written and edited under the guidance of the Vice President for Student Affairs.

## MISSION

Anna Maria College, a Catholic institution of higher learning, recognizes its obligation to serve its immediate community, the Commonwealth of Massachusetts, the nation and the world through the provision of education, the preservation of learning, and the sponsorship of research.

Rooted in the Roman Catholic tradition of higher education, Anna Maria College is maintained and operated in conformity with the values of the Judeo-Christian tradition and in keeping with the ideals of its foundresses, the Sisters of Saint Anne. These ideals, which reflect the development of the total human being, also include increasing access to quality education, educational innovation and respect for practical skills.

Specifically, Anna Maria College sees its mission to be that of fostering in its students intellectual involvement, career preparation, social awareness, dedication to justice and peace, religious and moral sensitivity, and a lifestyle capable of sustaining these within balance.

In addition, the College is committed to nurturing the development of a sense of respect for oneself and for others, as well as a sense of responsibility to society and the world.

To affect this mission, the College offers its undergraduate students a program integrating a liberal arts education and strong career preparation. To its graduate students, the College offers an education fostering high standards of personal development and professional achievement, as well as a mature sense of responsibility.

In fulfilling its role as an institution of higher education, Anna Maria College does not discriminate on the basis of any legally protected category in the administration of its educational policies, admissions policies, scholarships, loan programs, and other College administered programs.

# EMERGENCY PROTECTIVE ACTIONS

## IN CASE OF EMERGENCY

**Call 911 or Paxton Police at AMC Officer on Duty at (508) 494-9010**

## WHAT TO REPORT

- Emergency Type
- Your Location
  - ✓ Building Name
  - ✓ Room
- Your Name

In the event an emergency occurs on campus, you may be asked to take certain protective actions. The primary method of communicating instructions during an emergency will be the College's Emergency Notification system utilizing text messages, email and voice mail. A student may update contact information, notably a cell phone number by logging in to [Online Services](#) and selecting Personal Information under the Settings and Tools tab. The most common protective actions requested will be:

## SHELTER IN PLACE OR BUILDING EVACUATION

### To Shelter-in-Place

- Get/stay indoors.
- Secure doors and windows; turn off any air conditioning units in room.
- Stay indoors until notified it's safe to go outdoors.

### For Building Evacuation

- Evacuate building using nearest exit (or alternate exit if blocked).
- Take personal belongings (backpacks, keys, purses, wallets, etc.).
- Do not use elevators.
- Secure hazardous materials or equipment.
- Follow instructions by faculty, staff, or emergency personnel.
- Move away from the building.

## COMMUNITY RESPONSE TO MEDICAL EMERGENCIES

For any on-campus emergency, dial 911. To reach the Paxton Police Officer on Duty at AMC, dial x3456 from an on campus phone or from a cell phone dial 508-494-9010.

A medical emergency can occur anywhere on campus. The reaction of the victim or those around her/him can ensure quick arrival of trained emergency personnel.

### **Take action**

- Call 911 or the Paxton Police Officer on Duty at AMC at 508-494-9010 to activate Emergency Medical Services (EMS).
  - Explain the type of emergency, the location of the victim, and the condition of the victim.
  - Let the officer know of any safety hazards – weapons, chemical spill, fire, fumes, etc.
  - Tell the officer if the person is unconscious, not breathing, is bleeding profusely, or has chest pain.
  - Do not hang up unless told to do so by the officer.
- Reassure the victim that help is on the way.
- Do not attempt to move the victim.
- Do not give victim anything to eat or drink.
- Stay calm.
- Monitor the victim and assist the victim to your level of ability until help arrives.

## **GENERAL PROTECTIVE ACTIONS**

### **Fire**

- Activate the nearest fire alarm.
- Evacuate the building.
- Call 911 from a safe location.
- Do not re-enter the building until authorized by emergency personnel.

### **Severe Weather**

#### *If Indoors*

- Seek shelter in lowest level of the building.
- Stay away from exterior windows and doors.
- If "drop and tuck" position is used: low squat, knees and chin to chest, facing wall with hands interlocked overhead.
- Do not go outside until threat has passed.

#### *If Outdoors*

- Try to seek shelter indoors immediately.
- If unable to get indoors, get to a low area such as a ditch, ravine, or depression.
- Lie flat in ditch or low area.
- Lie face down and cover your head and face.

## **HAZARDOUS MATERIALS RELEASE**

- Call 911.
- Move away from the hazardous location to a safe location or evacuate the building.

- Alert others to stay clear of the area.
- Notify emergency personnel if you have been exposed or have information about the release.

## POWER OUTAGE

- Contact Paxton Police Officer on Duty at AMC at 508-494-9010.
- Secure any hazardous materials or operations.
- Move cautiously to a lighted area. Exits may be indicated by lighted signs if emergency power is operating.
- Consider switching off/unplugging sensitive equipment.
- Evacuate the area if instructed to do so by emergency personnel.

## SUSPICIOUS OBJECT

- Do not touch or disturb the object.
- Call 911 or Paxton Police Officer on Duty at AMC at 508-494-9010.
- Notify faculty, staff or supervisor.
- Alert others to stay clear of the area.
- Evacuate the area if instructed to do so.

## IDENTITY THEFT

Identity theft is a growing concern for everyone. Students should take steps to protect their personal information. There is useful information on preventing identity theft at [www.consumer.gov/idtheft/](http://www.consumer.gov/idtheft/). Shred all credit card offers (don't just toss them in the trash). Don't give out personal information on the phone or computer unless you have initiated the contact (don't fall for phishing on-line where you are asked for information in an email that looks legitimate but is not). Protect passwords (don't keep your pin number with your ATM card and don't share passwords with others, not even your roommate). Don't use the same password for all of your sites and change your passwords often! Limit the access others have to your personal data and items (using a lock-box for paperwork such as credit card receipts, bank statements, social security card, etc., and keep your credit cards, wallet, check book in a secure location, not out in plain view). Don't forget when you are in chat rooms or using instant messaging to keep your location, real name and other personal information out of the conversation! Be suspicious, be wary, and be safe!

# POLICIES AND PROCEDURES

## ACADEMIC CONDUCT POLICY

The Academic Conduct Policy is outlined in the Student Code of Conduct beginning on page 80 of this document.

## ACADEMIC POLICIES AND PROCEDURES

In fulfilling our mission as a Catholic college, Anna Maria College offers a curriculum that integrates our Catholic character with our commitment to liberal and professional education. The General Education Curriculum at Anna Maria College was developed to provide all students with an educational experience that prepares them to be informed and active members of society. As a liberal arts college rooted in the Catholic tradition, AMC is committed to providing an education that fosters critical and integrated thinking, scholarly and personal exploration of religious faith and the meaning of human existence, and an appreciation for the diversity of human cultures and societies.

## ACADEMIC GRIEVANCES/APPEALS

Students who believe that they have been unfairly graded in a course or that they deserve an adjustment in their academic status may appeal to persons in authority, providing they follow proper procedure. This appeal must occur within four (4) weeks upon issuance of the grade. The student's first step in such an appeal must always be to confer with the instructor. If further steps are necessary, the student should see the person next in authority (Program Chair or School Dean), in which the course is taken. If a third step is needed, the student should contact the appropriate Associate Vice President of Academic Affairs based on the course in question. If no resolution is reached, the student can appeal to the Vice President for Academic Affairs. The decision of the Vice President of Academic Affairs is final. Only those decisions resulting in academic dismissal may be appealed to the President of the College.

## ACADEMIC WARNING AND PROBATION

If a student's semester or cumulative GPA falls below 2.0, the student may be placed on academic warning or probation. At the end of each semester, the Vice President of Academic Affairs reviews all students with a CGPA below 2.0, and places them on academic warning or probation. Any student whose academic record reflects persistent academic deficiencies is also eligible for probation, suspension or dismissal.

**Please refer to the academic catalog, pages 31-40, for the official policies on student academic standing.**

## **Academic Policy for Warning, Probation, and Dismissal**

<b>Credits Attempted</b>	<b>GQPA</b>	<b>Decision</b>
1-18	Between 1.51 - 2.00	Academic Warning*
1-18	Between 1.00 - 1.50	Academic Probation
1-18	At or Below 1.00	Academic Suspension
19-59	1.75 – 2.00	Academic Probation
19-59	Below 1.75	Academic Suspension
60 and over	1.85 – 2.00	Academic Probation
60 and over	Below 1.85	Academic Suspension

\*A student may be placed on academic warning for only one semester.

## **ACADEMIC DISMISSAL: FORCED WITHDRAWAL**

The College reserves the right to exclude at any time any student whose academic conduct or standing is seriously deficient. A student may be forced to withdraw from the College for academic reasons when:

1. The student has been on probation for more than two semesters;
2. The student's semester or cumulative GPA is substantially below the 2.0 minimum requirement;
3. The student has been found in violation of the College's Standards of Academic Conduct in the Student Code of Conduct.

## **COURSE LOAD**

**Normal Course Load:** The normal course load for a student is five courses or 15 to 16 credits per semester. Each of these five courses must have a minimum value of three credits. One semester hour is the equivalent of one period of at least 50 minutes during each week of the semester. One semester hour is equivalent to one credit.

**Sixth Course:** With the approval of the academic advisor and authorization from the Vice President of Academic Affairs, a student may enroll in a sixth course. A CGPA of 3.0 or above is expected of students seeking this approval.

## REGISTRATION

Students are expected to register on the appointed day at the start of each semester. Returning students will have preregistered during the previous semester. The academic advisors will assist students in completing their individual course schedule. For more information on registration please see [Academic Catalog](#), page 32.

## COURSE CHANGES

### After Pre-Registration

If the course has been canceled or if the time has been changed and the course now conflicts with another, students may replace it with a new course when they register. However, if a student decides to change from a course that is still being offered at the same time, the student's academic advisor must approve the change. Once the student receives approval from his/her academic advisor, s/he will make the change to the schedule through the on-line student services. The student will need his/her advisor PIN to make any changes.

### Drop/Add Period

Once classes have begun, students may drop or add a course during the first five class days which is considered the drop/add period. The student's academic advisor must approve the change. Once the student receives approval from his/her academic advisor, s/he will make the change to the schedule through the on-line student services. The student will need his/her advisor PIN to make any changes.

### Withdrawal from a Course

Students wishing to withdraw from a course after the drop/add deadline published in the [Academic Calendar](#), must meet with their academic advisor to discuss withdrawing from the class. If the student and the advisor agree that it is in the student's best interest to withdraw from the class, the advisor will submit a Course Withdrawal Form to the Registrar's Office. Once the withdrawal is processed, the student, instructor and advisor will receive a confirmation email. The student is not considered officially withdrawn from the course unless s/he receives the confirmation email. Students should consult the academic calendar for the withdrawal deadline. Ceasing to attend classes or just notifying the Instructor does not constitute an official withdrawal. A student who fails to properly withdraw from a course will receive a grade of "F" for the course.

## TRANSFER BETWEEN DEPARTMENTS

Students who, after matriculation, wish to transfer from one major to another within the College must meet all the requirements of the major to which they wish to transfer. A student wishing to change majors must meet with an advisor from the program which s/he intends to transfer in to. If the student and the advisor agree that it would be in the best interest of the student to change majors, the new advisor will submit a Change of Major form to the Registrar's Office. Once the change is processed, the student, the new advisor and the previous advisor will receive a confirmation email. The change of major request is not official until the student receives this confirmation email. Students will not be allowed to pre-register or register for classes until the paper work affecting the transfer between majors has been completed.

## GRADES AND QUALITY POINTS

### **Grading System**

Anna Maria College operates on a 4-point grading system (A = 4.0). Academic standing is determined by the grades received and the corresponding quality points earned in each course. Grades are converted to quality points according to the following schedule:

A	Excellent	4.0
A-		3.7
B+		3.3
B	Superior Achievement	3.0
B-		2.7
C+		2.3
C	Average Achievement	2.0
C-		1.7
D+		1.3
D		1.0
D-	Minimal Achievement	0.7
F	Failing, no quality points	
P	Pass, not computed in quality points	
W	Withdrawn, not computed in quality points	
I	Incomplete	

### **Final Grades**

At the end of each semester, the final grade report will list the courses the student has taken, along with the grades received and the quality points earned in each course. The report will also list the student's grade point average for the semester (SGPA) and the student's cumulative grade point average (CGPA). Grades are available on-line through Online Student Services. The final grade report will only be mailed at the student's request.

### **Incomplete Grades**

If some serious and unavoidable circumstance prevents a student from completing a course on time, the instructor may petition the Vice President for Academic Affairs for approval to assign a grade of "I" (incomplete). A grade of incomplete is given only if the student's coursework is substantially complete at the time s/he encounters an unavoidable circumstance. Students with more than six (6) hours of unexcused absences will not be considered for incomplete grades. The "unavoidable circumstance" must be of an emergency nature (e.g., illness) rather than a case of mere inconvenience or poor time management by the student. No student can receive a grade of "I" without prior approval from the Vice President for Academic Affairs. It is the student's responsibility to request that the instructor submit the Petition for Incomplete to the Vice President for Academic Affairs for approval. If the Vice President for Academic Affairs approves the Incomplete, the student and instructor will receive a confirmation email from the Registrar's Office. The Petition for Incomplete is not considered officially processed until the student receives a confirmation email. Unless otherwise noted on the petition form, the "I" will automatically convert to an "F" if the deficiency is not removed by the fourth week of the semester following the semester in which the incomplete grade is given. It is the student's responsibility to contact the instructor to make arrangements for completing the course work and having the "I" changed to another grade.

## **Mid Term Grades**

Midterm grades will be available to students through Online Student Services after the eighth week of classes. Students should check their midterm grades to assess their progress in each of their classes. Students who are not succeeding in any of their classes should schedule a time to meet with their advisor prior to the last day to withdraw from a class with a “W” to determine if it is in the student’s best interest to withdraw from a class.

## **Pass/Fail Grade**

As a full-time junior or senior, students are allowed to take one elective (non-required) course each semester on a pass/fail basis. After registering for the course, students have eight weeks from the first day of class to complete the pass/fail request form at the Registrar’s office. Although the instructor will submit a regular grade to the Registrar, if students have registered “pass/fail,” the grade will be converted to either “P” or “F.” The grade “P” is not converted into quality points so it will not affect students’ quality point average. The grade “F” will affect students’ quality point average.

## **Grade Point Averages**

The semester grade point average (SGPA) is found by dividing the total number of quality points earned by the total number of credits attempted. The cumulative grade point average (CGPA) is found by dividing the total quality points earned by the total number of credits attempted. In computing quality point averages, the policy of the College is to consider only the credits earned at Anna Maria College.

## **SATISFACTORY ACADEMIC PROGRESS**

To remain eligible for federal, state, and institutional loans, grants, and work study at Anna Maria College, a student must maintain satisfactory academic progress. All students are evaluated for academic progress on an annual basis in June for financial aid purposes. The Federal Government requires that students be evaluated both quantitatively and qualitatively. Undergraduate students please visit: [Undergraduate Financial Aid Policies](#). Graduate students go to: [Graduate Student Financial Aid Policies](#) for complete information.

## **VOLUNTARY WITHDRAWAL (PERMANENT OR WITH INTENT TO RETURN)**

Full-time and part-time students, who wish to withdraw (permanently or with intent to return) from the College are required to complete official documentation and meet with the Vice President for Student Affairs. Students participating in College or federally funded loan programs must schedule an exit interview with the Director of Financial Aid.

Students withdrawing from the College during any semester or before the final examinations or evaluations will receive no credit.

Non-attendance does not relieve a student of his/her financial obligations nor entitle the student to a refund. The charges on a student’s bill remain his/her obligation unless the student formally withdraws with the Office of Student Affairs. The student will be held responsible for the academic related charges in accordance with a schedule that is posted in the Business Office.

For the purpose of determining an official date of withdrawal from the College that will be used to complete the academic record including the determination of grades of W or F; determine any applicable refunds or charges, determine eligibility for full or partial disbursement of financial aid and all other academic and college business purposes, the following guidelines will apply:

1. The Official Date of Withdrawal will be considered the first date that the student has notified either the Office of the Registrar or the Vice President for Student Affairs of the student's intent to withdraw from the College permanently, or with intent to return.
  - a. If after notifying the appropriate office the student has participated in an academically related activity that can be verified, including but not limited to attending a class, taking an exam or submitting a paper, then the latest date of participation in the academically related activity will be considered the official date of withdrawal.
2. The completion of the withdrawal form provided by the Vice President for Student Affairs will complete the withdrawal process and will note the effective date as defined above. The student signature on the form will indicate agreement with the determined date.
3. In the case of a student leaving the College without providing documentation, the Registrar and/or Vice President for Student Affairs will determine the last date of participation in an academically related activity and that date will be considered the official date of withdrawal.
  - a. If the last date of participation in an academically related activity cannot be determined, the College may use the midpoint of the semester as the official withdrawal date.

For information regarding the AMC withdrawal and refund policy, go to Anna Maria College website under "Student Accounts", "Tuition and Fees". Undergraduate students may go to: [Undergraduate Withdrawal Policies](#). Graduate students may visit: [Graduate Student Withdrawal Policies](#).

#### **ADA: SECTION 504 OF REHABILITATION ACT OF 1973 & AMERICANS WITH DISABILITIES ACT OF 1990**

Anna Maria College, in compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, accepts students with documented disabilities who can successfully pursue the College's academic program. Anna Maria recognizes its responsibility to provide individuals with documented disabilities equal access, while maintaining the standards that are essential to the academic program.

This policy applies to all Anna Maria College students.

The Director of the Student Success Center, Dennis Vanasse, is Anna Maria College's academic accommodation coordinator. Dennis Vanasse may be found in Trinity East, first floor, 508-849-3372, [dvanasse@annamaria.edu](mailto:dvanasse@annamaria.edu).

The Director of Health and Counseling Services, Linda Aronson, will review meal and housing plan accommodation documentation. Recommendations will then be presented to Jessica Looney, the Director of Residence Life. Linda Aronson may be found in the Health Services Center, 508-849-3458, [laronson@annamaria.edu](mailto:laronson@annamaria.edu). Jessica Looney may be found in the Bishop Flanagan Campus Center, 508-849-3271, [jlooney@annamaria.edu](mailto:jlooney@annamaria.edu).

## **Admission**

Admission to Anna Maria College is based on the requirements in the catalog. Anna Maria does not discriminate on the basis of disability in the admission process. If an applicant believes his or her disability has had a negative impact on high school grades and test scores, and that the scores do not reflect the ability to do college work, the student may choose to disclose and explain that to the admissions officer.

## **Academic Accommodations and Support Services**

Students with documented disabilities may request accommodations in the structure of a course or courses either prior to or after their admission to the College. The responsibility for initiating such requests always rests with the student. Students with disabilities who wish to begin the semester with course-based accommodations must submit appropriate documentation of the disability to the Director of the Student Success Center one week prior to the beginning of the semester. The Director will review the documentation, confer with the appropriate Academic Dean or Director when necessary, and will then inform the student which accommodations and support services are appropriate and reasonable. Reasonable accommodations are those that do not fundamentally alter the essential nature of the course, curriculum or program, and do not result in an undue administrative or financial burden for the institution.

### **Steps for Receiving Accommodations:**

- 1) Present appropriate disability documentation to Director of the Student Success Center. Example: recent psychological evaluation.
- 2) The Director of the Student Success Center will have one week to review the documentation to determine if the student has a disability that would allow for reasonable accommodations.
  - a. The Director may also choose to confer with the appropriate Academic Dean or Director to ensure that a proposed accommodation would not fundamentally alter the essential nature of the course, curriculum or program.
- 3) The student must schedule a follow-up meeting with the Director of the Student Success Center one week after submitting the documentation.
- 4) The student will review and discuss reasonable accommodations with Director of the Student Success Center.
- 5) During the meeting, the Director of the Student Success Center will sign and present the student with the accommodation form(s).
- 6) The student will sign the accommodation form(s) in the presence of the Director.
- 7) The student will present accommodation form(s) for faculty signature(s). The Director does not notify the faculty of accommodation requests, decisions or the nature of the student's disability.
- 8) Once the Director of the Student Success Center, student, and faculty member have signed the accommodation form, the student must bring the signed accommodation form(s) back to the Director of the Student Success Center. A copy will be kept in a confidential file for verification purposes.
- 9) The student will work directly with the faculty member to arrange for accommodations (for instance, if a student receives extended time in a distraction free environment for testing, the student and faculty member will determine when the test will be available in the Success Center.)

The above process must be followed each semester for the student to receive accommodations in a course. It is the responsibility of the student to request accommodations.

The Student Success Center will also arrange need-based academic support services outside the classroom. All specific course-based accommodations should be established at the beginning of each academic term. It is the responsibility of the student to contact the professor to arrange for the necessary accommodations. Accommodations set at the beginning of the term may be adjusted on an as-needed basis.

The common types of academic accommodations available to students in specific courses and outside the classroom may include, but are not limited to, the following:

- In Class: Tape recording of lectures, use of a note-taker, seating location, extended time for assignments, use of a computer for written work, and/or physical access.
- For Examinations: Extended time, private room, and/or use of computer in an environment with reduced distractions.
- Outside of the Classroom: Tutoring, learning strategies instruction, reduced course load, and/or the use of approved computer software.

### **Modifications in Academic Requirements**

Students with documented disabilities may request modifications in academic requirements as are necessary to ensure that such requirements do not discriminate against students with disabilities, or have the effect of excluding students solely on the basis of disability. Modifications may include changes in the length of time permitted for completion of degree requirements, reduced course loads, substitution of specific courses for degree requirements, waivers of specific requirements, and/or utilization of the pass (P) grade, with a passing grade consisting of a D or higher, in courses where a disability has a discriminating effect.

Students requesting modifications in academic requirements must submit a written request to the Vice President for Academic Affairs complete with the appropriate documentation of the disability. The College's guidelines for reviewing all requests for modifications are as follows:

1. The academic requirement modification must be directly related to the student's documented disability.
2. In cases involving courses for the degree, the student must pass an authorized substitute course or requirement. The Vice President for Academic Affairs, in consultation with the appropriate School and/or department chair, must approve all such modifications, and the Curriculum Committee must approve waivers of degree requirements.
3. In cases where students have been approved to take courses on the modified pass/fail basis, the Vice President for Academic Affairs will notify the Registrar in writing of this modification.
4. Grades earned in courses identified as affected by a specific disability and attempted before the disability was diagnosed and/or confirmed by the Vice President for Academic Affairs may be converted to the pass (P) grade, and the grade-point average may be adjusted at the request of the student and with the approval of the Vice President for Academic Affairs. The Vice President for Academic Affairs will consult with the faculty member who recorded the original grade to verify that clear evidence exists to support the student's claim that the disability, rather than other factors, directly interfered with the student's ability to perform on an equal basis with other students in the course. This policy will not apply to students diagnosed with disabilities after they have completed the degree.

### **Academic Accommodation and Requirement Appeals Process**

Any student dissatisfied with the decisions made relating to accommodations has a right to appeal. The appeals process for academic accommodation and requirements on campus is as follows: A written statement of the dispute will be sent by the student through Anna Maria College email to the Vice President for Academic Affairs within seven (7) business days of notification of the decision. This statement should

include all relevant information and should request clear remedial action. Based on this statement, the Vice President for Academic Affairs will, within five (5) business days, reach a decision either to reactivate the individual planning process or determine that the plan as developed is appropriate. If the appeal is rejected, the student may exercise his/her right to appeal to the President of the College. This appeal must be submitted by the student in writing through AMC email with in seven (7) business days of notification of the decision on the appeal. The President's decision shall be final.

### **Housing and Meal Plan Accommodation**

Students with documented disabilities that wish to live in campus housing are encouraged to contact the Director of Health and Counseling Services, Linda Aronson, , early in the housing or admission process to discuss their housing and/or meal plan needs. Requests for housing and meal plan accommodations must be provided each academic year. In most cases, previously submitted documentation of the disability will be sufficient. The Director will review the documentation and will then discuss with the student which housing and/or meal plan accommodations are appropriate and reasonable. Housing accommodations made for a student with a documented disability shall not be at a cost more than housing for students without documented disability.

The Director may involve the Director of Campus Dining Services and/or the Director of Residence Life in the determination of an appropriate accommodation.

Deadlines for housing accommodation applications are as follows:

Incoming students: fall housing, May 1<sup>st</sup>, spring housing, January 1<sup>st</sup>.

Returning students: academic year housing, April 1<sup>st</sup>

Meal plan accommodation requests may be made at any time. The College's policy on refund will be followed if the granted accommodation results in the student's total removal from the meal plan. Students with relevant documented disability requesting to be exempt from the meal plan entirely must apply for this accommodation by August 1<sup>st</sup> for the fall semester and December 1<sup>st</sup> for the spring semester to ensure maximum meal plan credit.

### **Housing and/or Meal Plan Accommodation Appeal Process**

Any student dissatisfied with the decisions made relating to accommodations has a right to appeal. The appeals process for campus housing and/or meal plan accommodations are as follows: A written statement of the dispute will be sent through Anna Maria College email by the student to the Vice President for Student Affairs, Andrew Klein, [aklein@annamaria.edu](mailto:aklein@annamaria.edu), within seven (7) business days of notification of the decision. This statement should include all relevant information and should request clear remedial action. Based on this statement, the Vice President for Student Affairs will, within five (5) business days, make a decision on the appeal. If the appeal is rejected, the student may exercise his/her right to appeal to the President of the College. This appeal must be submitted by the student in writing through Anna Maria College email with in seven (7) business days of notification of the decision on the appeal. The President's decision shall be final.

## **Policy Concerning Service Animals and Assistance Animals in Campus Residence Halls**

In compliance with relevant law, including Section 504 of the Rehabilitation Act of 1973 (“Section 504”), and the Fair Housing Act (“FHA”), individuals with disabilities who require the use of service or assistance animals as a reasonable accommodation for their disability may be permitted to bring such animals on campus as long as they comply with Anna Maria College’s (the “College”) policies, procedures and rules regarding such animals as stated in this Policy Concerning Service Animals and Assistance Animals in Campus Residence Halls Policy (the “Policy”).

### **I. Service Animals (Dogs)**

A service animal is defined as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability. The task must be directly related to the person’s disability.

Students who wish to request a service dog must meet with the Director of Health and Counseling Services to show that the dog is required because of a disability and to confirm what work or tasks the dog has been trained to perform. There is no requirement to provide training certification and there is no requirement to provide a demonstration of services.

While a student need not identify the specific nature of his/her disability, if the need for a service animal is not readily apparent, the College may request additional documentation in support of the request for the purpose of determining whether an animal qualifies as a service animal, namely: (i) that the service animal is required due to the functional limitations of the requesting individual’s disability; and (ii) what work or tasks the service animal has been trained to perform for the benefit of the student.

Upon approval of the request for a resident (on-campus) student, the Director of Health and Counseling will notify the Director of Residence Life. The Director of Residence Life will make a housing assignment in a suitable residence in a hall designated as “animal compatible.” There will be “animal compatible” housing in each style of housing available on campus (freshman housing, suite style housing, upper-class corridor housing), although not necessarily in each residence hall or every floor. There will also be “animal-free” housing wings/floors in each style of housing available on campus.

### **II. Assistance Animals under the Fair Housing Act & Section 504**

The Fair Housing Act (FHA) regulations define assistance animals as an animal that: (i) works, provides assistance, or performs tasks for the benefit of a person with a disability, or (ii) provides emotional support that alleviates one or more identified symptoms or effects of a person’s disability.

A student requesting to have an assistance animal in College housing must meet with the Director of Health and Counseling and provide a written request that includes (i) medical documentation of a qualifying disability (physical or mental impairment that substantially limits one or more life activities) (ii) documentation that the animal requested provides emotional support that alleviates one or more of the identified symptoms or effects of the existing disability *and* (iii) a statement on how the need for the assistance animal relates to the ability of the student to use and gain benefit from College housing. Please note that all of these requirements must be met for a request to be granted by the College.

A request may be denied if:

- a. The specific assistance animal in question poses a direct threat to the health or safety of others that cannot be reduced or eliminated by another reasonable accommodation;

- b. The specific assistance animal in question would cause substantial physical damage to the property of others that cannot be reduced or eliminated by another reasonable accommodation.

Upon approval of the request, the Director of Health and Counseling will notify the Director of Residence Life. The Director of Residence Life will make a housing assignment in a suitable residence in a hall designated as “animal compatible.” There will be “animal compatible” housing in each style of housing available on campus (freshman housing, suite style housing, upper-class corridor housing), although not necessarily in each residence hall or every floor. There will also be “animal-free” housing wings/floors in each style of housing available on campus.

### **III. Rules Governing Service and Assistance Animals on Campus**

#### **A. Service Animals**

- 1. No extra deposit will be collected for residents approved to have a service animal on campus, however the resident will be responsible for any damage or excess cleaning required upon vacating the room.
- 2. Proof that the service animal meets required local health codes (vaccinations, registration when appropriate) must be presented before the animal is brought to campus. Dogs must have current vaccination against rabies and wear a rabies vaccination tag. Local licensing requirements must be followed. Copies of appropriate vaccination certificates must be presented and kept on file in the Health and Counseling Office and the College may request updated verification regarding a service animal’s vaccinations during the period that the animal is permitted on the College’s campus.
- 3. The student must be in full control of the service animal at all times. Service animals must generally be leashed or appropriately restrained (harness, cage, etc.) unless the student’s disability prevents use of a leash or restraints, or the use of one would interfere with the service animal’s ability to be of service.
- 4. It is the student’s responsibility to ensure that the service animal is healthy and clean. A service animal must be clean and well groomed, and effective measures should be taken at all times for flea control. It is also the student’s responsibility to keep living areas clean and to properly collect and dispose of animal waste.
- 5. Service dogs permitted under this Policy are permitted anywhere the student has a need to be on campus.
- 6. Residence hall floors and wings that are designated as animal compatible for certain individuals will be posted as such. Any residents with allergies or other concerns should address those concerns with the Director of Residence Life.
- 7. The student is responsible for the care and supervision of the service animal. The College is not responsible for the care or supervision of the animal. Failure by a student to properly care for a service animal or to maintain a clean environment may result in the revocation of permission to have a service animal on campus.
- 8. The College may place other reasonable conditions or restrictions on the service animal depending on the particular facts and circumstances, including the nature and characteristics of the service animal.

9. Violations of the rules applicable to service animals in this Policy may result in the removal of the service animal from campus property, in the sole discretion of the College.

**B. Assistance Animals**

1. No extra deposit will be collected for residents approved to have an assistance animal on campus, however the resident will be responsible for any damage or excess cleaning required upon vacating the room.
2. The presence of an assistance animal approved under the FHA guidelines is restricted to areas where the student would normally go while living in the residence hall (i.e., hallways, lounges, laundry room). Assistance animals are not allowed in classrooms, administrative offices, dining halls, athletic facilities or any other non-residential facilities. Assistance animals are not allowed in the common kitchen areas of the residence halls under any circumstances.
3. Dangerous, poisonous, and illegal animals are not permitted as assistance animals.
4. Proof that the assistance animal meets required local health codes (vaccinations, registration when appropriate) must be presented before the animal is brought to campus. Dogs must have current vaccination against rabies and wear a rabies vaccination tag. All assistance animals should have the normal shots required for a healthy animal. Local licensing requirements must be followed. Copies of appropriate vaccination certificates must be presented and kept on file in the Health and Counseling Office and the College may request updated verification regarding an assistance animal's vaccinations during the period that the animal is permitted on the College's campus.
5. The student must be in full control of the assistance animal at all times. The assistance animal must be contained within the student's housing at all times, except as required for transportation off-campus or to eliminate waste. The assistance animal must generally be leashed or appropriately restrained (harness, cage, etc.) while in the student's housing, unless the student's disability prevents use of a leash or restraints, or the use of one would interfere with the assistance animal's ability to be of service.
6. It is the student's responsibility to ensure that the assistance animal is healthy and clean. An assistance animal must be clean and well groomed, and effective measures should be taken at all times for flea and pest control. It is also the student's responsibility to keep living areas clean and to properly collect and dispose of animal waste.
7. The College may place other reasonable conditions or restrictions on the assistance animal depending on the particular facts and circumstances, including the nature and characteristics of the assistance animal.
8. Violations of the rules applicable to assistance animals in this Policy may result in the removal of the assistance animal from campus property, in the sole discretion of the College.

**IV. Additional Responsibilities for Students with Service or Assistance Animals in College Housing**

- A. The following list contains requirements that student with a service or assistance animal, must follow:

1. The student is responsible for assuring that the service or assistance animal does not unduly interfere or adversely affect the routine activities of the College housing or other residents. In addition, the student must ensure that the service or assistance animal does not pose a threat to the health, safety, or property of anyone in the College community. If the College determines that the service or assistance animal threatens the health, safety, or property of anyone in the College community, the College will take appropriate measures, up to, and including, a determination that the service or assistance animal may no longer be permitted on campus.
2. The student is financially responsible for the service or assistance animal, including for any bodily injury or property damage caused by the service or assistance animal. The student's financial responsibility may include replacement of furniture, carpet, window, wall covering, and costs of damage to other College owned property, or property of others, caused by the service or assistance animal. The student is expected to cover these costs at the time of repair.
3. The student is responsible for any expenses incurred for required cleaning above and beyond a standard cleaning caused by the service or assistance animal. Any such expenses will be assessed after the student and service or assistance animal vacate the applicable College Housing. The College shall bill the student account for unmet obligations.
4. The student must notify the Director of Health and Counseling, in writing, if the service or assistance animal is no longer needed or is no longer in residence or a replacement service or assistance is needed. The College may require additional information, in its sole discretion, consistent with the procedures described in this policy, as applicable.
5. The College may relocate the student and service or assistance animal if necessary to accommodate other residents with medical condition(s) who are affected by animals, or in other circumstances as deemed appropriate in the sole discretion of the College.
6. The student must continue to abide by all other College policies, including housing policies.
7. Any violation of this Policy may result in immediate removal of the service or assistance animal from the College.

V. Notice and Education to College Community

Where appropriate in the sole discretion of the College, Disability Services staff may provide notice or offer targeted training to members of the College community most likely to come in contact with an assistance animal.

**Further Appeal: Office of Civil Rights**

If you are dissatisfied with the outcome of the College's appeal procedures or wish to pursue an alternative to using those procedures, you may file a complaint against the College with Office of Civil Rights or in a court. You may learn more about the OCR complaint process from the brochure "How to File a Discrimination Complaint with the Office for Civil Rights", which you may obtain by contacting them at the addresses and phone numbers below, or at <http://www.ed.gov/ocr/docs/howto.html>. Boston Office, Office for Civil Rights, US Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921, Telephone: 617-289-0111, FAX: 617-289-0150; TDD: 800-877-8339, Email: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov) or the national office at U.S. Department of Education, Office for Civil Rights, Lyndon Baines Johnson Department of Education Bldg, 400 Maryland Avenue, SW, Washington, DC

20202-1100, Telephone: 800-421-3481, FAX: 202-453-6012; TDD: 800-877-8339, Email: OCR@ed.gov.

*Updated July 2015*

## ALCOHOL AND DRUG POLICY

The Anna Maria College Alcohol and Drug Policy is designed to promote mature, responsible behavior when alcohol is consumed and to eliminate illegal drug use and prescription drug abuse in order to protect the health of students and to encourage the respect of the rights of the College community. AMC values personal responsibility within its community. In that perspective, the College expects that students who consume alcoholic beverages will do so in accordance with existing laws and the policies of the College. Illegal drugs and/or the abuse or misuse of prescription medicines are not tolerated at AMC. This includes possession and/or use of drug paraphernalia.

The College knows that there may be instances where students' choices regarding alcohol and/or drugs will result in medical emergencies. The safety and well-being of the student during the medical emergency is paramount. To encourage reporting of such emergencies, the Conduct Code Official may take such reporting into consideration when determining the sanctioning level for possible infraction(s) of Conduct Code policy by the reporting party.

### Alcohol

All policies and regulations regarding the consumption and/or sale of alcoholic beverages on the Anna Maria College campus and at AMC sponsored events shall be in strict conformity to the appropriate Massachusetts General laws, Federal law, and the Town of Paxton bylaws, as well as College policy and expectations. The current law of Massachusetts pertaining to alcoholic beverages can be found in the Massachusetts General Law, Chapter 138, section 34, 34A, 34B, and 34C.

For the purpose of the Conduct Code, the following are the major policy points:

1. Consumption, possession, purchase, or being in control of alcoholic beverages in any form by anyone less than twenty-one (21) years of age is not allowed on College property or at AMC sponsored events.
2. Provision, distribution, sale, or transportation of alcoholic beverages to/for anyone less than twenty-one (21) years of age is prohibited. This includes providing a place for anyone less than twenty-one (21) years of age to consume alcohol.
3. On College property, alcohol in approved limits and forms may be kept and/or consumed by those twenty-one years of age or older in designated areas only.
  - a. Designated areas include, but may not be limited to, a residence hall room where at least one assigned resident of the room is twenty-one (21) years of age or older and areas on campus where and when the College liquor license is in effect.
  - b. In the residence halls, if no resident assigned to the room is twenty-one (21) years of age or older, there is to be no alcohol, shot glasses, alcohol containers (including empty), and/or alcohol paraphernalia in that room.
  - c. In the residence halls, the limit for alcohol possession per twenty-one (21) years of age or older resident assigned to the specific room is:

- i. one (1) liter of wine OR
  - ii. one (1) liter of spirits OR
  - iii. fifteen (15) twelve (12) ounce or smaller containers, or four (4) forty (40) ounce containers of beer, pre-mixed, or malt beverages (including wine coolers, Zima, hard lemonade, frozen pouches, pre-mixed drinks, etc.).
  - iv. Students cannot combine personal alcohol limits to be in possession of larger containers (for example, 2 roommates combine 2 liters of spirits to buy a handle; the handle would not be allowed).
4. Those who are apparently in violation of this Policy will be asked to remove all alcohol from their possession. This can include a search of and then emptying alcohol from the refrigerator, closet, under beds, backpacks, bureaus, desks, ceilings, and/or other hiding or storage places as deemed appropriate for the situation.
  5. Open containers of alcohol are not permitted outside of designated areas.
    - a. “Open container” for the purpose of the Conduct Code is defined as a can, package, or bottle not having the original factory seal in place, as well as glasses, cups, water bottles, and other non-sealed containers.
    - b. Open containers are not allowed in the public areas of the residence halls (for example hallways, lounges, lobbies, laundry rooms, computer labs, and bathrooms) at any time.
    - c. Open containers are not allowed in outside public areas including, but not limited to, parking lots, open air stadium seating, areas adjacent to buildings, walkways, sidewalks, and playing fields, with the exception of a sponsored event under the Campus liquor license.
    - d. Paxton Police and/or any AMC staff member may check open containers for alcohol.
  6. Large containers of alcohol including, but not limited to beer, malt or pre-mixed beverages in containers over 40 ounces, kegs, beer balls, boxes over one liter, and handles, are not allowed (with the exception of a sponsored event under the Campus liquor license). Such containers shall be confiscated and forfeited, including taps (with or without keg present).
  7. Not allowed on AMC property or at AMC sponsored events are: common sources of alcohol such as spiked punch (with the exception of a sponsored event under the Campus liquor license); Jell-O shots; grain alcohol; powdered alcohol; and alcohol beverages with caffeine added.
  8. The manufacture of alcoholic beverages on campus property is prohibited.
  9. The sale of alcoholic beverages on campus property, with the exception of a sponsored event under the Campus liquor license, is prohibited.
  10. Possession or use of drinking paraphernalia, hosting or participating in drinking games, and/or engaging in behaviors promoting binge drinking are prohibited.
  11. A person is responsible for his/her behavior. Having consumed alcohol does not excuse behavior. Behavior which is disruptive, harmful to self or others, and/or which leads to the destruction of property is prohibited and will result in appropriate disciplinary action.

12. Operating a motor vehicle under the influence of alcohol is against State law and is not permitted on campus.

### **Drugs**

1. Use or possession of illegal drugs and/or the abuse or misuse of prescription medicines on campus property or at AMC sponsored events is prohibited.
2. Possession or use of drug paraphernalia on campus property or at AMC sponsored events is prohibited.
3. Use or possession of marijuana, including medical marijuana used or possessed under Massachusetts law, is prohibited on campus or at AMC sponsored events. Any such use or possession is a violation of the Student Conduct Code. Federal law, including the Drug Free Schools Act, continues to prohibit marijuana. Thus marijuana use is prohibited on campus or at AMC sponsored events. Information about marijuana laws in Massachusetts can be found in MGL c94 and Acts 2012, Chapter 369, section 7D.
4. Manufacturing, distributing, providing, or selling drugs or drug paraphernalia on campus property or at AMC sponsored events is prohibited.
5. Misuse of legal substances; use of general products as intoxicants or “means to get high”; and inhaling or ingesting a substance (including but not limited to bath salts, nitrous oxide, glue, paint, gasoline, solvent, etc.) other than in connection with its intended purpose is also prohibited on AMC property and at AMC sponsored events.
6. Evidence of drug policy violations and actions showing sufficient grounds for full disciplinary actions include but are not limited to: the presence of a controlled substance/illegal drug; drug paraphernalia; smoke or odors (in the case of marijuana). All students present at the time of the violation and, if in the residence hall, all residents of the room (present or not) may be held responsible for the infraction.
7. Operating a motor vehicle under the influence of illegal drugs or while impaired due to using prescription medicine is against State law and is not permitted on campus.
8. A person is always responsible for his/her behavior. Being under the influence of any drug does not excuse behavior. Any behavior which is disruptive, harmful to self or others, and/or which leads to the destruction of property is prohibited and will result in appropriate disciplinary action.
9. Those who are apparently in violation of the Alcohol and Drug Policy will be asked to remove all illegal drugs, prescription drugs for which they do not hold a prescription and drug paraphernalia from their possession. This can include a search of and then removing such items from the refrigerator, closet, under beds, backpacks, bureaus, desks, ceilings, and/or other hiding or storage places as deemed appropriate for the situation.

### **Alcohol and Drug Education**

Abuse of and/or addiction to alcohol and other drugs has serious physical, mental, emotional, and social consequences. An overdose of alcohol or illicit drugs can cause psychosis, convulsions, coma, or death. Regular use of alcohol or drugs can lead to a real physical and/or psychological need for the substance so that daily activities come to revolve around getting more of the substance. The regular use of alcohol or drugs interferes with academic achievement and it often disrupts or destroys relationships because

dependency leads to placing the need for alcohol or drugs above the need for relationships. Continued use of alcohol or drugs can be very expensive and may cause users to turn to crime to pay for their habit. Long term abuse of alcohol or other drugs can lead to organic damage, mental illness, malnutrition and death. As the result of long term abuse of alcohol, the individual often gives up on goals and plans, quits growing as a person, and turns to more alcohol or drugs as a solution.

Abuse of and/or addiction to alcohol and other drugs occurs on all college campuses. Anna Maria College recognizes that this situation exists and is taking steps to address the problem on this campus. Anna Maria College has resources available to assist students who wish help around issues of alcohol and/or drug use. The Health and Counseling Center personnel are available to talk confidentially with students about concerns and can refer students to appropriate off campus agencies for assistance if needed. If you have any questions about your own or someone else's drug and/or alcohol use, please utilize these free, confidential services. The Health and Counseling Center office is located at the far end of Trinity East in the Trinity Annex.

### **Possible Sanctions**

Violations of State or Federal laws or town of Paxton by-laws can result in arrest, citation, and/or criminal prosecution by police. At AMC, violations of the Alcohol and Drug Policy will result at minimum in disciplinary action.

Each discipline situation is unique and will be heard upon its own merits. Sanctioning for violations is based upon the severity of the violation(s), the sanctioning used in the past for similar violation(s), the disciplinary history of the student including all prior offenses and current disciplinary status, and the impact of the violation(s) on the community. There are standards which are used when sanctions for violations are being considered.

The following are *examples* of the sanctions that may be given for the basic violation described. Understand that this is just a guideline for students so that they may see possible consequences for choices they might make. This list is not all inclusive nor is it to be taken as absolute; it is meant as a general guide only.

#### *Violations Involving Alcohol*

The span of time between first and second is not affected by the student turning 21, or, in other words the record is not "cleaned" when the student turns 21.

1. First violation, underage student in possession of alcohol; alcohol present under one (1) liter of wine, one (1) liter of spirits, and fifteen (15) twelve (12) ounce or smaller containers of beer, pre-mixed, or malt beverages (including wine coolers, Zima, hard lemonade, frozen pouches, pre-mixed drinks, etc.):
  - a. Community Service (5 hours)
  - b. Educational Component – Classes (could have cost associated)
  - c. Fine: \$50, increase to \$150 if failure to complete community service.
  - d. Parental, club/organization advisor, and coach notification possible
  - e. Confiscation of alcohol and all paraphernalia
2. Second violation within approximately 100 days, underage student in possession of alcohol in amounts as described in Paragraph 1:
  - a. All sanctions in point 1 above at increased levels
  - b. Disciplinary Probation– See “DP”
  - c. Counseling evaluation on campus

3. First violation, underage student in possession of alcohol, alcohol present greater than one (1) liter of wine, one (1) liter of spirits, and fifteen (15) twelve (12) ounce or smaller containers of beer, pre-mixed, or malt beverages (including wine coolers, Zima, hard lemonade, frozen pouches, pre-mixed drinks, etc.); or common sources of alcohol such as spiked punch; Jell-O shots; grain alcohol; powdered alcohol; alcohol beverages with caffeine added; or drinking games/paraphernalia regardless of quantity of alcohol present:
  - a. Possible suspension from residence halls: minimum five (5) days
  - b. Possible Disciplinary Probation – See “DP” (probable when drinking games/paraphernalia are present)
  - c. Counseling evaluation on campus
  - d. Community Service (10 hours)
  - e. Fine: \$75 (increase to \$225 without community service)..
  - f. Educational Component – Classes (could have cost associated)
  - g. Confiscation of alcohol and all paraphernalia
  - h. Parental, club/organization advisor, and coach notification possible
4. Second violation within approximately 100 days, underage student in possession of alcohol, alcohol present in amounts described in paragraph 3:
  - a. Possible Behavior Contract – See “BC”
  - b. Suspension from the residence halls: minimum of 10 days
  - c. All sanctions in point 3 above at increased levels
5. Of age student, alcohol present less than double the allowed limit with no underage persons present, or open container public area:
  - a. Fine: \$50.
  - b. Confiscation of all alcohol and all paraphernalia
6. Of age student, alcohol present more than double allowed quantity, or common sources of alcohol such as spiked punch; Jell-O shots; grain alcohol; powdered alcohol; alcohol beverages with caffeine added; or drinking games/paraphernalia; or under aged person(s) drinking/in possession/culpable:
  - a. Disciplinary Probation – See “DP” to possible Behavior Contract – See “BC”
  - b. Community Service (10 hours)
  - c. Educational Component – Classes (could have cost associated)
  - d. \$50, increase to \$200 if failure to complete community service.
  - e. Confiscation alcohol and all paraphernalia
7. Second violation within approximately 100 days by of age person (even if first violation was when under 21)
  - a. Disciplinary Probation – See “DP” to possible Behavior Contract – See “BC”
  - b. All sanctions from point 6 above

#### *Overview of Basic Disciplinary Probation (DP)*

Generally minimum of 100 days, maximum of 150 days

1. Not in halls during breaks/ outside the contract period if resident student
2. Banned from residence halls if commuting student
3. Possibly not in good disciplinary standing: cannot represent the College
  - No varsity sports

- No office of club / organization /class
  - No SGA executive board member
  - No Admission work
  - No Study Abroad
  - No RA position
  - No Summer Hall residency
4. Possible suspension / ban from halls and / or social events
  5. Counseling Evaluation Required (possibly outsourced) where appropriate
  6. Increase Fines (if appropriate)
  7. Parental Notification (if appropriate)
  8. Coach / Advisor (club, org, SGA) notification (if appropriate)
  9. Increased educational component

*Overview of Basic Behavior Contract (BC)*

Generally minimum of 151 days – maximum two (2) calendar years (average being one (1) calendar year)

1. All of Disciplinary Probation *plus*
2. Not in good disciplinary standing; cannot represent the College (see DP for list)
3. Possible suspension from residence halls (if commuter banned for duration of BC)
4. If resident student, Possible suspension from halls on weekends or additional time
5. Restriction of Activities on Campus
6. Counseling Evaluation Required (possibly outsourced) where appropriate
7. Random Room Checks (if resident student)

*Violations involving drugs*

There is a “zero tolerance” policy regarding all drug (marijuana included) violations. Drug violations can involve immediate suspension from the College and will always include a notification to the Paxton Police Department. Violations involving drugs will at minimum result in a Behavior Contract and possibly being restricted to campus for classes only. In most cases, a second drug violation will result in suspension or expulsion from the College.

*Samaritan Policy*

The purpose of sanctions is to deter and educate so that a positive educational community is established. At no time should the threat of a possible sanction deter an individual from seeking medical assistance

for self or another. Although policy violations cannot be overlooked, the College will consider the positive impact of reporting an incident when determining the appropriate response for policy violations. The College may choose to mandate only an educational sanction for those individuals who report or seek assistance for self or others when the use of alcohol or drugs has created a threat to an individual's safety.

*Revised July 2016*

### CLEAN INDOOR AIR ACT (MASSACHUSETTS)

**The Massachusetts Smoke-Free Workplace Law**, also known as “*An Act Improving Public Health in the Commonwealth*” or Massachusetts General Laws, Chapter 270, Section 22, was signed by Governor Romney on June 18, 2004 with an emergency preamble making it **effective on July 5, 2004**. The law **prohibits smoking in public and private workplaces**, with very limited exceptions.

**Employer** is defined as “an individual, person, partnership, association, corporation, trust, organization, school, college, university or other educational institution or other legal entity, whether public, quasi-public, private or non-profit which uses the services of 1 or more employees at 1 or more workplaces, at any 1 time, including the commonwealth or its agencies, authorities or political subdivisions.”

**Employers are responsible for providing a smoke free environment** for all employees working in an **enclosed** (bounded by walls, with or without windows, continuous from floor to ceiling and enclosed by 1 or more doors) **workplace** (an indoor area under the control of the employer where 1 or more employees perform service for compensation for the employer).

**Smoking** (“the lighting of a cigar, cigarette, pipe or other tobacco product or possessing a lighted cigar, cigarette pipe, or other tobacco or non-tobacco product designed to be combusted and inhaled”) is prohibited in workplaces, work spaces, common work areas, classrooms, conference and meeting rooms, offices, elevators, hallways, medical facilities, cafeterias, employee lounges, staircases, restrooms, enclosed outdoor platforms, restaurants, bars, supermarkets, theaters, auditoriums, schools, public transportation, public buildings, etc.

**Designated smoking areas** within a building are not permitted under the law, unless one of the limited exemptions applies.

The following are exemptions where smoking may be permitted if certain conditions, exception details, and requirements are met (the full text of the law should be reviewed before deciding to permit smoking under an exemption):

1. Private residences, except when the residence is being used to operate a group childcare center, school age day care center, school age day or overnight camp, a facility licensed by the office of child care services, or a health care related office;
2. Membership Associations (Private Clubs), defined as non-profit voluntary groups, organized under Massachusetts general Laws, Chapter 180, while not open to either the public or non-members who are not invited guests;
3. Guests rooms in hotels, motels, or similar accommodations that have been designated as “smoking” rooms;
4. Retail tobacco stores that prohibit entry to anyone under the age of 18;
5. “Smoking” bars that prohibit entry to anyone under the age of 18;

6. By performers on stage or in film productions;
7. Religious ceremonies where smoking is part of the ritual;
8. Nursing homes that have received approval from the local board of health may have a designated smoking area for permanent residents only;
9. Tobacco laboratories/tobacco testing facilities that conduct medical or scientific research on tobacco smoke;
10. Tobacco industry workplaces where smoking is necessary to conduct quality assurance tests.

Smoking may be permitted in an outdoor area, which is open to the air at all times, cannot be enclosed by a wall or side covering, and is physically separated from an enclosed work space. If doors, windows, or other openings form any part of the border to the outdoor space, the openings must be closed to prevent migration of smoke into the enclosed work space. If smoke can migrate into the enclosed work space, smoking may not be permitted in the outdoor space.

Employers must also **Post “No Smoking” signs** in the workplace that are clearly visible to all employees, customers, or visitors. Approved signs may be obtained from the local board of health or the Massachusetts Department of Public Health, or downloaded from the DPH website:

<http://www.mass.gov/eohhs/gov/departments/dph/programs/mtcp/>

**Employers may not discriminate or retaliate** against a person, who makes a complaint of a violation or furnishes information concerning a violation of the law.

**Owners, managers, or other persons** in control of the building, vehicle, or vessel who permit smoking in violation of the law may be fined **\$100 for the first violation; \$200 for a second violation** occurring within two (2) years of the first offense; and **\$300 for a third or subsequent violation** within two (2) years of the second violation. Each calendar day on which a violation occurs is considered a separate offense. A business' license to operate may be revoked or suspended for repeated, egregious violations.

An **individual who violates this law by smoking** in a place where smoking is prohibited **is subject to a \$100 penalty** for each violation.

If a violation occurs in a city or town that has an ordinance or by-law that imposes a greater penalty, the **local by-law or ordinance will prevail over the state law.**

The law is enforced by the local board of health, the Massachusetts Department of Public Health, the local inspection department, a municipal government or its agent, and the alcoholic beverages control commission. Also, in Boston, the commissioner of health will enforce the law.

Corporations may be eligible to take a **tax deduction** for the amount paid for the prior purchase and installation of smoking accommodations. “Smoking accommodations” means any materials directly and necessarily used in the construction to install or modify a dedicated smoking area that is designed exclusively to reduce the presence of smoke within the building.

## CLERY ACT: CAMPUS SECURITY, FIRE SAFETY, AND CRIME STATISTICS (FEDERAL)

The entire Annual Security and Fire Safety Report is available here:

<http://www.annamaria.edu/annualsecurityreport>

### Overview

The Crime Awareness and Campus Security Act of 1990 was enacted by Congress in response to what they perceived to be crime risks on college campuses and the need for students, prospective students and employees to be aware of crimes on their campuses. It was hoped that with increased awareness, students and employees would be more responsible for their own security and that of others. The act was amended in 1992, 1998 and 2000. In 1998, the amendments renamed the law the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of a student, who was slain in her residence hall in 1986. The act is now generally referred to as the Clery Act. In 2008, the Higher Education Opportunity Act (HEOA) amended the Clery Act creating additional safety and security related requirements.

The Clery Act requires colleges to collect information and publish an annual report on campus crime statistics, fire statistics for on campus student housing facilities, campus security policies and campus fire safety policies. This annual report must be distributed to all current students and employees and to prospective students or employees upon their request. This annual report is also sent to the U. S. Secretary of Education upon request. AMC publishes the Clery Report on its web site annually and has copies available on request in the following offices: Human Resources, Public Safety, and Student Life. An email to all AMC students and employees is issued in the fall to notify them of the updated Clery Report's availability and to urge them to read it. This overview and summary is NOT meant in any way to take the place of the full [Campus Safety Report](#).

### Reporting Crime

While Anna Maria College is a relatively “crime-free” campus, it will remain so only if all staff and students work together to ensure safety on campus. Anyone with information regarding a possible crime or other emergency situation that poses a threat to the Campus community should call Paxton Police at 911 or 508-494-9010 immediately! To provide the safest campus environment possible, the College requires that employees and students promptly report all emergencies and criminal activities. Prompt (within 24 hours of becoming aware of the situation or immediately if life-threatening) reporting is vital in maintaining a secure community. This is vital on either the Paxton Campus or all off campus locations where classes are held.

While any member of the College community may assist another in the reporting of suspected criminal activity, the following are designated as persons on campus to whom to report suspected criminal activity:

## Resource People for Reporting Suspected Criminal Activity and/or Possible Missing Student

<b>Paxton Police Officer</b>	Officer on duty cell phone	508-494-9010
<b>Paxton Police Sgt. Savasta</b>	Paxton Police at AMC Office, Foundress Hall	508-849-3230
<b>Paxton Police Chief Desrosiers</b>	Public Safety Complex, Town of Paxton	508-755-1104, x 3131
<b>Director of Human Resources, (Title IX Coordinator)</b>	Human Resources Office, Socquet House first floor	508-849-3398
<b>Vice President for Student Affairs,</b> Andrew Klein (Deputy Title IX Coordinator)	Trinity Hall East, Second Floor	508-849-3313
<b>Dean of Student Life,</b> Lisa Saverese	Bishop Flanagan Campus Center	508-849-3312
<b>Any Residence Life staff member, including RAs</b>		

### **Missing Student**

If a person feels that an AMC student is missing, he/she should report the concern to Paxton Police directly or to any of the staff listed in the chart above. The designated person from the chart above to whom this information is reported shall contact Paxton Police, which will conduct an immediate investigation.

AMC students may complete the “missing student notification information” form with the Director of Residence Life, Flanagan Campus Center, to register the name and contact information of a contact person to be notified within 24 hours of the report being received by Paxton Police. If a student is reported missing and is under the age of eighteen and not an emancipated minor, his/her parent or guardian will be notified and law enforcement will be notified within 24 hours if it is determined that the student is missing.

### **Emergency Notification**

When a situation arises that, in the judgment of the Paxton Police Sergeant in Charge or designee, constitutes a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or staff occurring on the campus, there will be a campus wide “timely warning” issued (unless the notification will compromise efforts to contain the emergency). In such emergencies, the campus uses a voice mail, text message and email messaging notification system which reaches all AMC community members who have provided their contact information and are signed on for Connect-Ed. This mass notification system is tested each semester. The community is reminded of the system and its functions prior to each test. Follow up information is provided as needed on the AMC web page and/or by regular email distribution method.

Also used to communicate in emergencies are other appropriate method(s) which can include any of the following: posting on the campus web site, campus wide email, voice mail and/or flyers placed in student and employee mailboxes. Notices may also be posted in visible locations in residence halls, the Bishop

Flanagan Campus Center and key classroom locations. In some situations, door to door notification may be done.

All AMC community members are expected to heed all emergency warnings and to follow the instructions of Paxton Police and responding emergency personnel. Emergency response and evacuation procedures are currently being revised and will be posted on the AMC web site when complete. The assessment and evaluation of the current emergency plan and capability is done through regularly scheduled drills, exercises and appropriate follow-through activities. Residence hall evacuation procedures are posted in the residence halls and are drilled at least once each semester.

## **COMMUTER LOCKER POLICY**

Anna Maria College provides a limited number of lockers for use by current commuting undergraduate students. Lockers are the property of Anna Maria College. Students misusing lockers and/or violating this policy may be subject to disciplinary action under the Anna Maria College Student Code of Conduct. Any questions about this policy should be directed to the Dean of Student Life.

- Lockers are for use by currently enrolled undergraduate Anna Maria College commuting students only.
- Lockers must be signed out at the Student Life Office each semester. The Student Life Office will supply the student with an authorized lock for use for that semester. The student may not change the combination of this lock. Locks must be turned in by the last day of final exams in each semester. Failure to turn in the lock will result in a \$50 fine and loss of commuter locker privileges.
- No personal locks may be placed on the lockers. Any personal locks will be removed by whatever means needed by the College. Any items found in a locker with a personal lock will be disposed of at the discretion of the Dean of Student Life. The student responsible for placing a personal lock on the locker will be subject to discipline and a fine of no less than \$50.
- Students are responsible for all risk to their belongings when choosing to use a locker. Anna Maria College is not responsible for items left in lockers which are secured or unsecured.
- Students are responsible for keeping their assigned lockers in a sanitary manner. Lockers must be left clean. Items left in lockers after the last day of finals will be removed and disposed of at the discretion of the Dean of Student Life. Students leaving a locker in an unsatisfactory condition will be charged a minimum of \$30 for cleaning.
- Anna Maria College reserves the right to inspect the contents of any locker at any time. Inspections will routinely be conducted by the Dean of Student Life. Any locker found to have items that are in violation of Anna Maria College policy will result in the contents being confiscated and the student being held responsible for any violation through the Anna Maria College Student Code of Conduct.

*Revised June 2014*

## **COMPUTER USE POLICY**

Anna Maria College makes its computing facilities and network available for the use of undergraduate students, graduate students, faculty and staff of the College. Those who use the Anna Maria College computing facilities or network do so as members of the College community and are expected to conduct themselves accordingly.

The continued ability to use the network and computing facilities of the Anna Maria College is a privilege, granted only to the qualifying members of the College community. As such, a responsibility for the proper utilization of such facilities lies with the user.

The conditions, which constitute this agreement, are listed below:

- I. Every user is responsible for the integrity of the College computing resources.
  - A. All users must respect the rights of other users to the extent possible and includes:
    1. The privacy of personal communication and documents
    2. Security provisions granted to individual users
    3. The priority of educational applications over personal and/or gratuitous usage
    4. Safe guarding against the misuse, vandalism, or theft of computing services and/or equipment
  - B. All users must be aware of and accept that:
    1. All accounts, applications and facilities are owned by the College, and as such are restricted and governed by the College, existing state and federal laws, and the conditions of this policy
    2. The College reserves the right to restrict, limit, grant, rescind or extend computing privileges and access to its information resources, to any or all individuals and/or organizations
    3. Computing facilities are to be used for activities related to, or sponsored by, the College and its mission
  - C. All computer users must agree and recognize, upon acceptance of a computer usage account, that:
    1. The use of College computing facilities shall not be used for commercial, profit, or corporate activities
    2. Usage must respect all existing copyright, contractual, and licensing laws and agreements
    3. The College is not responsible for loss of documents, data, or personal information as the result of system failure, hardware malfunction, or faults incurred by the network
  - D. All users acknowledge that:
    1. Anna Maria College considers violations of the acceptable use policy to be a most serious offense
    2. Violators of the policy shall be dealt with to the fullest extent of the Student Code of Conduct, or if applicable, criminal law and prosecution
    3. Intentional attempts to impede, restrict, corrupt, or in any other way disrupt the efficient operation of the Anna Maria computer system, shall be construed as a blatant and intentional attempt to breach the integrity and security of the campus computer system, and shall be subject to the fullest extent of disciplinary policy and/or law
    4. The portrayal or transmission of any information, in any manner that appears or can be construed as, being sponsored by the college without specific permission, is expressly prohibited.

## E-MAIL POLICY

It is the policy of the IT department at AMC that only the amcat.edu account be used for student academic and business electronic communications. All official electronic communication initiated by College offices for students are sent to students' College e-mail accounts. This applies to all students. It is important that students check their AMC Web mail often. Students who need help with the login should contact the IT department at [itsupport@annamaria.edu](mailto:itsupport@annamaria.edu).

## DINING HALL AND HUB: STUDENT AND GUEST POLICY

The Dining Hall is considered a “closed” room: students and guests using the Dining Hall must purchase a meal to be in the room during meal hours. The Hub is considered an “open” room: all members of the Anna Maria College community and guests are welcome. All patrons of the Dining Hall and Hub are expected to abide by the following policy. This Policy will be enforced under the Anna Maria College Student Code of Conduct. All members of the AMC community are urged to bring possible violations of this policy to the immediate attention of the Dining Hall or Hub Manager on Duty.

1. To receive entry into the Dining Hall during a meal period, all students must either present a valid AMC ID with an available meal or purchase a meal. Guests must purchase a meal or use one of the “guest meals” on a student host’s meal plan. No exceptions will be granted. Students and guests are not permitted to utilize the Dining Hall in any way without paying for a meal in the Dining Hall. Students and guests may use the Hub seating area for eating personal meals and/or food purchased in the Hub.
2. Persons without a meal plan or resident students without an ID and/or who have used the week’s allotment of meals on their meal plan may purchase a meal using cash, credit card, declining balance dollars, or a valid commuter block. A student may not bill a meal or food from the Hub to the AMC account.
3. Civility and respect are important to the AMC community. Patrons of the Dining Hall and Hub are expected to treat employees and each other in a civil and respectful manner. This includes, but is not limited to: speaking to each other in a respectful way; cleaning up one’s own plates, cups and mess; following safe-food handling practices; and sharing public resources such as the T.V. and games. Patrons of the Dining Hall and Hub are expected to follow the direction of the Sage staff members.
4. The Dining Hall is an eat-in facility. One ice cream cone or one piece of fruit may be taken out of the Dining Hall by a patron. Concealing any quantity of food when leaving the Dining Hall is not permitted. The Hub is an eat-in or carry-out facility. Food purchased in the Hub may not be brought into the Dining Hall.
5. Dishes, utensils, and glassware may not be taken from the Dining Hall.
6. To avoid the spread of disease, sickness and germs, all patrons of the Dining Hall and Hub are expected to use safe-food handling practices. All serving utensils are to be used as designated and should never be placed in individuals’ mouths. A clean plate must be taken when returning to the serving line. Shoes and shirts must be worn at all times.
7. Only working ADA recognized service animals may be brought into the Campus Center including the Dining Hall and Hub area.
8. Students who are regularly off campus during a meal period due to academics, such as internships or student teaching, may adjust their meal plan to the Internship Meal Plan Option (10 meals per week & \$150 flex). Please see the Director of Residence Life for this adjustment.

Questions, suggestions, or concerns about the Dining Hall or Hub may be directed to the Sage Food Service Director, Ron O’Rourke at [rorourke@annamaria.edu](mailto:rorourke@annamaria.edu), 508-453-4165.

## DRUG FREE SCHOOLS & COMMUNITIES ACT

Anna Maria College is subject to and follows the Drug Free Schools and Communities Act Amendment of 1989. Under no circumstances will the possession, use, or sale of illegal drugs be tolerated at the College.

In Massachusetts, Chapter 369 “An Act for the Humanitarian Medical Use of Marijuana” allows for the controlled use of medical marijuana. Although students, staff, and faculty who legally obtain a medical marijuana “registration card” from the Massachusetts Department of Public Health are allowed to possess and consume certain quantities of marijuana, doing so is not permitted on AMC property or at AMC 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. To be in compliance with the Drug Free Communities and Schools Act, as well as other Federal laws, the College prohibits any form of marijuana use on campus, including “medical marijuana”.

Recognizing the nationwide problem of substance use/abuse, the College has implemented educational programming which attempts to prevent the use of illicit drugs and the abuse of alcohol by students. During Orientation and throughout the academic year, various campus groups sponsor films, speakers, theater groups, and workshops dealing with substance use/abuse. Students are encouraged to attend these educational programs which are open to all students at no charge.

The staff in the Health and Counseling Office is available free of charge to discuss substance use/abuse with students in a confidential setting. The Health and Counseling Office staff has access to off campus resources if a referral is deemed appropriate. The Health and Counseling Office is located in the Trinity East Annex. The Director is Linda Aronson who may be reached at 508-849-3315, [laronson@annamaria.edu](mailto:laronson@annamaria.edu).

## FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT: FERPA NOTIFICATION

Under the Family Educational Rights and Privacy Act (FERPA), Anna Maria College students are afforded certain rights when it comes to education records. The information below outlines these rights:

### **Disclosure of personally identifiable information**

Education records are not accessible to a parent or guardian without a student’s written consent, unless the parent/guardian provides a certified copy of the most recent Federal income tax return that shows the student is a dependent. Even if a parent shows that the student is a dependent, FERPA allows, but does not require, the College to release the education record.

If the College believes it is in the student’s best interest, information from the education record may be released to a parent/guardian in cases such as:

- When a student’s health or safety is in jeopardy
- When a student under the age of 21 years engages in alcohol- or drug-related behavior that violates College policies
- When a student has been placed on academic probation
- When a student has voluntarily withdrawn from the College or has been required by the College to withdraw
- When a student’s academic good standing or promotion is at issue
- When a student has been placed on a Behavior Contract or stronger restriction
- When a student engages in behavior calling into question the appropriateness of the student’s continued enrollment in the College

A student has the right to consent to disclose personally identifiable information contained within his/her education record, except where FERPA authorizes disclosure without consent. Information may be released:

- To the student
- To the parents of a dependent student
- To a College official
- To a party seeking directory information
- To a party receiving the information pursuant to a judicial order or lawfully issued subpoena
- Regarding student disciplinary proceedings as expressly permitted by FERPA, including but not limited to notification to an alleged victim of any crime of violence of the results of any College disciplinary proceeding against the alleged perpetrator of that crime with respect to that crime.
- To parties otherwise authorized to receive the information pursuant to FERPA

If a student wishes the information to be released to a third party, he/she would file a “Student Information Release Authorization” with the appropriate office.

Type of Record	Kept at Custodian/Office
Academic, Placement, Directory Information	Registrar/Cardinal Cushing Hall
Academic Progress/Grades	Vice President for Academic Affairs/Trinity Hall
Discipline	Vice President, Student Affairs, Trinity Hall
Financial Records	Chief Financial Officer/Cardinal Cushing Hall

### Access to Education Records

If a student wishes to inspect and review his/her education records, he/she should make a request in writing to the custodial office of the specific record he/she wishes to review. See the table above for the correct custodial office for a specific record. If a student does not know to which custodial office to make the request, he/she may contact the Registrar. The custodial office must respond to the written request within 45 calendar days. When a record contains information about more than one student, the requesting student may inspect and review only the portion of the record which relates to him/her. The College reserves the right to charge the student for copying, copying time, and postage should such services be requested.

The College may refuse access to the following records:

- Financial statement of the student's parent(s)

- Letters and statements of recommendation for which the student has waived his/her right of access, or which were placed in file prior to January 1, 1975
- Records connected with an application to attend AMC or a component unit of AMC if that application was denied
- Those records which are excluded from the FERPA definition of education records

### **Amendment of Education Records**

If a student believes that his/her education record is inaccurate or misleading, he/she may make a request in writing to the appropriate custodial office, identifying which records he/she wishes to have amended and providing supporting documentation as to why he/she desires the amendment. Anna Maria College may comply with the request to amend or it may decide not to comply.

If the College decides not to comply, the Registrar will notify the student of the decision and advise him/her of his/her right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights. Upon request by the student for a hearing, the Registrar will arrange for a hearing and notify the student of the date, place, and time of the hearing. The hearing will be conducted by a hearing officer who is a disinterested party; however, the hearing officer may be an official of the College. The student shall be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the education record. The student may be assisted by one or more individuals, including an attorney.

### **Directory Information/Privacy Blocks**

Anna Maria College designates “directory information” as: student ID number; first name; last name; class; major; AMC email address; photograph; enrollment status; participation in officially recognized activities and sports; degrees, honors, and awards received; and AMC mailing address. For varsity athletes, “directory information” also includes: height, weight, hometown, and home state. If a student does not wish to have his/her directory information released, he/she must complete within two weeks of the beginning of the academic term a nondisclosure form available in the Registrar’s Office in Cardinal Cushing Hall. Once a student completes and submits this form, his/her directory information will be withheld for life, even after he/she is no longer a student, unless he/she rescinds the request in writing to the Registrar’s Office.

- If a student blocks directory information, it may still be inspected by those College officials authorized by FERPA to inspect education records without consent.
- Blocking directory information does not allow a student to be anonymous within the classroom.
- If a student blocks his/her directory information, it cannot be released to friends, family, prospective employers, the news media, student activities, and honor societies.
- Some reasons for considering a privacy block on directory information may include harassment or the advice of a legal or medical professional.
- If a student would like to keep “directory information” private, but release information so it can be published in commencement programs and honor lists, he/she must contact the Registrar’s Office in Cardinal Cushing Hall.

## **College Officials with Legitimate Educational Interests**

A student's education records may be disclosed, without consent, to College officials with legitimate educational interests. These include, but are not limited to other than as limited by FERPA policy, people employed by the College in administrative, supervisory, academic, research, or support staff roles (including Paxton Police personnel and health staff); people contracted by the College as an agent for the College to perform particular services (such as an attorney, auditor, food services, maintenance/housekeeping services, or collection agent); people serving on the Board of Trustees; students serving on official committees or assisting other school officials in performing tasks; or volunteers or other non-employees with legitimate educational interests. A legitimate educational interest is present if the College official needs to review an education record in order to fulfill professional responsibilities.

### **Filing a Complaint**

If a student feels that the College has failed to comply with FERPA requirements, he/she has the right to file a complaint with the U.S. Department of Education's office that administers FERPA at:

Family Policy Compliance office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

*Revised July 2015*

## **HATE CRIMES, DISCRIMINATION, BIAS INCIDENT REPORTING**

Anna Maria College (AMC) is committed to an inclusive living and learning community where differences are celebrated, each member of the campus is valued and where an atmosphere of civility and respect is a fundamental expectation. An informed awareness of the climate on campus is an essential part of Anna Maria College's efforts to create a supportive academic, residential, and professional environment for our diverse population of students, faculty, and staff.

In order to provide a community consistent with the above statement, AMC provides policies and procedures through the following: the Student Code of Conduct, the College's Code of Ethics, and the Whistle Blower, Protected Class Harassment and Title IX Policies. This Hate Crime, Discrimination and Bias Incident Policy complements those policies and provides for the maintenance of an educational environment free from discrimination and bias. Anna Maria College prohibits discrimination and harassment based on an individual's participation in a protected activity (such as reporting alleged discrimination or harassment). As with any reporting of policy violations, individuals who report incidents of discrimination or bias are protected by the Anna Maria College Retaliation Policy. All policies referenced in this section may be found at [College Policies](#).

This policy is in place to protect the rights of all members of the College community including students, employees (including all part-time and full-time) as well as independent contractors, volunteers who perform work for the College and vendors, alumni, and guests or visitors of the College.

Anna Maria College values the right to free speech and the open exchange of ideas. Defining behavior that is not acceptable in a community which values freedom of expression is a complex task. It is important to note that not every act which may be offensive to an individual or group will be considered to be discriminatory conduct and/or a violation of institutional policy. Whether a specific incident constitutes harassment, bias, or discrimination proscribed by college policy will be decided on a case-by-case basis. Due consideration will be given to the protection of freedom of expression and academic freedom.

Anyone filing a complaint concerning hate crimes, discrimination, or bias incidents must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of Hate Crimes, Discrimination, and Bias Incident Policy. The College recognizes that false accusations can have serious effects on innocent persons. If, after an investigation has been completed, a student has accused another of bias or discriminatory behavior based on frivolous, reckless, or bad-faith complaints leading to a false accusation, the false report will be treated as an alleged violation of the Student Code of Conduct.

### **Definitions**

**Bias Incidents** are defined for the purpose of this policy as non-criminal activity committed against a person or property that is motivated, in whole or in part, by the offender's bias against an individual or group because of the individual or group's actual or perceived gender, gender identity/expression, race, color, religion or religious creed, sexual orientation, national origin, citizenship status, , physical or mental dis/ability, physical appearance (i.e., height/weight), medical condition, age, , marital status, military status or membership in any other protected class in the State of Massachusetts.

Examples of bias incidents may include, but are not limited to: offensive graffiti or images/drawing non-threatening, name calling and using degrading language or slurs directed toward a person because of his or her membership (or perceived membership) in a protected class, pejorative comments or stereotypes about a protected class of people. This includes, but is not limited to, occurrences when the incident coincides with a holiday or a date of particular significance relating to a race, religion, disability, sexual orientation, or nationality.

Bias incidents include creating hostile environments by use of discrimination and harassing behavior that is severe, persistent or pervasive to the point that it threatens an individual or limits the ability of the individual to work, study, or participate in College life.

**Hate crimes** are criminal offenses that accompany crime with an added element of bias towards a federally protected class of people.

**Discrimination** is unfavorable, unfair or inequitable treatment of a person or a class of people based on membership in a protected class as defined above.

**Harassment** An act deemed to be a hate crime or bias-related incident may also be considered a violation of the College Protected Class Harassment Policy found at [College Policies](#). Please see the policy for definitions, reporting and investigation procedures under that policy. Any act that is deemed to be a violation of both policies will be subject to a concurrent investigation and disciplinary action if so determined.

### **Reporting**

Any member of the College community who becomes aware of a hate crime or bias related incident shall immediately report the information in accordance with the procedures outlined below. There is no time limit under which an incident may be reported, however the longer between the incident and the report the more difficult it will be to reconstruct and investigate the charges.

The College will respond to all reports, including verbal reports, however there is a preference to receive a written report for all allegations to ensure accuracy of the reports.

The College has designated the following officers for investigating violations of policies:

1. Complaints against faculty, administrators and all other employees:

- a. Director of Human Resources, 508-849-3398
- 2. Complaints against students:
  - a. Andrew Klein, Vice President for Student Affairs, [aklein@annamaria.edu](mailto:aklein@annamaria.edu); 508-849-3313
  - b. Lisa Saverese, Dean of Student Life, [lsaverese@annamaria.edu](mailto:lsaverese@annamaria.edu) 508-849-3312

Anyone who is a victim of, or is made aware of, a criminal activity is also encouraged to report it to Paxton Police/AMC Public Safety at 508-494-9010, or if the incident is in progress, contact Paxton Police at 911.

If you are not sure you have experienced discrimination, a hate crime or bias-related incident and would like to discuss the incident, please contact one of the following staff members to discuss the incident:

1. Joshua Dodds, Director of Multicultural Affairs, [jdodds@annamaria.edu](mailto:jdodds@annamaria.edu); 508-849-3396
2. Andrew Klein, Vice President for Student Affairs, [aklein@annamaria.edu](mailto:aklein@annamaria.edu); 508-849-3313
3. Director of Human Resources, 508-849-3398.

### **Request for Anonymity**

A student or employee may wish to make a report about a hate crime or bias related incident but may want to keep his/her name from the report. Anonymous reports will result in an investigation of the alleged behavior by the College as the College is obligated by law to take action. If the complainant requests anonymity or asks that the complaint not be pursued, the College will take all reasonable steps to investigate and respond to the complaint consistent with the request for anonymity or request not to pursue the investigation, however, the College's ability not to investigate as requested may be limited by its legal obligations. The Director of Human Resources and the Vice President for Student Affairs are jointly responsible for evaluating requests for anonymity and/or taking no action and weighing the request against the College's legal responsibility to investigate and/or take action.

### **Reporting Timeline**

The College does not limit the timeframe for filing a report of hate crimes, discrimination, or bias-motivated incidents. Reports can be submitted at any time following an incident, although the College's ability to take any action may be negatively affected by the length of time between the alleged incident and the report.

### **Investigation**

The College is obligated to investigate allegations of a violation of any College policy. For this reason, the College may be obligated to move forward with an investigation, even when a person makes a report without the intention of requesting an investigation.

The purpose of an investigation is to establish whether there is sufficient evidence to conclude that the alleged policy violation has indeed occurred. In conducting the investigation, the investigator may interview and/or obtain written statements from the complainant, the accused, and other persons believed to have pertinent factual knowledge. The investigation must afford the accused the opportunity to respond to the allegations.

Possible outcomes of the investigation are (a) a determination that the allegations are not warranted or cannot be substantiated; (b) a determination that a violation of the policy has not occurred but inappropriate actions/behaviors have occurred which may merit a disciplinary action; or (c) a determination that a violation of the policy occurred.

Investigations of any college employee will follow the guidelines as published in the Employee Handbook.

Investigations of any students will follow the guidelines as published in the Student Code of Conduct as found in the Student Handbook. Procedures, appeal processes and rights of the complainant and accused are included in that document.

## HAZING & MASSACHUSETTS ACT PROHIBITING HAZING

### Overview

Anna Maria College will not tolerate any acts of hazing. Hazing is a crime under Massachusetts law. Reports of hazing at AMC will be shared with Paxton Police. Students practicing hazing need to be aware that they may face legal action in addition to action by the College under its conduct system. Any AMC community member who witnesses hazing activities but who fails to report such observations to Paxton Police or the Dean of Student Conduct is subject to legal action under Massachusetts law and, if a student, disciplinary action under the College conduct system.

Hazing occurring on or off campus is a violation of the College's conduct policy. Any individual, athletic team, or student group or organization found responsible for practicing hazing, in any form, is subject to disciplinary action and sanctions including suspension or expulsion from Anna Maria College and, in the case of a recognized student organization, loss of recognition.

An individual involved in an alleged violation of the Anna Maria College Policy against Hazing may not use any of the following as a defense:

1. Any or all participants consented;
2. The conduct was not part of an official organizational event or team activity or otherwise sanctioned or approved by the organization or team; or
3. The conduct or activity was not done as a condition of membership to or affiliation with the group or team.

### Types of Hazing

All members of an athletic team or a club/organization should be treated with dignity and respect at all times. Hazing and initiation activities breed mistrust, apathy, and alienation. If you have to ask whether an activity is hazing, then it probably is. Types of hazing include, but are not limited to, the following:

1. *Hazing as a Public Display:* Any and all forms of public appearance, which may result in adverse publicity to the individual, organization, or the College.
2. *Hazing as a Physical Abuse:* Any practice which could be detrimental to the health or wellbeing of any person.
3. *Hazing as Moral Indignity:* Any action which by ethical, moral, and/or socially accepted standard of right and wrong may create in any individual feelings of humiliation or disgrace.
4. *Hazing as Scholastic Interference:* Any and all practices which place a person in the position of being unable to attend, or properly prepare for, academic practices.

### Reporting

Any student subjected to hazing is strongly encouraged to report the hazing immediately to Paxton Police, 508-494-9010. Confidential reports may be made to the AMC Health and Counseling Center during office

hours, 508-849-3315. Outside of office hours, students may access emergency medical assistance through the Paxton Police.

Any person with knowledge that another person may be the victim of hazing must by Massachusetts law immediately report such act to Paxton Police at 508-494-9010. Regardless of and separate from any possible legal action, any allegations of hazing at AMC will be investigated and adjudicated through the Dean of Student Conduct's Office.

## The Law

Under Massachusetts General Laws, Chapter 269, Sections 17, 18, and 19, any form of "hazing" is considered to be a criminal offense punishable by a fine and/or imprisonment. Furthermore, persons who witness or have knowledge of hazing incidents and fail to report them are also subject to similar penalties.

### Chapter 536

Commonwealth of Massachusetts Year 1985

An Act Prohibiting the Practice of Hazing

Be it enacted by the Senate and House of Representative in General Court assembled, and by the authority of the same, as follows:

Chapter 269 of the General Laws is hereby amended by adding the following three sections:

Section 17. Definition; Penalty: Whoever is a principle organizer or participant in the crime of hazing as defined herein shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment. The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or emotional health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme emotional stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Section 18. Reporting Hazing Offenses; Penalty for Failure to Report Violation: Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

Section 19. Notice to Schools and Colleges; Annual Reports; Adoption of Disciplinary Policy: Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this

section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team, or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership.

It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgment stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full-time student in such institution a copy of this section and sections seventeen and eighteen. Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the regents of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibilities to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of regents and in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution that fails to make such report.

For further information: <http://www.mass.gov/legis/laws/mgl/gl-269-toc.htm>

*Revised July 2014*

## IDENTIFICATION POLICY

Anna Maria College students are required to carry a valid AMC I.D. card with them at all times when they are on campus or attending an AMC sponsored event. This card must be presented at once when requested by any College official, including, but not limited to, Paxton Police, Residence Life Professional Staff, and Resident Assistants. Lending the AMC I.D. card is not allowed. The AMC I.D. card remains the property of Anna Maria College and must be surrendered by the student upon request of any College official.

All students are expected to maintain their I.D. card during any semester that they are enrolled. If an I.D. card is lost or stolen, it should be reported immediately to Paxton Police, 508-494-9010. A replacement I.D. card for a lost, stolen, or damaged I.D. card will be issued for a fee by the Office of Student Affairs, upper level of the Bishop Flanagan Campus Center.

Violation of this policy will result in disciplinary action under the Student Code of Conduct.

*Revised July 2014*

## JURY SERVICE

According to the Office of the Jury Commissioner of the Commonwealth of Massachusetts, “Under the law, those who live in Massachusetts for at least 50% of the year (like most students) are eligible for jury duty, regardless of their state of residence. People who live in the state for that long a period of time are considered to be part of the community, and must be included in the jury pool to ensure a representative “jury of one’s peers.” If your date is inconvenient because it conflicts with your class schedule, you may reschedule to another date of your choosing, provided it is within one year of your original service date.”

It is not unusual for students residing in Worcester County to be summoned to serve as trial jurors. Jury service, on a short-term basis, can provide students with a good opportunity to fulfill one of their important responsibilities as members of the community. Anna Maria College supports students in their fulfillment of this civic duty.

Students should carefully read all materials they receive with their summons to service, which contain helpful information about confirming, postponing, rescheduling, or relocating service, and address many of the most frequently asked questions. Jury duty is an important legal obligation, and those who fail to respond are subject to criminal prosecution.

Students who must miss class in order to fulfill their jury service requirement should notify each of their instructors of the summons and make arrangements to complete any missed assignments. The Vice President for Academic Affairs’ Office in Trinity Hall, first floor, may be able to assist you in making arrangements for missed class time due to jury service. Students will be required to furnish their summons notice or the certificate of service when making these arrangements.

If you have any questions about jury duty, including confirming, postponing, rescheduling, or limiting your service, please consult this link: <http://www.mass.gov/courts/jury/index2.htm>.

## MOTOR VEHICLE AND BICYCLE REGULATIONS

### General

All students and employees who bring a motor vehicle and/or bicycle onto campus property are expected and required to be familiar with, and abide by, the regulations outlined in this policy as well as all State and local laws regarding motor vehicles and/or bicycles. Motor vehicle and bicycle regulations will be strictly enforced to keep the campus safe, insure smooth operations such as deliveries and snow removal, and to maximize campus parking resources. Persons who bring or operate a motor vehicle/bicycle on campus do so at their own risk.

All Anna Maria College faculty, staff, and students who choose to bring a motor vehicle onto campus must without delay obtain a parking decal and permanently affix that decal to the vehicle on the driver’s side of the front windshield, or, in the case of motorcycles, at the location indicated by the Officer. It is the vehicle owner’s responsibility to ensure that the vehicle is parked in the correct lot. The parking lot map is found at the end of this section.

An “AMC student” can be any full or part time, day or evening, commuter or resident, graduate or undergraduate, person who is taking or auditing a class at Anna Maria College. Consortium students who are taking a day class through cross registration should refer to the “Consortium Parking Pass” section of this policy.

All visitors are expected to abide by this policy. Visitors bringing motor vehicles to campus must park in the visitor lot or, for specific activities, in designated “event” parking areas. Visitors bringing bicycles to campus are expected to park them in designated areas and to remove them upon concluding their visit. Overnight visitors parking a vehicle on campus must obtain a Visitor Overnight Parking Pass from Paxton Police at AMC or through the Residence Life Office. There are times AMC students, faculty and staff may drive a College owned vehicle. Policies relating to the AMC Motor Vehicle Pool can be found at: [Public Safety](#).

Questions about the Motor Vehicle and Bicycle Regulations at Anna Maria College may be addressed to the Paxton Police Office at AMC located in Foundress Hall, South end exterior entrance. The Officer on Duty may be reached 24 hours a day, 7 days a week at 508-494-9010.

### **Parking Decal for Motor Vehicles**

AMC students, faculty, and staff must register without delay with Paxton Police at AMC all motor vehicles, including motorcycles and motorized scooters, which they bring onto campus. There is no “grace” parking period. There is no charge for a parking decal. Parking decals remain the property of the College and must be surrendered upon request.

Each vehicle must have only one unique decal permanently affixed to the lower corner of the driver’s side of the windshield. Paxton Police will direct the placement of the decal on motorcycles and motorized scooters. Decals are not transferable. Displaying multiple valid decals on one vehicle will invalidate all decals.

Faculty/staff decals do not expire until the faculty/staff member is no longer affiliated with the College. Student decals expire when the student changes status (i.e., resident to commuter), withdraws, graduates, or is no longer affiliated with the College, whichever comes first.

Students, faculty and staff using more than one motor vehicle may obtain additional decals to accommodate multiple vehicles. Each vehicle brought onto campus must have one unique decal affixed to the driver’s side windshield. It is expected that each person shall have on campus only one vehicle at a time.

#### *Obtaining a decal or replacement decal*

Decals are obtained by completing the “Anna Maria College Parking Decal Application.” This form is available electronically for faculty and staff. Students may obtain the form from the Paxton Police Office at AMC in Foundress Hall. Completed forms are presented to the Paxton Police Office at AMC. Students will be asked to show their current vehicle registration form and AMC student ID. There is no charge for a parking decal.

#### *Student Campus Residency Status Change*

Students changing campus residency status (changing from a commuting student to a resident student or moving off campus to become a commuting student) must surrender the original parking decal and obtain a new parking decal to represent accurately their residency status. Students found using a decal that does not accurately represent their residency status may be subject to disciplinary action under the Student Code of Conduct.

#### *Out of State Vehicles Registered at AMC*

All students registering a vehicle on campus that does not have a Massachusetts issued license plate must complete each academic year a Commonwealth of Massachusetts Registry of Motor Vehicles “Nonresident Student Vehicle Information Form” (pursuant to the provisions of M.G.L c.90 § 3, as amended by chapter

46 of the acts of 2003). This form is available to download on the RMV site at <http://www.massrmv.com/rmv/forms/20098.pdf>. This form is submitted by the student when he/she registers his/her vehicle at AMC. The Paxton Police Officer will issue the Massachusetts registration decal. This is a free decal. **A vehicle required to display the Massachusetts registration decal which fails to do so is subject to a fine of up to \$200 by the State.**

#### Temporary Parking Permit (students, faculty and staff)

Students, faculty and staff having possession of a motor vehicle for a period of less than two (2) weeks may obtain a temporary parking permit from the Paxton Police Office at AMC or, if a resident student, the Residence Life staff. The student must present the vehicle registration and AMC student ID. Temporary parking permits must be displayed on the driver's side dash board and visible from the outside of the vehicle. Incomplete, altered, or improperly displayed temporary permits shall be invalid. Temporary parking permits are intended for the use of the AMC community member to whom the permit is issued and may not be used by guests.

#### Consortium Parking Pass/Cross Registration for Motor Vehicles

Full time, undergraduate, cross-registered students taking a class at AMC may obtain a "Consortium Parking Pass" for parking on the AMC campus. The cross-registered student completes the AMC Vehicle Registration Form and presents his/her vehicle registration, driver's license, and class schedule stating that he/she is enrolled for a class at AMC to the Paxton Police Office at AMC in Foundress Hall. There is no charge for the Consortium Parking Pass. The Consortium Parking Pass must be displayed on the driver's side of the dashboard and visible from the exterior of the vehicle. The Consortium Parking Pass is valid in any yellow/commuter parking lot (not overnight).

#### **Overnight Parking**

Overnight parking is defined as midnight – 7:00 a.m. Monday – Friday and 1:00 a.m. – 7:00 a.m. Saturday and Sunday. Vehicles displaying resident student decals may park in the appropriate designated resident lots overnight. Overnight visitors shall obtain an overnight pass from Paxton Police at AMC or the Residence Life staff and shall park in the Fuller Lot (in front of the Fuller Activities Center). Faculty and staff members wishing to park overnight shall park in the Fuller Lot or in residence hall lots in "faculty/staff" designated parking spaces.

Commuters using the Information Commons during the above "overnight" hours must park in the Fuller Lot.

All persons parking on campus overnight must be vigilant for parking lot closings due to inclement weather and/or parking lot maintenance.

#### **Speed Limit/Traffic Regulations**

The maximum speed on campus is 20 miles per hour. Pedestrians always have the right of way; so please be vigilant and always use extreme caution whether driving a motor vehicle or riding a bicycle.

All traffic regulations including, but not limited to, obeying stop signs, yielding to pedestrians, observing "one way" signs, etc. are in effect on campus. Paxton Police will be seen patrolling the Campus roadways. Sunset Lane is a public thoroughfare subject to all town and state regulations and may be patrolled by local authorities. The speed limit on Grove Street is 30 mph and we encourage everyone to be considerate of our neighbors and abide by local speed limits.

Car surfing on hoods, roofs, or bumpers is strictly prohibited.

## **Accident, Theft, Damage**

A person involved in or witnessing a motor vehicle or bicycle accident on campus should report the incident immediately to the Paxton Police by calling 911 or 508-494-9010.

A person having damage to and/or theft of/from his/her motor vehicle or bicycle should report the incident as soon as it is discovered to Paxton Police by calling 508-494-9010.

Operating or parking a motor vehicle or bicycle on Anna Maria College property is at the vehicle owner's risk. The College is not responsible for lost, stolen, or damaged property.

## **Abandoned Vehicles/Bicycles**

All motor vehicles coming onto and/or parked on College property must be in working order and have a valid registration from the appropriate state. Vehicles without valid state registration and/or determined to be abandoned shall be towed from the campus at the owner's expense.

A bicycle, or any part of a bicycle including a lock, will be determined to be abandoned if it: (1) is in a state of disrepair as to be incapable of being operated in its present condition; (2) has not been moved or used in more than 30 days; (3) bears physical indication of having been deserted, including, but not limited to, excessive rust, rust on chain, seat/handlebars coated in dirt or dust, or flat tires; or (4) is left on campus after the person seen as having possession of the bicycle is not registered for classes for the current academic period, withdraws, graduates, or otherwise ends his/her affiliation with the College.

Bicycles (including locks) that are determined to be abandoned will, at the discretion of the College, be removed from the campus at the owner's expense. The College is not responsible for bicycles that have been determined by the College to have been abandoned. Bicycles may not be stored/left on campus during the summer break.

## **Lined Parking Spaces**

Motor vehicles must be parked within the lined parking spaces. An improperly parked motor vehicle in an adjacent space does not constitute an excuse for straddling the painted line. One motor vehicle (including motorcycles) is permitted per marked space.

## **No Parking Areas**

Parking of motor vehicles is not permitted in the following areas:

- Walks, paths, and lawn areas
- Crosswalks
- Any area not marked with parking lines or, if not paved, as a parking lot
- Areas of diagonal lines/loading zones/fire lane
- Areas where signs have been posted indicating "no parking"
- Areas that block egress or ingress of buildings, parking lots, and/or roadways
- Roadways/side of roadways on campus not specifically marked with parking spaces including Sunset Lane, South Drive, St. Anne Drive, the rotary, access road next to AMCAT Field, and the area between Socquet House and the Science Building

Parking of bicycles is not permitted in any area not specifically designated for bicycle parking. This includes inside any building, (except in residence hall rooms where the storage of the bicycle does not block ingress/egress from the room). Parking, storing or leaving bicycles as to impede or block entrance to or exit from any building, including ramps, stairways and curb cuts, is prohibited.

## **Accessible Parking and Temporary Accessible Parking Requests**

There are marked parking spaces on campus reserved for persons with disabilities. Persons parking in marked accessible spaces must display the appropriate decal or plate issued from the Registry of Motor Vehicles or other appropriate agency. The person for whom the decal or plate is issued must be in the vehicle or being actively picked up or dropped off.

A person wishing to be considered for an on-campus temporary accessible parking pass, he/she must present appropriate medical documentation to the Vice President of Student Affairs, Trinity East, second floor. Temporary permits will be issued to those who qualify.

## **Snow Removal**

As necessary in preparation for, during, and/or after a snow storm, Physical Plant may require vehicles to move from designated parking areas to facilitate snow removal. Bicycles must not be parked, stored, or left as to impede snow removal from roadways or walkways. Notices will be issued by the same means as any weather cancellation notification, such as text messages and emails, and will be placed on the front doors of the residence halls and, as appropriate, on other campus buildings. Cooperation with these requests is expected so that parking areas and walkways may be cleared. During a snow event, plan on moving your vehicle to the lot east of (behind) Madonna Hall. Motor vehicles and/or bicycles impeding snow removal efforts may be subject to ticketing with a minimum fine of \$25. The College is not responsible for damage to bicycles parked, stored, or left outside during snow removal efforts.

## **Motor Vehicle and Bicycle Violations**

### *Payment of Citations*

Citations may be paid at the AMC Business Office located in Cardinal Cushing Hall. Citations unpaid after fifteen (15) calendar days of issuance shall double. Checks should be made payable to "Anna Maria College" and may be mailed to: AMC Business Office, Box R, 50 Sunset Lane, Paxton, MA 01612.

Unpaid citations may result in delays or denial for the processing of grades, transcripts, and/or diplomas as per Business Office policy for unpaid balances.

### *Appealing a Citation*

Citations may be appealed within ten (10) calendar days of issuance. Within the deadline, appeals must be made by email to [publicsafety@annamaria.edu](mailto:publicsafety@annamaria.edu). All decisions by the appeal administrator are final.

### *Penalty for multiple offences*

Students who receive multiple citations in a semester may be subject to disciplinary action by the College under the provisions of the Student Code of Conduct.

## **Parking Areas, Bicycles**

Bicycles may be parked, stored or left only in areas specifically designated by the presence of racks or other devices designated for bicycle parking.

In the residence halls, bicycles may only be parked, stored or left in the residence hall student room if the presence of the bicycle does not impede ingress into or egress from the room. Bicycles may not be parked, stored or left in any common area of the residence halls including, but not limited to, hallways, stairwells, ramps, lounges, study rooms, bathrooms, laundry rooms, kitchens, and computer rooms.

## Parking Lot Designations & Accessible Parking Locations, Motor Vehicles

Parking lot designation may change, for instance, as parking spaces are added to the campus and in adverse weather conditions. For a current map of parking lot designations, please see the map posted at the Paxton Police Office in Foundress Hall. At the time of publication, the following designations exist:

- YELLOW decal/Commuter parking, not overnight: Fuller Lot, Gravel Lot, Campus Center Lot (not designated faculty/staff spaces against the Campus Center building), Miriam Lot, and Monday – Friday 7:00 a.m. to 7:00 p.m. any residence hall lot. For overnight parking (not remaining in Information Commons), yellow decal must have Overnight Pass (see above) and park in Fuller Lot. For overnight parking for those remaining in the Information Commons, yellow decal must park in the Fuller Lot.
- RED decal/Freshman Resident parking: Freshmen Lot located east of (behind) Madonna Hall.
- GREEN decal/Upperclassmen Resident parking: Madonna Lot located south of (next to) Madonna Hall, Coghlin Lot, South Hall lot, Gravel Lot (not overnight), and the Fuller Side Lot located to the south (left side) of Fuller Activities Center.
  - South Hall residents will receive a hanging placard allowing them to park in the restricted spaces on the southernmost row of the South Hall parking lot.
- WHITE decal/Faculty/Staff parking: 1) lots that allow only white decals: Trinity Lot, Science Lot, spaces as marked directly next to the Campus Center building, and designated spaces in Madonna Lot, South Lot, and along Campus Center Drive; 2) any commuter (yellow) or resident (red or green) lot is open to white decals EXCEPT overnight. All overnight parking must be in designated spaces (see Paxton Police).
- ACCESSIBLE parking (accessible parking plate/placard required): Madonna Lot (2 areas), Freshman Lot, South Hall Lot, Coghlin Lot, St. Anne South entrance parking area, Fuller Lot (2 areas), St. Joseph Hall front parking area, Trinity Lot, Campus Center Lot, and Foundress South Entrance parking area. Most accessible parking areas have van access.

## Parking Map

**AMC**  
ANNA MARIA COLLEGE  
Parking Lot Map

ALL Students and all Faculty/Staff who wish to park at Anna Maria College are required to register vehicles with Paxton Police. See Motor Vehicle Policy for complete policy. THERE IS NO PARKING ALONG ROADWAYS AND UNATTENDED VEHICLES SHOULD NOT BE LEFT IN FIRE LANES.

Lot Code: Yellow = Commuters (not overnight) Red = Resident Freshmen Green = Resident Upperclassmen White = Faculty & Staff Multiple Colors = mixed use lot	Commuters (Yellow Decals) & Faculty/Staff (White Decals) may park in Green and Red Resident lots Monday—Friday, 7AM—7 PM. Guests may park in the white/yellow lot located in front of the Fuller Activities Center. Guests after 11 PM must have an overnight pass.
Overflow Lot (Gravel Lot) = any decal, no overnight parking	

## RELIGIOUS OBSERVANCES

### Section 2B of Chapter 151C of the General Laws of Massachusetts law states:

*Any student in an educational or vocational training institution, other than a religious or denominational educational or vocational training institution, who is unable, because of his/her religious beliefs, to attend classes or to participate in any examination, study, or work requirement on a particular day shall be excused from any such examination or study or work requirement, and shall be provided with an opportunity to make up such examination, study, or work requirement which he/she may have missed because of such absence on any particular day; provided, however, that such makeup examination or work shall not create an unreasonable burden upon such school. No fees of any kind shall be charged by the institution for making available to the said student such opportunity. No adverse or prejudicial effects shall result to any student because of his/her availing himself/herself of the provisions of this section.*

If you believe that you are covered by this law, and you wish to exercise your privilege under this law, you may apply, in writing using your AMC email account, to the Vice President for Academic Affairs for an excused absence. This request must be made within fifteen (15) calendar days after the day of the start of classes each semester, or five (5) working days before the day of the religious observance, if the observance comes within fifteen (15) days after the day of the start of classes. In the application, you must name the religious observance, the religion encouraging the observance, and the exact period that the absence will cover.

In order for your request to be honored, the religion in question must be one recognized by the United States Internal Revenue Service as one which is eligible for tax exemption under Federal Law. The Vice President for Academic Affairs, or designee, will determine that the given religion is so recognized. If the religion does not qualify under this definition, your request will be denied.

In addition, the Vice President for Academic Affairs, or designee, will determine whether or not any “makeup examination or work” will place an “unreasonable burden” upon the institution. If in the judgment of the Vice President for Academic Affairs, or designee, the terms of your request place an “unreasonable burden” on the institution, your request will be denied.

If your request is approved by the Vice President for Academic Affairs, or designee, you and the instructors in each of your classes will be notified of the decision by the Vice President for Academic Affairs Office within ten (10) working days after receipt of the request.

If your request is denied, the denial, accompanied by the reason for the denial, will be sent to you at your AMC email address by the Vice President for Academic Affairs office within ten (10) working days after receipt of the request. If you feel that your request has been denied without good cause, you may file a written appeal, using your AMC email account, with the College President, [president@annamaria.edu](mailto:president@annamaria.edu) within five (5) working days of the decision being sent. The decision of the President is final.

*Updated July 2015*

## RESIDENCE LIFE: HOUSING AGREEMENT (UNDERGRADUATE, HANDBOOK VERSION)

The **AMC Undergraduate Housing Agreement** is for room and board for the full academic year. New students occupy their rooms as of the first day of Fall Orientation (or, if entering in January, January Orientation). Returning students occupy their rooms after 9 A.M. on the day before undergraduate classes begin. All students must leave their rooms 24 hours after their last exam or by closing time on the last day of final exams, whichever is earlier. Seniors in good standing who have paid the Senior Class Fee may stay until 6 P.M. on the day of undergraduate graduation. The residence halls are closed during the following: Thanksgiving Break, Semester Break, Spring Break and Easter Break. There is no food service when the residence halls are closed.

All requests for cancellation of this Agreement must be made in writing to the Residence Life Office. Current students may cancel this agreement as follows:

- Up to May 1 (in advance of housing year) with no penalty
- May 1 – June 1 (in advance of housing year) with \$100 charge
- June 1 – Opening Day (in advance of housing year) with \$500 charge.
- Cancellation by new students must be prior to opening day of their first semester.

A student may not cancel this agreement after opening day of either semester unless he/she withdraws from AMC. The Director of Residence Life determines the rate of refund, if any. There is no refund for a student leaving housing thirty (30) days after the beginning of that semester. Students leaving AMC, graduating, student teaching, or participating in an exchange program or full time internship may terminate this agreement without penalty for the spring semester by notifying the Residence Life Office in writing by December 1 (of the housing year). Students wishing to cancel this agreement for the spring semester prior to opening day but after December 1 (of the housing year) and/or for other reasons than above must have the approval of the Director of Residence Life and will be assessed a minimum fee of \$500.

The College reserves the right to reassign rooms as it deems necessary for reasons including but not limited to: health, safety, consolidation of resources, maintaining full specialty rooms, or conduct of its students. Specific housing placement is not guaranteed. If at any time a vacancy occurs in a room, a student may be assigned to fill it or be asked to move to maintain his/her occupancy rate. Students may not change rooms without the permission of the Director of Residence Life. Students occupying specialty rooms should refer to the Guidelines for Residence Hall Living for complete occupancy and payment requirements for their specific room type. AMC may provide one roommate's name, home address, home and/or cell phone number, major, class and email address to the other roommate(s) as needed for housing purposes.

By signing or submitting electronically this agreement or by taking occupancy of a room, a student agrees to abide by the policies of the residence halls and of Anna Maria College as stated in the AMC Student Handbook, on the AMC web site and as posted. During this agreement, a student is obligated to remain in good academic, financial and disciplinary standing with the College. The College has the right to remove a student from housing without notice for the following: his/her conduct could be dangerous to him/herself or others; he/she fails to conduct him/herself in accordance with College policies and guidelines; he/she violates local, state or federal laws; and/or he/she takes, damages or destroys College property or property of other College members. Students removed from housing shall receive no room or board refund. A student is to return his/her room key immediately upon vacating his/her room. Students failing to

immediately turn in the room key are responsible for the cost of a replacement lock, replacement keys and the labor charges of the locksmith.

The College reserves the right to allow authorized personnel to enter a student's room at any time for purposes of rule enforcement, inspection, inventory, safety, maintenance, or other official business.

The College provides rooms for residential living only. No business may be run out of student rooms. A student may not allow unauthorized persons to reside in his/her room. Animals, with the exception of fish, assistance and service animals, are not permitted in the residence halls at any time. Please refer to the ADA: Section 504 of the Rehabilitation Act earlier in this document for the policies and procedures concerning assistance and service animals.

Students are responsible for the care of College property in their rooms and in the common areas of the residence halls. Damage not assessed to a particular student will be charged to the appropriate part of the residential community as determined by the Director of Residence Life. Students are responsible for keeping their rooms free of unsanitary conditions. Students are expected to leave their rooms clean with all original furniture present. There will be a charge for damaged or missing furniture and cleaning.

The College assumes no liability for loss of or damage to a student's personal property. Students are encouraged to review their family's personal property insurance coverage.

Students presenting a medical need as reason for a specific type of room must contact the Director of Health Services, Linda Aronson, to discuss the need and requested accommodation. Requests for accommodations must be submitted by returning students by April 1(in advance of housing year) and by new students by May 1(in advance of housing year).

#### **Meal Plan Choice:**

- **10 meals per week & \$90 flex (with 6 guest passes)**
- 10 meals per week & \$150 flex (with 6 guest passes)
  - *New Internship/Student Teaching Plan*
- **15 meals per week & \$25 flex (with 6 guest passes)**
- **19 meals per week & \$50 flex (with 6 guest passes)**
  - *Additional fee applies*

*Updated July 2016*

#### **RESIDENCE LIFE: GUIDELINES**

The residence halls are an integral part of the academic community of the College. Living on campus is a privilege, not a right. Resident students are expected to adhere strictly to the guidelines set forth in this document. As residency is a privilege, the College reserves the right to revoke such privilege for any behavior which it regards to be inappropriate, disruptive or not in keeping with the values and traditions of the College.

The Residence Life program at AMC is designed to provide a living and learning, safe and comfortable environment where students may live and study within the community of peers. By agreeing to live in the residence halls, students agree to support and practice AMC community standards. Each student is responsible for what takes place in his/her own room and consequently may live the way chosen as long as

he/she abides by state and federal laws, AMC policies and procedures, respects the rights and property of others and abides by health and safety rules. As a member of the residence hall community, each student has a responsibility to respect the rights of other members of that community. The residence hall staff assists students in creating this environment. As members of floors and of residence halls, students share responsibility for what takes place on their floors and in their residence halls.

**This document, the AMC Housing Agreement, AMC Alcohol and Drug Policy, Sexual Harassment (Title IX) Policy and other College policies provide the guidelines for residence hall living at AMC. All State and Federal laws are in full effect on College grounds.**

Violation of College policy within the residence halls falls under the jurisdiction of the Residence Life Department. In addition, the student may be subject to disciplinary action by the College pursuant to the AMC Conduct Code and/or by State or Federal officials. The severity of the imposed sanctions will be appropriate to the violation. A student suspended or dismissed from the AMC residence halls shall vacate his/her room by the deadline set by the Director for Residence Life and will not receive a refund or credit of his/her academic year's room and board fees. As a result, students are strongly urged to adhere closely to all College policies to retain their residency.

The Residence Hall agreement between the student and the College specifies certain responsibilities and obligations on the residence hall student. Administration and interpretation of the residence hall policies shall be within the jurisdiction of the Director of Residence Life (or designee) under the procedures set out in the Student Code of Conduct.

Discipline notices will be done through AMC email. All students are strongly encouraged to regularly check their AMC email. Deadlines and notifications will be assumed upon the email being sent.

Not all action taken by the Director of Residence Life (or designee) constitutes "discipline." The Director of Residence Life (or designee) will define and interpret these situations. Situations include, but are not limited to, room change policies, Room Lottery policies, enforcement of the AMC Housing Agreement, resolution of roommate conflicts, Summer Hall policies, and damage billing. Such situations are considered "administrative" and are not subject to the procedures outlined in the Student Code of Conduct.

### **Alcohol and Illegal Drugs in the Residence Halls**

The Alcohol and Drug Policy of AMC in its entirety is enforced in the residence halls. This Policy may be found in the Student Handbook. Any resident who feels jeopardized by the actions of his/her roommate(s) should seek assistance from the Residence Life staff or Paxton Police. Residents are subject to all state and federal laws while on campus.

Anna Maria College has resources available to assist students who wish help around issues of drug or alcohol use. The Health and Counseling Center personnel are available to talk with students in a confidential setting about concerns and can refer students to appropriate off campus agencies for assistance if needed. If you have any questions about your own or someone else's drug and/or alcohol use, please utilize these confidential, free services. The Health and Counseling Center is located in the east annex of Trinity Hall.

In summary, resident students should be aware that:

#### Alcohol

1. Consumption, possession, purchase, or being in control of alcoholic beverages by anyone less than twenty-one (21) years of age is not allowed.

2. Provision, distribution, sale, or transportation of alcoholic beverages to/for anyone less than twenty-one (21) years of age is prohibited. This includes providing a place for those less than twenty-one (21) years of age to consume alcohol.
3. On College property, alcohol may be kept and/or consumed by those twenty-one years of age or older in designated areas only.
  - a. In the residence halls, designated areas include, but may not be limited to, a residence hall room where at least one assigned resident of the room is twenty-one (21) years of age or older.
4. In the residence halls, if no resident assigned to the room is twenty-one (21) years of age or older, there is to be no alcohol, shot glasses, alcohol containers (including sealed or empty), and/or alcohol paraphernalia in that room.
5. In the residence halls, the limit for alcohol possession per twenty-one (21) years of age or older resident assigned to the specific room is:
  - a. one (1) liter of wine OR
  - b. one (1) liter of spirits OR
  - c. fifteen (15) twelve (12) ounce or smaller containers, or four (4) forty (40) ounce containers of beer, pre-mixed, or malt beverages (including wine coolers, Zima, hard lemonade, frozen pouches, pre-mixed drinks, etc.).
  - d. Students cannot combine personal alcohol limits to be in possession of larger containers (for example, 2 roommates combine 2 liters of spirits to buy a handle; the handle would not be allowed).
6. Those who are allegedly in violation of the Alcohol and Drug Policy will be asked to remove all alcohol from their possession. This can include a search of and then emptying alcohol from the refrigerator, closet, under beds, backpacks, bureaus, desks, ceilings, and/or other hiding or storage places as deemed appropriate for the situation.
7. Open containers of alcohol are not permitted outside of designated areas.
  - a. “Open container” for the purpose of the Conduct Code is defined as a can, package, or bottle not having the original factory seal in place, as well as glasses, cups, water bottles, and other non-sealed containers.
  - b. Open containers are not allowed in the public areas of the residence halls (for example hallways, lounges, lobbies, laundry rooms, computer labs, and bathrooms) at any time. Paxton Police and/or any AMC staff member may check open containers for alcohol.
8. Not allowed in the residence halls:
  - a. common sources of alcohol such as:
    - i. Spiked punch;
    - ii. Jell-O shots;
    - iii. grain alcohol;
    - iv. powdered alcohol
    - v. Alcohol beverages with caffeine added.

- b. Large containers of alcohol including, but not limited to:
    - i. beer, malt or pre-mixed beverages in containers over 40 ounces,
    - ii. Kegs or beer balls,
    - iii. boxes over one liter,
    - iv. handles of alcohol
  - c. Such containers shall be confiscated and forfeited, including taps (with or without keg present).
9. The manufacture of alcoholic beverages in the residence halls is prohibited.
  10. The sale of alcoholic beverages on campus property, with the exception of a sponsored event under the Campus liquor license, is prohibited.
  11. Possession or use of drinking paraphernalia, hosting or participating in drinking games, and/or engaging in behaviors promoting binge drinking are prohibited.
  12. A person is responsible for his/her behavior. Having consumed alcohol does not excuse behavior. Behavior which is disruptive, harmful to self or others, and/or which leads to the destruction of property is prohibited and will result in appropriate disciplinary action.

#### Drugs

1. Use or possession of illegal drugs and/or the abuse or misuse of prescription medicines is prohibited.
2. Possession and/or use of drug paraphernalia are prohibited.
3. Use or possession of marijuana, including medical marijuana used or possessed under Massachusetts law is strictly prohibited in the residence halls. Any such use or possession is a violation of the Student Conduct Code. Federal law, including the Drug Free Schools Act, continues to prohibit marijuana. Thus marijuana use is prohibited on campus, including in student rooms. Information about marijuana laws in Massachusetts can be found in MGL c94 and Acts 2012, Chapter 369, section 7D.
4. Manufacturing, distributing, providing, or selling drugs or drug paraphernalia on campus property or at AMC sponsored events is prohibited.
5. Misuse of legal substances; use of general products as intoxicants or “means to get high”; and inhaling or ingesting a substance (including but not limited to bath salts, nitrous oxide, glue, paint, gasoline, solvent, etc.) other than in connection with its intended purpose is also prohibited.
6. Evidence of drug policy violations and actions showing sufficient grounds for full disciplinary actions include but are not limited to: the presence of a controlled substance/illegal drug; drug paraphernalia; smoke or odors (in the case of marijuana). All students present at the time of the violation and, if in the residence hall, all residents of the room (present or not) may be held responsible for the infraction.
7. A person is responsible for his/her behavior. Being under the influence of any drug does not excuse behavior. Behavior which is disruptive, harmful to self or others, and/or which leads to the destruction of property is prohibited and will result in appropriate disciplinary action.

8. Those who are apparently in violation of the Alcohol and Drug Policy will be asked to remove all illegal drugs, prescription drugs for which they do not hold a prescription and drug paraphernalia from their possession. This can include a search of and then removing such items from the refrigerator, closet, under beds, backpacks, bureaus, desks, ceilings, and/or other hiding or storage places as deemed appropriate for the situation.

*See the full AMC Alcohol and Drug Policy in the Student Handbook for complete details.*

## **Guests**

1. A guest is any person who does not currently reside in the building he/she is looking to enter. A resident student visiting a building to which he/she is not assigned is considered a guest of that building and must follow the guest policy for signing in/out of the building with a host of that building.
2. Guests must be visiting a particular resident of the hall and in the presence of that host at all times. The host must sign all his/her guests in and out of the residence hall regardless of the time of the visit. Guests must sign out of and leave the residence halls by 12am on weekdays and 2am on the weekend. The host must follow sign in/out procedures as posted when RA staff is not on duty.
3. Guests must have a valid state or federally issued picture ID and show that ID when asked by any AMC staff member, including RAs. All IDs presented may be scanned and the image retained by the Residence Life Office.
4. Each resident is allowed to sign in a total of TWO guests at one time.
5. The Director of Residence Life (or designee) may restrict the number of guests a host may sign in during specific times of the year. Any bags that may belong to the guest are subject to inspection by the staff at any time.
6. Guests must park in the designated guest parking lot. Overnight parking requires a specific parking permit obtained from Public Safety.
7. A child under the age of 16 is not expected to have ID and will be identified by the host to the staff. The host may be required to complete additional documentation to sign in the child. The host must remain with the child at all times during his/her visit. The host will provide emergency contact information for the child to the staff.
8. A child under the age of 13 may be signed in overnight with a host who is related to him/her regardless of his/her sex. The host must remain with the child at all times during his/her visit. The host will provide emergency contact information for the child to the staff.
9. Residents are responsible for their guest's behavior at all times. Residents who invite guests to the College must inform them of College policies. AMC students are held personally accountable for violations committed by their guests whether or not that guest is signed in. Sanctions will be imposed on the AMC host as if he/she had violated the policy him/herself. Abuse of this policy may result in loss of guest privileges by the host and the guest may be banned.
10. Any guest who is found in the residence halls at any time without being signed in and/or any guest found to be violating AMC policy may be immediately banned and escorted from the residence halls and/or campus.

11. An overnight guest is one who will be in the building any time between 12am and 8am weekdays and 2am and 10am on the weekend. All guest policies apply to overnight guests.
12. An overnight guest (who is of the same sex as his/her host) may stay overnight if signed in by the hosting student prior to the RA going off lobby duty. Overnight guests may be given a guest pass for identification purposes. Hosting students must obtain their roommate's permission. Overnight guests must be in the presence of a resident student at all times.
13. Overnight guests may stay up to two consecutive nights on campus per week and no more than a total of four nights per month. There is a maximum of two overnight guests per resident.
14. If a guest of any residence hall is visiting a different resident hall, he/she may be asked to sign in and out of that building with his/her host present.
15. All guest policies are in effect at all times in all residence halls.

### **Health, Safety & Responsibility**

1. The College expects that students will respect the security of the building, be knowledgeable of the proper use of all fire and other safety apparatus and refrain from creating fire or other safety hazards. Smoke, CO, and heat detectors are a vital part of the fire safety system. Students are not to tamper with this equipment in any manner or attempt to block the proper working of the detectors. Tampering with fire safety equipment carries a severe penalty. Students are expected to report any disabled fire safety equipment to the staff immediately. The Residence Life Staff will conduct random room inspections throughout the year to ensure that detectors are functioning properly and other health and safety requirements are being met.
2. Students are expected to respond immediately to the building fire alarm by evacuating the building in an orderly and timely manner. Students are expected to respond to room smoke detector alarms in a timely manner. Activation of and/or causing the activation of a fire alarm under false pretenses is cause for immediate suspension from the residence halls. Random room inspections occur as part of the procedure in response to a fire alarm.
3. All ceilings, room doors, fire doors, stairwells and hallways in the residence halls must be kept free of loose flammable materials. Hallways and stairwells must be kept clear of obstructions. There must be a clear egress in each student room to the doorway and the door must open to at least a ninety-degree angle.
4. Except in case of emergency, entering upon, crossing or using rooftops or stairwell roofs, using windows as a means of ingress or egress, and/or scaling the exterior of any building is strictly prohibited.
5. Screens, screen guards, and window guards are not to be removed from windows. Students will assist in the securing of the building by immediately reporting any missing screens to the residence life staff or Paxton Police.
6. The residence halls are locked at all times. Residence hall exterior doors may not be propped open or unlocked. Students will assist in the securing of the building by immediately reporting any propped or disabled exit doors to the residence life staff or Paxton Police.
7. For security reasons, students should not open the doors of the residence halls to persons unknown to them.

8. If a resident loses his/her AMC ID, he/she may obtain a new one at the Student Affairs Office during regular office hours. There is a charge for replacement of the AMC ID. Residents may not loan their AMC ID to others.
9. Students are responsible for carrying their keys and AMC ID card at all times. If a resident becomes locked out of his/her room, he/she contacts the RA staff (any RA during the day, the Duty RA 8pm – 8am and weekends.)
  - a. There is a minimum \$200 charge for lost keys which require presence of locksmith. Students should expect to produce a picture ID when asking to have their room opened.
10. Abuse of the lockout policy may result in disciplinary action.
11. No person shall be allowed entry into a room to which he/she is not assigned. Under specific circumstances, with written or verbal permission from the assigned occupant, the Director of Residence Life or designee may make exception to this policy.
12. Laundry facilities are only for use by and for current resident students. Residents are expected to keep the laundry area clean and to report any issues promptly to Residence Life staff. The College is not responsible for laundry left unattended.
13. There is no smoking in any residence hall, including student rooms. Smoking is not permitted outside within 30 feet of any window or door of the residence halls.
14. For safety reasons, the following items are not permitted in the residence halls:
  - Air conditioners
  - Pets, with the exception of fish and college approved service animals
  - Blenders
  - Candles and incense
  - Oil Lamps
  - Cinderblocks
  - Coffee pots (Keurig-like Brewing systems are permitted)
  - Electric blankets
  - Halogen lamps
  - Hot plates, Including NuWave and other induction plates
  - Space heaters
  - Toasters
  - Lava lamps
  - All electric appliances must be U.L. approved and have, if applicable, self-contained, thermostatically controlled heating units.
  - Microwaves over 700W and no more than one per room
  - Extension cords that are not surge-protected
  - Live/natural trees or greens except those nursery grown with root systems in containers
  - Explosive devices (including, but not limited to, fireworks and compressed gas canisters)
  - Firearms, ammunition, and other weapons (including, but not limited to, all types of guns, electrical weapons (stun gun/Taser), toy guns, paint ball guns, BB guns, cap pistols, laser targeting devices, slingshots, martial arts weapons, knives, pepper spray, brass knuckles, and other weapons)
  - Launching devices & fuels (including propane, charcoal, charcoal lighter fluid)

- Cable boxes (also called “black boxes”) or other similar devices that allow viewing of cable channels that are not part of the College’s contract with the cable company
  - Homemade Lofts (including beds placed on cinder blocks)
  - Hall sports are not permitted in the residence halls to insure the safety of others, to decrease unnecessary building damages and to enhance a cooperative community environment
15. Students are responsible for keeping their room free of unsanitary conditions. Students are expected to be respectful of others when using public areas and bathrooms. Students will refrain from creating unsanitary conditions in public areas including exposing others to bodily fluids or wastes.
16. Students are expected to be able to carry on student responsibilities while in the residence halls. The intentional attempted physical harm or injury to oneself, or the intentional, attempted or threat of physical harm to others, or the assault or battery, sexual assault, harassment, or hazing of another member of the College community is grounds for immediate suspension from the residence halls.
17. Students are expected to immediately identify themselves and show proper identification when asked by any Anna Maria College staff person, including the RAs. Students are expected to confirm the identity of their guests.
18. The student’s right to privacy in his/her room is recognized and will be protected by the College. However, the College reserves the right to inspect all rooms for the purpose of inventory, fire protection, sanitation, safety, maintenance and rule enforcement. This will be done whenever possible in the presence of the student but may occur in his/her absence or without his/her approval. Staff may confiscate evidence of violations of College policy during any room entry. The College will take disciplinary action against any violators of College policy, even if the violation is observed as part of a routine operation.
19. When staff has reason to suspect that a violation of College policy is occurring, they reserve the right to investigate the situation and confiscate evidence of such violation(s). The staff may make a superficial search of the location of the incident including, but not limited to, refrigerators, furniture, closets, storage cupboards, clothing, bags, trunks (locked or unlocked) and boxes. Material evidence such as alcoholic beverages and containers, drug paraphernalia, suspicious odors or noise, disruptive behavior or behavior which is suspect will generally be considered the basis for a search. A thorough search may be undertaken with the permission of the Director of Residence Life in situations where there is reasonable suspicion that a serious violation of College policy is occurring.
20. As it can be difficult to accurately determine degrees of culpability, all residents in the area/room in violation will be held responsible for the violation(s). Students are advised, in advance, to avoid such situations as they may put them at risk of inadvertent disciplinary action. When responsible parties cannot be identified, entire groups, rooms, floors, wings and/or residence halls may be held collectively responsible for certain infractions.

### **Housing and Occupancy**

1. All housing at AMC is for the full academic year. AMC does not provide housing without board. Please refer to the AMC Housing Agreement for details regarding occupancy and canceling the Housing Agreement.
2. Housing is intended for full-time students; students who change their status from full-time to part-time may petition to live in AMC Housing by contacting the Director of Residence Life.

3. Student rooms are to be used only as student-living rooms and no commercial operation shall be carried on therein, except as provided under a written agreement from the Director of Residence Life.
4. The College reserves the right to reassign rooms as it deems necessary for reasons including but not limited to: health, safety, consolidation of resources, maintaining full rooms, or conduct of its residents. If at any time a vacancy occurs in a room, a student may be assigned to fill it or the resident with the space may be asked to move to maintain his/her occupancy rate or status.
5. A student may “buy out” a regular double room that falls below occupancy if the space is not needed. First year students may not have a double/single in the fall semester and so may be required to move to maintain the double room occupancy. The Director of Residence Life sets the rate for a double/single. Under very specific conditions, the Director of Residence Life may choose to offer the student in the room the use of half of the room (“half room option”). The student would accept a roommate at any time one is assigned. If a roommate is refused, then the resident using the half room option is billed the entire double/single charge for the semester and may not choose the half room option again. A student may only use the half room option one semester out of four consecutive semesters.
6. Students may not change rooms without the permission of the Director of Residence Life or designee. Specific housing placement is not guaranteed.
7. Specialty rooms are defined as any room that is not a standard double size in the residence halls. These rooms include, but are not limited to suites, quads, triples, singles, and all rooms in Alumni Hall, Coghlin Hall, South Hall and St. Anne Hall. Rooms must be full to be chosen in Room Lottery.
8. The Residence Life Office reserves the right to reassign students to other rooms if the specialty room falls one or more residents below full capacity at any time before opening day. The specialty room would then be filled from the preference list. If there is no request for the space, the room will be filled at the discretion of the Director of Residence Life.
9. Should the specialty room fall one resident below capacity after opening, the resident(s) of the room may, within the timeline set by the Director of Residence Life, select another roommate or move out of the specialty room. If the specialty room falls more than one student below capacity, the remaining student(s) must move out of the room. When moving from a specialty room, no specific housing is guaranteed. If the specialty room becomes empty, it will be posted and be given to the group that fills the room under the rules of the Room Lottery. If no group wishes the specialty room, then the residents who would have left the room may choose to “buy out” the room or use the half room option. The Director of Residence Life must approve all moves and moves that are designed to “beat” the lottery system will not be approved.
10. In the Spring Semester, the students of a specialty room that is under occupancy by only one student may have the option to “buy out” the room if the space is not needed. Rates for “buying out” the room are set by the Director of Residence Life.

**Noise**

1. Consideration is to be observed at all times in the Residence Halls. Consideration is defined as courteous and careful thought of the residents on the floor, in the building and in the surrounding buildings. Students have the right to request and receive a reasonable degree of quiet at all times.
2. Quiet hours are from 11:00 p.m. to 9:00 a.m. Sunday – Thursday and 1:00 to 9:00 a.m. Friday and Saturday in all residence halls.
3. Quiet hours for exams shall be extended to 24-hours a day from 8:00 p.m. the night before reading day through closing. Violations of quiet hour policy during this time will result in the immediate and non-appealable loss of residency for the duration of the semester and other appropriate disciplinary action.
4. Noise coming from open windows is to be monitored to assure it is not disturbing others. At no time may speakers be placed to play through windows.
5. Noise from gatherings outside of the residence halls must be monitored as to not disturb others. All quiet hours are in effect immediately outside of the residence halls including smoking areas.

**Rights of Others**

1. It is expected that students will respect the rights of people in their residence hall community. The AMC residence halls are within the larger Anna Maria College and Paxton communities. As such, students are expected to recognize and respect the rights of these communities.
2. Any incident of discrimination or bias will be considered a violation of this policy and the Student Code of Conduct and will be administered under the guidelines of the Hate Crime, Bias and Discrimination policy found on page 37 of this document.
3. In accordance with guidance issued by the Department of Education, students who self-identify as transgender will be assigned access to facilities consistent with the gender with which the student identifies.

**Room and Building Physical Condition**

1. Students are responsible for maintaining their Room Inventory. If a student moves, it is his/her responsibility to sign out of his/her old room and, if applicable, into his/her new room. If a student does not sign out of a room, then he/she is held responsible for all damage in that room at the end of the academic year.
2. A student is responsible for immediately returning his/her key when moving out of a room.
3. Students assigned to a given room will be held financially responsible for damage beyond normal wear and tear to the room and its furnishings. The use of Scotch tape, masking tape, duct tape and/or other non-approved adhesive agents and/or tacks, nails, staples and/or hooks on walls, doors and/or ceilings will exceed normal wear and tear. The use of these items by residents will result in a minimum \$150 fine. The approved adhesive agent is “3-M Command” brand adhesive products (used according to manufacturer’s instructions). Students shall not paint, alter, repair damage in, or remove permanent features from the room. No building of furniture or other construction within the residence hall is allowed.
4. Furniture is not to be stacked on other furniture, any room structure (such as windowsills, radiators or cabinets) or upon blocks. Beds may be raised only by using one set of approved “bed raisers”

that may be purchased at bed and bath stores for that specific purpose. Cement blocks and/or homemade blocks are not allowed.

5. Furniture owned by the College and located in public areas or in storage is not to be moved from those areas unless authorized by the Director of Residence Life.
6. College-owned student room furniture may not be removed from rooms. All furniture assigned to the room is expected to remain in the room in good condition.
7. College-owned student room furniture found in common areas will be removed from those areas. If the furniture can be traced to its room, each resident of that room shall be charged \$75/item and for any damage to the furniture. Rooms missing furniture shall be assessed the replacement cost of the missing furniture.
8. Residents are allowed to bring their own furniture into their rooms. It is the responsibility of the resident to remove that furniture, including rugs, from the campus when he/she leaves the residence hall. The residence life office reserves the right to collect and maintain an inventory of any resident-owned furniture. Resident-owned furniture found in common areas at any time or in rooms after closing shall be removed and disposed of at the discretion of the Director of Residence Life. A fee is charged to the resident(s) for the college removing resident-owned furniture. The College is not responsible for resident-owned furniture while it is on campus.
9. A student must leave the room in the condition it was upon occupancy. A cleaning charge of a minimum of \$150 will be assessed if the student(s) does not clean his/her room before leaving.
10. Damages in common/public areas will be charged to the individuals responsible whenever possible. If responsibility is not accepted or known, then the repair/replacement fee and/or fine will be distributed amongst the residents of the floor or hall at the discretion of the Director of Residence Life.

### **Visitation**

1. Persons are not allowed on the residence hall floor of the opposite sex between 1:00 a.m. and 8:00 a.m. Monday – Friday. Children under the age of 13, Residence Life staff and AMC staff performing their job duties are exempt.
2. No resident may host an overnight guest of the opposite sex.

*Updated July 2015*

## SEXUAL MISCONDUCT AND TITLE IX POLICY AND PROCEDURE

### Overview

Rooted in the Roman Catholic tradition of higher education, Anna Maria College is maintained and operated in conformity with the values of the Judeo-Christian tradition and in keeping with the ideals of its foundresses, the Sisters of Saint Anne. The College is committed to nurturing the development of a sense of respect of oneself and for others, as well as a sense of responsibility to society and the world. To stay true to the mission of the College, the environment at AMC must be free of sexual misconduct including: sexual assault, sexual violence, sexual harassment, sexual exploitation, sexual discrimination, gender-based harassment, domestic violence, dating violence, and stalking.

AMC recognizes that sexual misconduct is a serious concern on college campuses everywhere. To address this concern, AMC provides educational and preventative programs; services for individuals who have been impacted by sexual misconduct; and accessible, prompt, and equitable methods of investigation and resolution of complaints, including cooperating with Paxton Police when the sexual misconduct rises to the level of a crime.

This Policy is written in a manner as to be easy to understand and accessible to students and employees while fulfilling legal obligations. If you have any questions regarding this Policy, please do not hesitate to contact the Title IX Coordinator, Director of Human Resources, 508-849-3398; the Title IX Deputy, Andrew Klein, Vice President for Student Affairs, 508-849-3313, [aklein@annamaria.edu](mailto:aklein@annamaria.edu); Paxton Police Lieutenant Mark Savasta, 508-494-9010, [msavasta@annamaria.edu](mailto:msavasta@annamaria.edu)

### Scope of Policy

This policy applies to both students and employees of the College and extends to sexual misconduct in all its forms and to retaliation by or against any employee, student, contractor, guest, visitor, or other person within the jurisdiction of the College.

College jurisdiction shall be limited to the conduct which occurs on College property, at/during College sponsored events at any location, or anywhere when the conduct adversely affects a member(s) of the College community in the pursuit of his/her education and/or the fulfillment of the College's mission.

### Individual and Community Responsibility

Each individual of the College Community is personally responsible for:

- ensuring that his/her conduct is free from sexual misconduct;
- reporting any instance of sexual misconduct to the appropriate official in a timely manner;
- cooperating in any investigation of alleged sexual misconduct by providing any information he/she possesses concerning the matter being investigated unless such action violates his/her rights as protected by law;
- actively participating in the College's efforts to prevent and eliminate sexual misconduct;
- maintaining a working/learning/living environment free from sexual misconduct; and
- ensuring that his/her actions support an environment in which an employee/student who files a sexual misconduct claim or cooperates in an investigation may do so without fear of retaliation or reprisal.

## **Reporting and Confidential Reporting in Brief**

All members of the AMC community are encouraged to report sexual misconduct and/or reach out to receive support and services when having experienced sexual misconduct without fear of retaliation or retribution. The College will make every effort to maintain the privacy of parties reporting sexual misconduct by restricting information to those with a legitimate need to know. Those reporting sexual misconduct should be aware that maintaining privacy is not the same as maintaining complete confidentiality. The complete reporting protocol is found on page 67 of this document.

### **Confidential Reports**

As sexual misconduct can take many forms, there are many avenues to report and address it. There may be times that a person wishes to discuss his/her experience with sexual misconduct or seek services due to an experience in strict confidence. **Confidential reports** may be made on campus (during office hours) to the AMC Health and Counseling Center, Trinity Hall Annex, 508-849-3315, and to the Campus Priest or Deacon, Foundress Hall lower level by the Madore Chapel, 508-849-3280. Available 24-hours a day is the off campus free and confidential hotline at Pathways for Change, 800-870-5905. The AMC Health and Counseling Center, Campus Priest, Campus Deacon, and Pathways for Change personnel will provide support and assistance to a person and, with very few exceptions required by law, are not obligated to report any information about the sexual misconduct to the Police, Title IX Coordinator, or Conduct Code Administrator. Reports made to the AMC Health and Counseling Center, Campus Priest, Campus Deacon, and Pathways for Change are confidential and will not automatically trigger further action by the College.

### **Non-Confidential Reports**

Incidents of any form of sexual misconduct should be reported to the Paxton Police, 508-494-9010 and the Title IX Coordinator, 508-849-3398, or the Title IX Deputy and Andrew Klein, 508-849-3313.

A more detailed discussion of reporting options can be found under the Reporting Policy and Protocol Section of this Policy.

### **Employees Who Receive Reports**

All AMC employees, including students employed by the College, are required to make a report in a timely manner to their supervisors when told of, or when they become aware of, possible sexual misconduct. The supervisor, in turn, will report the incident to the Title IX Coordinator and/or Paxton Police. AMC deems supervisors, managers, coaches and executives as responsible persons for the purposes of Title IX compliance.

### **Guidance on taking action regarding an incident of sexual misconduct**

*Go to a safe place. Tell someone you trust.*

You are urged to contact the Paxton Police (911 or 508-791-6600), the Paxton Police on campus (508-494-9010) as soon as possible after an incident of sexual misconduct. Paxton Police has trained sexual violence investigators who are available to assist you with evidence collection and preservation, seeking medical assistance, obtaining resources, and safety issues.

Advocates or counselors are available to assist you whether or not you make a report to the Police. These counselors and advocates provide confidential and free support. During office hours, an AMC counselor, 508-849-3315, will be available to assist you and to work closely with you to ensure that you have access to medical support, legal options, and campus interim options. After office hours, a counselor is available

at Pathways for Change's 24-hour free and confidential hotline, 800-870-5905; either an AMC or a Pathways for Change counselor will help you navigate your choices.

College staff will work with you in whatever way reasonably possible to make you feel comfortable and safe. Such assistance may include housing relocations, change in course schedules, escort services, etc. You do not have to make a formal report to access such services.

More information on reporting sexual misconduct is available later in this Policy.

**Get medical treatment as soon as possible: SANE nurse/evidence collection**

On campus, the Health Center can assist you in receiving the appropriate medical help. When the Health Center is closed, Paxton Police may be contacted to gain access to emergency medical services. You may also contact Pathways for Change, a confidential, free, 24-hour hotline. Pathways will provide a counselor to accompany you to the hospital.

Evidence collection is very important should a victim wish to press criminal charges immediately or at a future date. The Sexual Assault Nurse Examiner (SANE) program provides coordinated and expert forensic services to victims of sexual crime. Available 24-hours per day through Worcester hospital emergency rooms, SANE nurses are highly trained in medical-legal examinations and forensic evidence collection. SANE nurses provide invaluable care to victims of sexual assault and rape in the critical hours following the crime. SANE examinations are available at no cost to the victim. When possible, bring a full change of clothing, including shoes, to the emergency room for use after a medical examination.

Be aware that, even if the hospital calls local authorities, you are not obligated to speak to them. It is not necessary to file a police report to receive SANE services. The evidence collected through the forensic examination will be kept for a specific period of time in case criminal charges are filed in the future.

**Preserve all physical evidence.**

In the event that sexual assault or sexual violence occurred, do everything possible to preserve evidence by making certain that the crime scene is not disturbed. (The decision to press charges does not have to be made at this time. However, following these procedures will help preserve this option for the future.) Survivors should not smoke, bathe, urinate, douche, brush teeth, or drink liquids. Clothes should not be changed but if they were bring all the original clothing to the hospital in a paper bag. (Plastic bags damage evidence). If the attack happened in the victim's room or apartment, do not clean or straighten up until all the evidence has been collected. However, if you have done any of these things, do not let it stop you from seeking medical treatment and/or from reporting the incident of sexual violence.

**Report the assault to police.**

Paxton Police have trained sexual violence investigators available. Reporting an incident of sexual violence to Paxton Police may not commit you to further legal action. However, the earlier you report an incident of sexual violence, the more helpful it will be to police investigating the crime and to the prosecutor in prosecuting the case successfully. It also helps preserve your options for the future. You do not have to report an incident of sexual violence to Paxton Police to receive support services and interim measures.

**Talk with a professional counselor: a good place to begin.**

Counseling, medical support, and other victim support service referrals are available at the AMC Health and Counseling Center, 508-849-3315, Trinity Annex. Reports made to the AMC Health and Counseling Center are confidential and the services are free to AMC students. When the Health and Counseling Center is not open, you may contact Paxton Police, 911 or 508-494-9010, to gain access to emergency medical

services. Incidents reported to designated on-campus counselors may be kept confidential, except as required by law.

A counselor is always available offering crisis intervention, counseling, referrals, support (including at the hospital) and information through Pathways for Change, 800-870-5905. This community resource is confidential and free of charge.

#### On Campus Resources:

Paxton Police (24 hour) 911 or 508-494-9010 West end of Foundress Hall.

AMC Health & Counseling Service (a good place to begin; confidential reports may be made here) Linda Aronson, Director, Trinity Annex (off East end), 508-849-3315, [laronson@annamaria.edu](mailto:laronson@annamaria.edu) *After hours, call Pathways for Change at 800-870-5905 to make a confidential report and for access to hospital services.*

AMC Campus Ministry (confidential reports may be made here) Fr. Manuel Clavijo, Foundress Hall lower level, 508-849-3280, [mclavijo@annamaria.edu](mailto:mclavijo@annamaria.edu) Deacon Jack Franchi, Foundress Hall lower level, 508-849-3399, [jfranchi@annamaria.edu](mailto:jfranchi@annamaria.edu).

Title IX Coordinator, Director of Human Resources, Socquet House 1st floor, 508-849-3398

Title IX Deputy Andrew Klein, Vice President for Student Affairs, Trinity East 2nd floor, 508-849-3313, [aklein@annamaria.edu](mailto:aklein@annamaria.edu)

#### On Campus Living Adjustments:

- AMC Residence Life, Bishop Flanagan Campus Center, 508-849-3271,
- Academic Adjustments: Student Success Center Dennis Vanasse, Director, Trinity East 1st floor, 508-849-3372, [dvanasse@annamaria.edu](mailto:dvanasse@annamaria.edu)

#### Off-Campus Resources

Counseling/Advocacy services: these local, state, and national services provide confidential support 24-hours a day

- Pathways for Change (a good place to start) A Counselor is always available offering crisis intervention, counseling, referrals, support (including at the hospital) and information. 800- 870-5905
- Daybreak Domestic Violence Services. YWCA of Central MA: 508-755-9030
- UMass Memorial University Campus Emergency Mental Health 508-856-3562
- Violence Recovery Program (LGBT Services, located in Boston):800-834-3242 office hours & 877-785-2020 Safelink after office hours
- National Domestic Violence Hotline 800-799-SAFE (7233)
- National Sexual Assault Hotline 800-656-HOPE (4673)
- Stalking Hotline 800-394-2255
- Samaritans (Suicide Prevention) 877-870-4673

- GLBT Helpline 888-340-4528

Medical services: these hospital emergency rooms have SANE nursing to provide **confidential**, compassionate, comprehensive, expert forensic nursing care to survivors of sexual assault at no charge.

- UMass Memorial Hospital ER 508-334-6481
- UMass Memorial University Campus ER 508-334-3511
- St. Vincent Hospital ER 508-363-6025

#### Law Enforcement

- Paxton Police 911 or 508-494-9010

#### Court Advocacy: confidential services

- Daybreak / SAFEPLAN (assistance with restraining orders) 508- 831-2168
- Victim Witness Program (advocate from DA's office) 508- 755-8601

#### Legal Assistance: confidential services

- Community Legal Aid 508-752-3722
- Victim Rights Law Center 617- 399-6720
- Massachusetts Justice Project (legal advice and referrals) 508-831-9888
- Violence Recovery Program (LGBT Advocacy) 800-834-3242

#### State & National Resources

- State resources
  - [www.mass211.org](http://www.mass211.org)
- National resources
  - [www.211us.org](http://www.211us.org)
  - [www.NotAlone.gov](http://www.NotAlone.gov)

## **Interim measures: safety on campus after an incident of sexual misconduct**

When immediate interim measures to ensure his/her safety and well-being are requested by a person who has experienced sexual misconduct, they will be provided by the College as those measures are reasonable and available.

*For Students:* A student does not have to file a formal report with the Police or under the Student Code of Conduct to obtain interim measures. Interim measures may include, but are not limited to,

- changes in class schedule or class location;
- changes in living arrangements;
- issuing a no-contact order;
- obtaining counseling or health services;
- modifying test schedules or other class requirements temporarily.

Requests for interim measures are best made to the Health and Counseling Center (confidential reporting may be made here), but may also be made to Paxton Police or Title IX Deputy. Students may directly ask faculty and/or appropriate staff for interim measures but should be aware that the employee must then make a report about the alleged sexual misconduct to the Title IX Coordinator.

*For employees:* Requests for interim measures may be made to the Title IX Coordinator. When reasonable and available, interim measures may include, but are not limited to, no-contact orders, a change in work schedule, a change in office and/or escort to/from vehicle.

## **Definitions**

### **Sexual Misconduct: General**

“Sexual misconduct” is a broad term encompassing any sexual or gender-based behaviors that are not tolerated by the AMC community. Sexual misconduct can take many forms: sexual assault, sexual violence, sexual harassment, sexual exploitation, sexual misconduct, sexual discrimination, gender-based harassment, domestic violence, dating violence, and stalking.

Sexual misconduct may be committed by anyone, regardless of gender identity. It may occur between people of the same or different sex or gender. You can be subjected to sexual misconduct by anyone in your life: friend, supervisor, roommate, intimate partner, ex-boy/girlfriend, classmate, acquaintance, teammate, colleague, professor, or stranger. Misconduct can range in severity from inappropriate humor to physical assault; from a one-time belittling remark about your gender-identity to repeated sexual harassment creating a hostile environment where your academic or job performance is harmed. The misconduct can be experienced person-to-person; by seeing written notes, photographs, or drawings; by receiving phone calls or text messages; or over the internet. No matter the form, no matter the severity, no matter the perpetrator: **sexual misconduct will not be tolerated at AMC.**

You do not have to be the person at whom the unwelcome sexual conduct is directed to experience sexual misconduct. If the unwelcome sexual conduct creates an intimidating, hostile, or offensive working, living, or academic environment for you or interferes with your work or academic performance, then it could be a violation of this Policy.

The definitions of the most common forms of sexual misconduct behaviors are below. The College reserves the right to classify as “sexual misconduct” behaviors that are not explicitly listed below but, based upon a “reasonable person” standard, would be considered to be such conduct.

While we have attempted to define and give examples of forms of sexual misconduct and have included all definitions required by the Violence Against Women Act, we recognize that this list cannot cover every experience that one may have. If you feel that you have been the victim of or have witnessed sexual misconduct that is not listed below, you are strongly encouraged to report it and/or seek services due to it. Don't wait until the behavior has risen to a level that you can “fit” into a definition: seek out support and help as soon as possible.

### **Sexual Misconduct Definitions and Examples**

1. **Gender-based or Sexual Harassment:** Gender-based or sexual harassment is a form of sex discrimination and is prohibited by State and Federal laws. Gender-based or sexual harassment includes any unwelcomed conduct of a sexual or gender-based nature when: 1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education, work, or educational activities; or 2) submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual; or 3) such conduct has the effect of unreasonably interfering with an individual's academic or work performance or creating an intimidating, hostile, demeaning, or offensive academic, work, or living environment.

Sexual or gender-based harassment is a broad term that includes many forms of misconduct from unwelcomed comments to sexual assault. More severe or violent forms of gender-based or sexual harassment are defined separately below. They include domestic violence, dating violence, sexual exploitation, stalking, and intimidation.

Sexual or gender-based harassment does not occur only during voluntary social activities. It can occur in the workplace or anywhere in the academic environment: classroom, Success Center, library, Study Abroad trip, or employee offices. Sexual or gender-based harassment is behavior which is not welcomed by the student/employee, is personally offensive to him or her, and/or undermines morale and/or interferes with the ability of the employee/student to work/learn effectively.

Sexual or gender-based harassment may create a hostile environment when it is sufficiently serious and objectively offensive as to deny or limit a person's ability to participate in or benefit from the academic, social, and/or work environment at AMC. Not all sexual or gender-based harassment will create a hostile environment.

While it is not possible to list all of the circumstances that may constitute sexual or gender-based harassment, depending upon the totality of the facts, including the severity of the conduct and its pervasiveness, following is a list of unwelcomed situations that could constitute sexual or gender-based harassment:

- abusive conduct directed towards one sex;
- use of sexually degrading words or images;
- name calling and/or insults based on gender nonconformance;
- telling sexual stories or jokes or making sexual comments;
- gossip, with sexual overtones (e.g. talking about a person's sex life), which makes for unpleasant educational conditions and undermines the integrity of educational relations;
- unwanted teasing, remarks, comments or questions with sexual innuendoes or in reference to a person's gender, sexual orientation, or sexual activities;

- verbal comments of a sexual nature about an individual's appearance or sexual terms used to describe an individual;
  - comments, jokes, or threats directed at a person because of his/her sexual orientation, gender-orientation, or gender-expression;
  - videotaping or photographing someone or people without consent
  - posting or distributing sexually suggestive objects, pictures, cartoons, or other materials;
  - unwanted sexually-oriented letters or notes;
  - sending unwanted offensive or discriminatory messages or materials through the use of electronic communications (e.g. email, social media, voice mail, text messages, instant message or fax) which contain overt sexual language, sexual implications or innuendo, or comments that offensively address someone's sexual orientation or gender-identity;
  - unwelcome and/or repeated invitations (for lunch, dinner, drinks, dates, sexual favors, sexual relations);
  - demand for sexual favors accompanied by an implied or overt threat concerning an individual's employment/student status or promises of preferential treatment;
  - staring at parts of a person's body, leering, ogling, winking, or making suggestive gestures;
  - suggestive sounds or noises, including wolf whistles, kissing sounds, or howling;
  - unwanted, inappropriate references to a person as "hunk," "doll," "babe," "honey," "stud," or "sweetie;"
  - unwanted sexual gestures, including sexual hand gestures or body movements, touching or rubbing oneself sexually in the presence of another person, throwing kisses, or licking lips;
  - unwanted physical contact such as touching, hugging, kissing, stroking, fondling, patting, pinching, or repeated brushing up against one's body;
  - deliberate and unwanted bumping, leaning over, cornering, mauling or grabbing;
  - indecent exposure or sexual exhibitionism;
  - peeping or other voyeurism;
  - assaults, molestations, or coerced sexual acts;
  - sexual assault or rape;
  - attempting to force someone to engage in sexual relations; and/or
  - condoning any behavior that would be considered sexual or gender-based harassment.
2. **Sexual Assault (non-consensual sexual intercourse and/or non-consensual sexual contact):** Any form of sexual intercourse (anal, oral, or vaginal), however slight, with any object without consent is sexual assault. Intercourse means: vaginal penetration (however slight) by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact).
- Any intentional sexual touching, however slight, with any object without a person's consent is sexual assault. Intentional sexual contact includes contact with the breasts, buttocks, groin, or touching another with any of these body parts, or making another person touch any of these body parts or any intentional bodily contact in a sexual manner.
3. **Rape:** Rape is defined in the general laws of Massachusetts as follows: "Whoever has sexual intercourse with a person and compels such person to submit by force or against their will or compels such person to submit by force or against their will or compels such person to submit by threat of bodily injury. If the act occurs while the victim is unconscious, asleep or otherwise unable to communicate willingness, it is still considered rape."
4. **Sexual Exploitation:** Sexual exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit or to benefit or advantage

anyone other than the one being exploited. Sexually-based stalking or bullying may also be forms of sexual exploitation. Examples of sexual exploitation include, but are not limited to:

- prostituting another person;
  - non-consensual video or audio taping of sexual activity;
  - non-consensual distribution of images or information of another's sexual activity, intimate body parts or nakedness with the intent to or having the effect of embarrassing an individual who is the subject to such images or information;
  - going beyond the boundaries of consent (i.e. allowing others to watch you have consensual sex without telling your sexual partner that they are watching);
  - engaging in non-consensual voyeurism;
  - knowingly transmitting an STI or HIV to another without having disclosed your STI or HIV status; or
  - exposing one's genitals in non-consensual circumstances, or inducing such exposure in another person.
5. **Domestic Violence:** a pattern of coercive and controlling behaviors and tactics used by one person over another to gain power and control. In domestic violence situations, the involved persons can be intimate partners or former intimate partners; those who are or have been in a substantive dating or engagement relationship; those residing in the same household; and/or family members. The abusive behaviors can involve one or more of the following:
- physical harm;
  - direct or implied threat of physical harm or causing a situation where fear of physical harm is present;
  - economic abuse;
  - emotional abuse creating apprehension of physical harm to self, loved ones or pets or damage to property; and/or
  - repeated communication, anonymously or directly, made with the intent to intimidate, control, terrify, harass, or threaten.
6. **Relationship (Dating) Violence:** abuse or violence between those in a dating relationship involving one or more of the following:
- physical harm;
  - direct or implied threat of physical harm or causing a situation where fear of physical harm is present;
  - emotional abuse creating apprehension of physical harm to self, loved ones or pets or damage to property; and/or
  - repeated communication, anonymously or directly, made with the intent to intimidate, control, terrify, harass, or threaten.
7. **Stalking:** a pattern of behavior over a period of time directed at a specific person that would cause a reasonable person to feel fear.
- Stalking can rise to the level of a crime. Massachusetts law defines stalking as 1) willfully and maliciously engaging in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress and 2) making a threat with the intent to place the person in imminent fear of death or bodily injury.

Stalking behaviors may include:

- non-consensual communication including in-person communication, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of pictures or information on Web sites, written letters, gifts, or any other communications that are undesired and/or place the specific person in fear;
- following, pursuing, waiting for, or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by the specific person;
- surveillance and other types of observation, whether by physical proximity or electronic means (including peeping, staring, use of spyware on the specific person's computer, stealing/using of passwords to gain access to emails or voicemails, monitory by GPS or other application);
- trespassing;
- vandalism;
- non-consensual touching;
- direct physical and/or verbal threats against the specific person, his/her loved ones, and/or pets;
- gathering of information about the specific person from family, friends, co-workers, and/or classmates;
- manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to the specific person; and/or
- lying to others about the specific person (defamation or slander).

#### Other Definitions

1. **Consent:** Consent is informed, freely and actively given, and requires clear communication between all persons involved in the sexual encounter. Lack of consent is a critical factor in any incident of sexual misconduct. If you have sexual activity with someone you know to be, or should know to be, mentally or physical incapacitated (for instance by alcohol or drug use, unconsciousness, or blackout), you are in violation of this policy. Use of alcohol or drugs will never function to excuse behavior that violates this policy.
  - Consent is active, not passive.
  - Silence, in and of itself, cannot be interpreted as consent.
  - Consent can be communicated verbally or by actions. In whatever way consent is communicated, it must be mutually understandable.
  - Consent can be withdrawn at any time.
  - It is the responsibility of the initiator of sexual contact to make sure he or she fully understands what the person(s) with whom they are involved want(s) or do(es) not want sexually.
  - Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
  - Previous relationships or consent does not imply consent to future sexual acts.
  - Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another;
  - Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion.
  - Effective consent cannot be given by minors (in Massachusetts, persons under 16 years of age are considered "minors" in this context), individuals with a mental disability, or persons incapacitated as a result of drugs and/or alcohol.

2. **Use of alcohol and other drugs:** The recreational and/or social use of alcohol or other drugs never makes someone at fault for being sexually assaulted. Alcohol and other drugs can lower inhibitions and create an atmosphere of confusion over whether consent is freely and affirmatively given. The use of alcohol and other drugs do not always create incapacitation. The standard of "a reasonable person" will be used for determining if one should have known that the impact of the alcohol or drug made the other person unable to give consent.

Sometimes a person is reluctant to report instances of sexual misconduct when other policy violations, such as underage drinking, may be involved. To encourage reporting, any other policy violations may be addressed (if necessary) separately from the sexual misconduct allegation.

3. **Incapacitation:** Incapacitation is a state where one cannot make a rational, reasonable decision because he or she lacks the ability to give knowing consent or to understand the "who, what, when, where, why, or how" of his or her sexual interaction. This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the ingesting of a so-called "date-rape" drug. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one or more of these or any drugs to another person for the purpose of inducing incapacity is a violation of this policy.
4. **Force:** Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent.
5. **Coercion:** Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear that he or she does not want sex, wants to stop an encounter, or does not want to proceed past a certain point of interaction, continued pressure beyond that point can be coercive.

## **Reporting Policy and Protocol**

### *Overview*

It is the responsibility of each and every member of the Anna Maria College community to foster an inclusive environment and to take a stand against sexual misconduct. To that end, Anna Maria College expects all members of the community to report any incident of sexual misconduct, including: sexual assault, sexual violence, sexual harassment, sexual exploitation, sexual misconduct, sexual discrimination, gender-based harassment, domestic violence, dating violence, and/or stalking, immediately, whether experienced first-hand or directed against someone else. It is only through each community member speaking out that the College can act to investigate and work to eliminate sexual misconduct.

There is no time limit on reporting an incident of sexual misconduct. The individual experiencing or witnessing the sexual misconduct should be aware that the longer the period of time between the event and the report, the more difficult it will be for an investigation to be successfully concluded. Even if an individual may not wish to file a report immediately upon experiencing sexual misconduct, he/she is strongly encouraged to make a confidential report as soon as possible. By speaking in a confidential setting with a member of the AMC Health and Counseling Center, Campus Priest, Campus Deacon or a volunteer on a community hotline such as Pathways for Change or Daybreak, an individual may receive support and advocacy even without filing a report.

While the community at large bears the responsibility to speak out against sexual misconduct, staff with managerial or supervisory authority (including student Residence Life and Orientation staff), faculty

members, and administrators are required, when they have reasonable cause to believe or personal knowledge of sexual misconduct occurring to: 1) notify the victim(s) of the existence of this Policy and 2) to report the issue in a timely manner to the Title IX Coordinator, the Director of Human Resources, Socquet House, 508-849-3398, or to Deputy Title IX Coordinator, the Vice President for Student Affairs & Retention, Andrew Klein, Trinity East 2<sup>nd</sup> floor, 508-849-3313, [aklein@annamaria.edu](mailto:aklein@annamaria.edu). Any member of the College community who has a question about his or her responsibilities under this policy should contact the Title IX Coordinator or the Deputy Title IX Coordinator.

#### Reporting Incidents

Students, faculty, and staff who wish to report an incident of sexual misconduct are strongly encouraged to contact Paxton Police, 911 or 508-494-9010. Paxton Police are available 24-hours a day, 7 days a week. Paxton Police have trained sexual violence investigators who are available to assist victims during what can be a very emotional and stressful time. The Paxton Police Department provides Anna Maria College with our Public Safety Services and works closely with the Office of Residential Life, the AMC Health and Counseling Center to support victims of and to promote awareness about sexual misconduct.

The decision to report a sexual assault or sexual violence to the Paxton Police or to file a complaint is entirely the victim's choice. Reporting to the Paxton Police or filing a complaint is not necessary for a victim to receive counseling or other supportive services.

A student and/or employee may choose to report an incident of sexual misconduct to both the Paxton Police for criminal pursuit and to the College for action under the Student Code of Conduct and/or College policies. Because the standards for finding a violation of criminal law are different from the standards in this Policy, criminal investigations or reports are not determinative of whether or not a violation under this Policy has occurred. The filing of a criminal report will not delay the College acting on the report under this Policy.

Paxton Police can assist anyone reporting sexual misconduct to:

- receive medical services (including access to a SANE nurse at local hospital emergency room, regardless of a formal report being filed);
- get information about filing a criminal complaint or other legal action without actually filing a formal complaint;
- make a criminal complaint (including securing possible evidence);
- file a restraining order;
- make a Code of Conduct complaint;
- receive support services (on and/or off campus resources regardless of a formal report being filed); and
- access interim measures such as getting an on campus “no contact” order, changing residence hall room, academic accommodations, and other interim measures (regardless of a formal report being filed).

Reports of sexual misconduct may also be reported by students, faculty and staff to the following:

Title	Name	Contact Information
<b>Title IX Coordinator,</b> Director of Human Resources		Socquet House, first floor, Box H, 508-849-3398,
<b>Title IX Deputy,</b> Vice President of Student Affairs	Andrew Klein	Trinity East, second floor, Box F, 508-849-3333, <a href="mailto:aklein@annamaria.edu">aklein@annamaria.edu</a>

The Title IX Coordinator, Title IX or Deputy can assist a student reporting sexual misconduct to:

- receive medical services (including access to a SANE nurse at local hospital emergency room regardless of a formal report being filed);
- receive support services (on and/or off campus resources regardless of a formal report being filed);
- understand and have questions answered about this Policy;
- make a Code of Conduct complaint;
- contact Paxton Police to file a criminal complaint, obtain a restraining order, or discuss legal options without filing a formal report;
- access interim measures such as getting an on campus “no contact” order, changing residence hall room, academic accommodations, and other interim measures (regardless of a formal report being filed); and/or
- file an anonymous report.

#### Employee as Victim Reporting

An employee is encouraged to report possible sexual misconduct of which he/she is a victim which occurs on campus, at an AMC sponsored event, may negatively impact his/her ability to successfully do his/her job, and/or which involves an AMC community member. If an employee prefers to discuss a possible sexual misconduct problem with his or her supervisor, the employee may always do so, but employees do not have to go through the regular chain of supervision when reporting sexual misconduct and may go directly to Paxton Police, 911 or 508-494-9010, or to the Title IX Coordinator, Director of Human Resources, 508-849-3398.

Employees may talk in confidence with the employee resource LifeScope by calling 800-828-6025, the 24-hour hotline available to AMC employees. Employees may also use the confidential, 24-hour hotlines available to the general community such as Pathways for Change, 800-870-5905, and Daybreak, 508-755-9030.

#### Anonymous Reporting

A student or employee may wish to make a report about sexual misconduct but may want to keep his/her name from the report. Anonymous reports will result in an investigation of the alleged behavior by the College as the College is obligated by law to take action. If the complainant requests anonymity or asks that the complaint not be pursued, the College will take all reasonable steps to investigate and respond to the complaint consistent with the request for anonymity or request not to pursue the investigation, however, the College’s ability not to investigate as requested may be limited by its legal obligations. The Title IX Coordinator, is responsible for evaluating requests for anonymity and/or taking no action and weighing the request against the College’s legal responsibility to investigate and/or take action.

When the Title IX Coordinator or the Deputy Title IX Coordinator is made aware of an incident involving sexual misconduct, the Coordinator involved will ensure that an anonymous incident report is made to the Paxton Police to comply with campus safety laws (known as the “Clery Report”). The name of the reporting

party and/or possible victim will not be disclosed or in any way connected to the report. The report contains the following data about the incident (as available from the original report): date, time, location (as specific as possible without revealing the identity of the alleged victim) and type of sexual misconduct reported.

#### *Confidential Reporting, Students*

There may be times that a student wishes to discuss his/her experience with sexual misconduct or seek services due to an experience in strict confidence. Confidential reports may be made on campus (during office hours) to the AMC Health and Counseling Center, Trinity Hall Annex, 508-849-3315, and to the Campus Priest or Deacon, Foundress Hall lower level by the Madore Chapel, 508-849-3280. Available 24-hours a day is the off campus free and confidential hotline at Pathways for Change, 800-870-5905.

The AMC Health and Counseling Center, Campus Priest, Campus Deacon, and Pathways for Change personnel will provide support and assistance to a student and, with very few exceptions required by law, are not obligated to report any information about the sexual misconduct to the Police, Title IX Coordinator, or Conduct Code Administrator. Reports made by students to the AMC Health and Counseling Center, Campus Priest, Campus Deacon, and Pathways for Change are confidential and will not automatically trigger further action by the College.

#### *Sharing at Educational Event*

The College and/or community will at times sponsor educational events around preventing and/or recognizing sexual misconduct. Some of these events, such as “take back the night rallies” or “Denim Day”, can encourage participants to share personal experiences with the group and/or with the facilitators/organizers. If a student or employee chooses to share an experience with sexual misconduct in this manner, it is not considered a report to the College. The College is not obligated by law to take action due to such a sharing.

#### *Title IX Compliance Team*

The Title IX Compliance team includes administrators from Athletics, Student Affairs, Student Affairs & Retention, Human Resources, and the Paxton Police. The team will meet regularly and as needed to review adherence to policy and policy training.

The Title IX Coordinator, Director of Human Resources, has the responsibility for the overall development, administration, and monitoring of all programs, policies, procedures, and regulations related to Title IX and sexual misconduct. The Title IX Deputy, Andrew Klein, Vice President of Affairs & Retention, in addition to assisting the Title IX Coordinator, has the responsibility for the development, administration, and monitoring of all educational programs, policies, procedures and regulations related to sexual misconduct experienced by or perpetrated by students.

Listed below are the members of the Title IX Compliance Team who have primary responsibility for Title IX compliance and with whom complaints regarding sexual misconduct may also be filed:

Title	Name	Contact Information
<b>Title IX Coordinator,</b> Director of Human Resources		Socquet House, first floor, Box H, 508-849-3398
<b>Title IX Deputy,</b> Vice President of Student Affairs	Andrew Klein	Trinity East, second floor, Box F, 508-849-333, <a href="mailto:aklein@annamaria.edu">aklein@annamaria.edu</a>
Dean of Student Life	Lisa Saverese	Bishop Flanagan Camus Center, Box 8, 508-849- 3312, <a href="mailto:lsaverese@annamaria.edu">lsaverese@annamaria.edu</a>
Athletic Director	Laura Habacker	AMCat Center, Box A, 508-849-3447, <a href="mailto:lhabacker@annamaria.edu">lhabacker@annamaria.edu</a>
Paxton Police Lieutenant	Mark Savasta	Foundress Hall West, Box 1, 508-494-9010, <a href="mailto:msavasta@annamaria.edu">msavasta@annamaria.edu</a>

#### Reporting Sexual Misconduct: Summary

Chart showing to whom you may make which type of report:

	Full Report & Investigation	Anonymous Report	Confidential Report
Tell Paxton Police	Yes		
Tell AMC staff, including student staff, administrator, faculty member	Yes (Paxton Police will be called)	Yes (Paxton Police will be given report with identifying data removed unless full investigation required by law)	
Tell AMC Health and Counseling Center			Yes
Tell AMC Priest or Deacon (in their professional capacity)			Yes
Call off campus confidential hotline (i.e. Pathways for Change, Daybreak, Victim Rights Law Center, etc.)			Yes
Go to Emergency Room of Hospital (SANE nurse available)			Yes

Chart explaining what actions each report can initiate:

	Full Report	Anonymous Report	Confidential Report
Receive support services (counseling, advocacy)	Yes	Yes	Yes
Receive medical assistance	Yes	Yes	Yes
Ask for and receive interim measures such as change housing, class or work schedule, receive no contact order, access academic supports	Yes	Yes	Yes
Make criminal complaint	Yes	No	No
Make Conduct Code Complaint	Yes	Yes (but College's ability to act on the complaint may be limited)	No
College must investigate complaint	Yes	Yes (but College's ability to act on the complaint may be limited)	No
Complaint part of crime data (no personal information included)	Yes	Yes	No
Timely warning must be issued if situation merits	Yes	Yes	No
Name of alleged victim possibly disclosed to alleged perpetrator during investigation	Yes	No (unless circumstances warrant College taking action by law)	No investigation, name not disclosed
Can request investigation be stopped/no further action taken	Yes (but College reserves right to continue investigation under certain circumstances)	Yes (but College reserves right to continue investigation under certain circumstances)	No investigation

## Investigation Procedures and Protocols

When a report is filed, it will be promptly investigated in a fair and expeditious manner and in such a way as to maintain privacy to the extent practicable under the circumstances. For reports involving students, the investigation will be conducted under the procedures outlined in the Student Code of Conduct. For reports involving employees, the investigation will be conducted under the procedures outlined in the Guidelines for Investigation and Adjudication of Allegations of Sexual Violence found in this document and in the Student Code of Conduct.

### Investigation

- a) Upon being notified that a reporting party wishes to pursue a complaint of violation of the policy regarding sexual violence, or when the Title IX coordinator has been made aware of an alleged violation, the Title IX Coordinator will consult with the Deputy Title IX Coordinator to determine whether the allegations, if proven, would constitute a violation of this policy. This evaluation will normally occur within five working days of the initial report.
- b) If it is determined that the allegations would not constitute a violation of this policy, the reporting person will be advised of other disciplinary, legal and support options as appropriate, and no further violation under this policy will be pursued. If new information is subsequently provided, this decision may be reevaluated.
- c) If it is determined that the allegations would constitute a violation of this policy, the Title IX Coordinator will ask the Deputy Title IX Coordinator to prepare the charge describing the alleged violation and the provisions of this policy alleged to have been violated, and to designate an Investigator to conduct an investigation and prepare a report. A single investigator will ordinarily be assigned to each case. Investigators will be selected from a group of qualified and trained individuals employed by the College.
- d) Upon initiating the investigation, the Deputy Title IX Coordinator will send the reporting person and the responding person a Notice of Investigation which will include:
  - a. A copy of the charge;
  - b. The name and contact information of the investigator;
  - c. A copy of this policy.
- e) The investigation will be conducted in a prompt, fair, thorough and impartial manner. It will include at a minimum:
  - a. Speaking separately with the reporting person and the responding person;
  - b. Speaking with pertinent witnesses;
  - c. Soliciting and reviewing documentation relevant to the investigation including available police reports, campus incident reports and written statements submitted by the reporting and responding persons.
- f) The investigator will provide the reporting and responding persons with timely notice of meetings at which they are asked to be present. The reporting and responding persons will not be permitted to directly question each other and will not be required to be present together at any point. Each person may have an advisor and/or an observer present with them at all meetings concerning the investigation. The role of the advisor and/or observer is outlined below.
- g) This investigation will normally be completed within sixty days of the initial report to the Title IX Coordinator.

### Standard of Proof

All findings and determinations of responsibility under this policy will be made using a preponderance of the evidence standard. With respect to any factual issue, this standard requires the determination of whether it is more likely than not that a fact exists or an event or violation of this policy occurred.

### Investigation Findings and Report

The investigator will prepare a written report at the conclusion of the investigation. Before the report is finalized, the investigator will give the reporting person and the responding person an opportunity to review a draft of the factual findings of the report and submit comments in writing. The investigator will then make any modifications to the draft report that the investigator deems appropriate and finalize the report.

The investigator's final written report will set forth, at a minimum:

- a) The investigator's factual findings;
- b) The investigator's determination as to whether the responding person committed the misconduct alleged in the charge;
- c) The investigator's rationale for the findings.

The investigator will submit the report directly to the College Conduct Code Official as outlined in the Student Code of Conduct.

### Sanctioning Decision

Upon review and approval of the investigation report and findings, the Conduct Code Official will determine the appropriate sanctions and remedies if there is a finding of responsibility. Both parties will be simultaneously notified in writing of the resolution of the investigation.

### Appeal

Both the reporting person and the responding person may submit an appeal of finding in a sexual misconduct matter in accordance with the appeal process set forth in Section III Paragraph M in the Student Code of Conduct.

### Role of Advisor

The reporting person and the responding person may bring an advisor/observer of their choosing to any investigatory meeting. In the cases involving sexual misconduct only, this advisor may be an attorney or parent. The procedure and regulations regarding the presence of an advisor/observer are as follows:

- a) At least 48 hours before a scheduled hearing, a student must inform the investigator or Conduct Code Official that he or she will bring an advisor and provide contact information for that person;
- b) Hearing will not be scheduled or delayed based on an advisor's availability;
- c) Advisors may not address the investigator or Conduct Code Official and may not advocate for the student during the meeting;
- d) The student and his or her advisor may confer at any point during the hearing, but the advisor may not formulate specific questions, responses or statements for the student;
- e) If the advisor violates procedures (i.e., begins advocating for the student or otherwise disrupts the meeting), he or she will be asked to leave the meeting;

- f) College staff involved with the student conduct process will only discuss procedural matters with an attorney who is serving as an advisor. All other questions must be answered by the College's Legal Counsel.

## **Retaliation**

Retaliation against an individual for filing a complaint of sexual harassment or against any individual for cooperating in an investigation of a gender or sexual misconduct complaint is prohibited by this policy and, in many cases, by State and Federal law. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy. This includes action taken against a bystander who intervened or attempted to intervene to stop the sexual misconduct. Retaliation includes intimidating, threatening, coercing, or in any way discriminating against a person because of that person's complaint or participation or inciting others to retaliate on one's behalf.

## **Relations with Subordinate Employees and Students**

In keeping with the College's interest in prohibiting unethical conduct, the College prohibits faculty members or supervisors from engaging in romantic or sexual relations with individuals over whom they exercise evaluative or supervisory authority, including students employed in any capacity by the College.

The College also considers inappropriate, and therefore prohibits, any relationship of a romantic or sexual nature between a faculty or staff member and a student, even when no such evaluative or supervisory relationship exists.<sup>1</sup>

## **False Accusation**

The College recognizes that false accusations of sexual misconduct can have serious effects on innocent persons. If, after an investigation has been completed, a person has accused another of sexual misconduct based on frivolous, reckless, or bad-faith complaints leading to a false accusation, the employee/student will be subject to appropriate sanctions, up to and including student suspension/dismissal and employee discharge.

## **Policy Dissemination**

The College's policies and complaint procedures are well publicized to students and employees. These policies and procedures are documented for students in the Student Handbook located on the College web site. For employees, they are referenced in the Employee Guidelines and found on the employee intranet. The College will distribute a copy of the Sexual Misconduct (Title IX) Policy to current employees and students on an annual basis through AMC email. New employees will receive a copy of the policy during employee orientation in the Human Resources office.

## **Legal References**

In setting forth publicly the College's goal of promoting an educational and work environment that is free of sexual harassment in all of its forms, this policy is neither designed nor intended to limit the College's authority to discipline or take remedial action for conduct which is deemed unacceptable, regardless of whether that conduct satisfies the legal definition of sexual misconduct.

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<sup>1</sup> Specific information including preexisting relationships is covered in the College's Code of Ethics Policy and has been issued.

With respect to statements, discussions, or written materials used in the classroom, any reports of sexual misconduct will be considered in the context of the curriculum. Nothing in this policy is meant to in any way prohibit or abridge the use of particular textbooks or curricular materials.

Sexual harassment is expressly forbidden by federal and state regulations and action by the federal government has established that such behaviors are actionable under the provisions of Title VII of the 1964 Civil Rights Act and the Civil Rights Act of 1991, the provision of Title IX of the 1972 Educational Amendments and under Massachusetts General Law, chapter 151B, Sections 3A, 4(1), and 16A. Consistent with its commitment to a safe and healthy environment, Anna Maria College complies with all applicable Federal and State laws. These include Title IV of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972 (Title IX), the Family Educational Rights and Privacy Act of 1974 (FERPA), and the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act and VAWA amendment), Massachusetts General Laws Chapter 151B section 3A, and their implementing regulations and related guidance. Sexual misconduct, as defined in this policy, constitutes forms of sex discrimination prohibited by Title IX.

## **State and Federal Agencies**

Using the College's complaint process does not prohibit an employee or student from filing a complaint with state or federal agencies with appropriate jurisdiction. Each of these agencies has a deadline for filing claims (EEOC 300 days; MCAD – 300 days; OCR – 180 days).

The Massachusetts Commission Against Discrimination ("MCAD"), located at One Ashburton Place, Room 601, Boston, MA 02108, and 436 Dwight Street, Suite 220, Springfield, MA 01103, is responsible for enforcing the Massachusetts sexual harassment law, and the U.S. Equal Employment Opportunity Commission ("EEOC") is responsible for enforcing the federal law prohibiting sexual harassment. The EEOC is located at JFK Federal Office Building, Government Center, Room 475, Boston, MA 02203. They may be contacted at the above addresses. The Office of Civil Rights (OCR) may also be contacted at U.S. Department of Education, 33 Arch Street, Suite 900, Boston, MA 02110

*Revised July 2015*

## **SEX OFFENDERS REGISTRY INFORMATION (CAMPUS SEX CRIMES PREVENTION ACT)**

The Federal Campus Sex Crimes Prevention act requires colleges and universities to issue a statement advising the campus community where state law enforcement agency information concerning registered sex offenders may be obtained. The Act also requires registered sex offenders to provide to appropriate state officials notice of each institution of higher education at which the offender is employed, carries on a vocation, or is a student.

The public may request information about sex offenders in Massachusetts at the Massachusetts Sex Offenders Registry Board (SORB), 978-740-6400 or at <http://sorb.chs.state.ma.us/> or at the Paxton Police Department, 508-755-1104.

Information contained in the Sex Offenders Registry shall not be used to commit a crime against an offender or to engage in illegal discrimination or harassment of an offender. Any person who improperly uses Sex Offender Registry information shall be punished by not more than two and one half years in the house of corrections or by a fine of not more than \$1000 or by both such fine and imprisonment.

*Reviewed July 2014*

## STUDENT CODE OF CONDUCT

### **Preamble**

As an academic community centered in the Catholic Tradition, Anna Maria College expects all members of the college community to act in a responsible and ethical manner and to uphold the values, rules, and regulations of the College. The principles of individual honor, integrity, responsibility, and respect for the rights of others are essential to student conduct in both academic and student affairs life.

### **I. Statement of Student Rights and Responsibilities**

In exercising the rights below, students are expected to maintain maturity and civility. No right specified here is meant to be construed as enabling students to infringe upon the individual rights of others or of the community as a whole.

A student has the right:

1. To an education, to organize his/her personal life and behavior, and to pursue individual activities, except when those activities interfere with the rights of others or violate College, local, state, or federal policies.
2. To the presumption of student innocence and genuineness by the Faculty, Administration and staff in all disciplinary processes.
3. To the protection of fundamental fairness in the administrative and disciplinary process as provided for in this code of conduct.
4. To impartial advice from one person within the College community during all aspects of the discipline process. The advisor's role will be limited to consultation with the advisee.
5. To the expectation and preservation of privacy, to the extent possible, in the investigation and hearing procedure of any administrative or disciplinary process.
6. To have access to a clear appeals process.

### **II Code of Conduct**

#### **A. Standards of Academic Conduct**

1. The following actions, among others, constitute a violation of the Standards of Academic Conduct:
  - a. Intentional or accidental plagiarism in an academic exercise, which includes:
    - i. direct or literal copying of a source without proper attribution;
    - ii. paraphrasing of a source without proper attribution;
    - iii. resubmission of one's work in another academic exercise without the knowledge of both instructors;
    - iv. submission of another's work in whole or part with intent to deceive.
    - v. falsifying research including practicum/internship hours.
  - b. Giving or receiving unacknowledged, inappropriate, or unauthorized aid in an academic exercise.
  - c. Intentional falsification of data, sources, or information in an academic exercise.

- d. Deceiving or lying to a Faculty member or Administrator in matters relating to an academic requirement, policy, or procedure.
  - e. Acting in a disorderly or discourteous manner in an academic exercise or to a faculty member or students during an academic exercise.
2. The following sanctions are available to the Conduct Code Administrator for a violation of the Student Standards of Academic Conduct:
- a. Administrator Warning: An oral reprimand that does not become part of the student's record or a written reprimand that does become part of the student's record. The College may consider that if the student graduates and he/she has had no further difficulty the written warning may be removed from the student's file.
  - b. With the agreement of the faculty member involved, a grade of "failure" on the assignment with no opportunity for "make-up." The sanction will be recorded in the office of the Vice President of Academic Affairs and will be included in the student's records.
  - c. With the agreement of the faculty member, a grade of "failure" for the course. The sanction will be recorded in the office of the Vice President for Academic Affairs and will be included in the student's files.
  - d. Suspension from the College: the student is ineligible to apply to re-enroll at the College for at least one semester. Vice President for Academic Affairs must approve the re-enrollment. Any student who is found in violation of the Standards of Academic Conduct on more than one occasion will be subject to a minimum sanction of suspension from the College.
  - e. Dismissal from the College: the student is permanently removed from the College.

## **B. Standards of Non-Academic Conduct**

### 1. Standards of Conduct

The purpose of providing a list of possible misconducts is to give students general notice of behavior that is expected and behavior that is prohibited by the College. The Standards of Non-Academic Conduct are not written with the specificity of a criminal statute and are not intended to be interpreted with the specificity of a criminal statute. Any student found to have committed or to have attempted to commit the following misconduct is subject to the disciplinary sanctions outlined in Section II.

Allegations of harassment or discrimination because of sex or alleged acts of sexual violence, assault or misconduct will generally be handled initially under AMC's Title IX Policy. However, AMC reserves the right to initiate proceedings or seek discipline or dismissal under this Code of Conduct for actions, while not found to violate AMC's Title IX policy, nonetheless may or do violate this Code of Conduct.

- a. Violation of AMC policy published in hard copy or available electronically on the AMC website.
- b. The intentional physical harm or injury to oneself, or the intentional, or attempted, or threat of physical harm to others, or the assault or battery, sexual assault, harassment, stalking, or hazing of another member of the College community.
- c. Verbal, written, or electronically transmitted (including but not limited to phone and/or computer) abuse, threats, intimidation, bullying, harassment, stalking, coercion, and/or other conduct which threatens, has the intent to cause fear in, has the intent to cause substantial emotional distress to, has the intent to control, or endangers the health or safety of any person.

- d. Bias incidents, hate crimes, and/or other actions which are committed against a person or property that are motivated, in whole or in part, by the offender's bias against an individual or group because of the individual or group's actual or perceived status as protected by law.
- e. Possession of firearms, explosives, incendiary devices, ammunition, pepper spray, mace, stun-gun, other weapons, and/or dangerous chemicals on AMC premises or at AMC sponsored events and/or use of any such item, even if legally procured, in a manner that harms, threatens, or causes fear to others.
- f. The intentional unsanctioned use of, abuse, destruction, misappropriation, or vandalism of the private property of other members of the community or of college property, including but not limited to physical property, computer files and/or an individual's identification and/or password(s); theft of property and/or services; knowingly possessing stolen property; and/or taking property of another without consent, even with an intent to return the property.
- g. Unauthorized possession, duplication, or use of keys to any AMC premises; or unauthorized entry to or use of AMC premises. Except in case of emergency, entering upon, crossing or using rooftops or stairwell roofs, using windows as a means of ingress or egress, and/or scaling the exterior of any building.
- h. The intentional disruption or obstruction of legitimate College operations or activities.
- i. The intentional unsanctioned use of, abuse, obstruction, destruction, misappropriation, or vandalism of the CCTV surveillance system.
- j. The violation of any College policies, published in hard copy or available electronically on the AMC website including, but not limited to those on alcohol, drugs, computer use, hazing, on-campus living, sexual harassment, non-discrimination, and/or Campus Dining Hall Policy.
- k. The inability or unwillingness to carry on student responsibilities.
- l. The apparent violation of any Federal, State or local law.
- m. Failure to comply with direction of AMC administrators or law enforcement officers acting in performance of their duties and/or failure to identify oneself or one's guests to these persons when instructed to do so. Use, sale, or possession of false identification on AMC property or at AMC sponsored events.
- n. Setting off false alarms or making other false emergency reports, misusing or tampering with college emergency equipment, interfering with emergency personnel in the conduct of their duty.
- o. Falsifying, altering or forging any official College records or documents and/or employing official College documents or records for purposes of misrepresentation.
- p. Conduct which occurs on AMC property, at AMC sponsored activities, and off campus if it adversely affects the AMC community and/or the pursuit of the College's mission or objectives.
- q. Conduct that is disorderly, lewd, or indecent; breach of peace; or aiding, abetting or procuring another person to breach the peace on AMC property or at functions sponsored by AMC, or in which the AMC community participates.
- r. Any unauthorized use of electronic or other devices to make an audio, video, or digital record of any person while on AMC premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause emotional distress to the subject(s) of the recording. This includes, but is not limited to, surreptitiously taking pictures of another person in a facility or area where privacy is assumed (gym locker room, restroom, and residence hall room). The storing, sharing, and/or distribution of such records by any means is prohibited.
- s. Providing information to individuals involved in gambling activities concerning varsity athletics competition; or participating in any gambling activity that involves varsity athletics or amateur athletics, through a bookmaker, a parlay card or any other method employed by organized gambling.
- t. The intentional abuse of the Conduct Code System, including, but not limited to: the failure to obey the summons of a College administrator; falsification, distortion, or misrepresentation of

- information; influencing or attempting to influence a witness or member of the Conduct Code System; failure to comply with sanctions; or any other actions that interfere, disrupt, or violate the procedural and substantive standards of the Code of Conduct and Conduct Code System.
- u. Failing to instruct guests as to College or residence hall rules and policies.
  - v. Threatening or endangering the health or safety of animal(s).
  - w. Retaliation, either directly or indirectly through others, against any individual involved in a disciplinary complaint or proceeding.

### **III. The Conduct Code Process and System**

#### **A. Enforcement**

1. The Conduct Code Administrator and the Vice President for Student Affairs have jurisdiction over the enforcement and administration of all violations of Standards of Conduct. The Conduct Code Administrator and the Vice President for Student Affairs may appoint a designee in his/her place at any time as appropriate.
2. The College reserves the right to administer the Student Code of Conduct and proceed with the discipline process even if the student withdraws from the College, is no longer enrolled in classes, or subsequently fails to meet the definition of a student while a disciplinary matter is pending.
3. Students continue to be subject to city, state, and federal laws while at the College, and violations of those laws may also constitute violations of the Student Code of Conduct. In such instances, the College may proceed with disciplinary action under the Student Code of Conduct independently of any criminal proceeding involving the same conduct and may impose sanctions for violation of the code even if such criminal proceeding is not yet resolved or is resolved in the student's favor.

#### **B. Jurisdiction**

The Student Code of Conduct applies to the on-campus conduct of all students and recognized student organizations.

The Student Code of Conduct also applies to the off-campus conduct of students and recognized student organizations in direct connection with:

1. Academic course requirements or any credit-bearing experiences, such as, but not limited to, internships, clinical placements, practicums, field trips, study abroad, or student teaching;
2. Any activity supporting pursuit of a degree, such as taking a class and/or engaging in research at another institution;
3. Any activity sponsored, conducted, or authorized by the College or by student organizations including, but not limited to, athletic events, trips, conferences, seminars, and leadership trainings;
4. Any activity that causes destruction of property belonging to the College or members of the College community or causes harm to the health or safety of members of the College community;
5. Conduct which adversely affects the AMC community and/or the pursuit of its mission or objectives;
6. Sexual harassment that causes significant disruption of the educational process of the community or an individual; or
7. Any activity in which a police report has been filed; a summons or indictment has been issued; or an arrest for a crime of violence has occurred.

### **C. Record Keeping**

Records of all informal and formal procedures shall be kept as outlined under the Family Educational Rights and Privacy Act of 1974 (FERPA). Records shall be kept in a confidential manner as provided by law. In no instances shall these records be available to individuals outside the College, except if required by law and with the approval of the President of the College.

### **D. Complaints**

1. Any member of the college community may file a complaint against a student for allegedly violating the Standards of Conduct. All complaints shall be prepared in writing sent via the complainant's AMC email account and directed to the Conduct Code Administrator. All complaints must contain the identity of the complainant, the identity of the accused, the date of the incident, and the circumstances involved.
2. Upon receipt of the Complaint, the Conduct Code Administrator will determine if the alleged conduct may constitute a violation of the Standards of Student Conduct. If so, the case will proceed for disciplinary action.
3. Written reports regarding the incident (not limited to the complainant's report), witness statements, witness interviews, relevant date and time stamped video security surveillance clips, and/or access card reader information are among the materials that may be consulted/used by the Conduct Code Administrator (or his/her designee) and/or appeals administrator (or his/her designee) at any time in the disciplinary process.

### **E. Disciplinary Action**

Upon determining that there is sufficient evidence that a violation may have occurred, the Conduct Code Administrator (or his/her designee) can initiate any of the following:

1. A conversation between the Conduct Code Administrator and the accused student(s) which results in the student(s) accepting responsibility for their actions.
2. A Mediation conducted by the Conduct Code Administrator or his/her designee with the complainant and the accused student(s). Mediation is never an option in a case where sexual violence has been alleged.
3. A full investigation.

### **F. Disciplinary Meeting**

A student accused of a violation(s) of the Student Code of Conduct has the right to a disciplinary meeting with the Conduct Code Official. The student will be notified of this meeting through his/her AMC email account. It is the responsibility of the student to check his/her AMC email and respond in a timely manner to the Conduct Code Official's notification of the disciplinary meeting.

The Conduct Code Official may conduct a disciplinary meeting in the absence of the accused student if the student does not attend the meeting or fails to schedule a meeting within the required timeframe. A student who did not attend his/her disciplinary meeting when notified by the Conduct Code Official forfeits his/her right to appeal unless the student has been charged with sexual harassment and/or the sanctioning results in the student's dismissal, expulsion or suspension from the College and/or dismissal, expulsion or suspension from the residence halls.

In the case where the respondent has been charged with sexual harassment, the complainant has equal opportunity to have a meeting with the Conduct Code Official through the process above.

## **G. Right to an Advisor**

At any stage of the disciplinary process, the complainant and/or the accused student have the right to be assisted by an advisor he/she chooses, at his/her own expense (if any). The advisor must be a member in good standing of the College community and may not be an attorney. As it is the complainant's and/or the accused student's responsibility to participate directly in the discipline process, the advisor's role is limited to consultation with the advisee. Advisors are not allowed to speak to nor interact directly with any Conduct Code official or designee. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the discipline meetings(s) because delays will not normally be allowed due to the scheduling conflicts of an advisor.

## **H. Decision**

Upon concluding the investigation, the Conduct Code Administrator's determination shall be made on the basis of whether it is more likely than not that the accused student violated the Student Code of Conduct. This is the "preponderance of evidence" standard. The Conduct Code Administrator may do the following:

1. Dismiss the complaint
2. Take no further action (no notification given)
3. Find that a violation occurred then impose appropriate sanctions

## **I. Sanctioning**

The following sanctions (alone or together) may be imposed by the Conduct Code Administrator and the Vice President for Student Affairs (or their designees) upon any student found to have violated the Student Code of Conduct:

1. *Dismissal:* The student must leave the College and/or residence hall and is not eligible for readmission. Students who are dismissed from the College will be banned from the College property and any College sponsored activities. Students who are dismissed from the residence halls will be banned from entering any AMC residence hall or being on adjacent property. There are no refunds of tuition, room and board, or other fees for a student dismissed from the College and/or residence hall.
2. *Expulsion:* The student must leave the College and/or residence hall and must reapply to the College in order to be readmitted. While under expulsion, the student may have restrictions placed upon him/her as to access to College property and/or College sponsored events. The Conduct Code Administrator may approve or deny the application for re-admittance. The sanction is for at least one academic year. There are no refunds of tuition, room and board, or other fees for a student expelled from the College and/or residence hall.
3. *Suspension from the College:* The student must leave the College and the sanction is in effect for no less than the remaining portion of the semester and no more than one academic year. While under suspension, the student may have restrictions placed upon him/her as to access to College property and/or College sponsored events. The student must reapply in order to be readmitted. The Conduct Code Administrator may approve or deny the application for re-admittance. There are no refunds of tuition, room and board, or other fees for a student suspended from the College.
4. *Residence Hall Suspension:* The student must leave the residence halls for a period of time set in the sanction. While under residence hall suspension, the student will be banned from the residence halls and adjacent property. There are no refunds for room and board for a student suspended from the residence halls.

5. *Behavior Contract:* conditions that must be in place for the student to continue as an Anna Maria College student and/or to retain residency. Violation of the Behavior Contract will usually lead to suspension, expulsion, or dismissal from the College and/or residence hall. Students on Behavior Contract are not allowed to represent the College in any leadership capacity including, but not limited to, employment by the Residence Life Department, varsity athlete, Orientation Coordinator or Leader, SGA executive board, club/organization/class officer, employment by the Admissions Office, AMC Phone-a-Thon worker, or College committee.

6. *Disciplinary Probation:* The sanction implies that the student's standing at the College and/or in the residence hall is in jeopardy for the specified period of probation and that further violations will result in suspension, expulsion, or dismissal. A student on Disciplinary Probation may not be allowed to represent the College in any leadership capacity including, but not limited to, employment by the Residence Life Department, varsity athlete, Orientation Coordinator or Leader, SGA executive board, club/organization/class officer, employment by the Admissions Office, AMC Phone-a-Thon worker, or College committee.

7. *Written Reprimand:* a warning which goes into the student's disciplinary file

8. *Verbal Reprimand:* a warning

9. *Restitution:* including, but not limited to, the replacement value of items damaged, stolen, and/or used without authority.

10. *Payment of Fine.*

11. *Assigned work* for the College: hours are given and must be completed within a time frame or a fine and/or suspension is instituted.

12. *Educational Assignment:* research of an assigned topic and completion of a college quality paper or other medium such as bulletin board, brochure, or presentation.

13. *Parental, Club/Organization Advisor and/or Coach Notification*

14. *Suspended Sanction:* sanction is assigned and then "put on hold" pending certain conditions

15. Such *other actions* as the College within reason may deem appropriate.

## **J. Interim Sanctioning**

If the Conduct Code Administrator (or his/her designee) has reasonable cause to believe that a student's presence on College property or at a College sponsored event poses a potential risk of harm to the health or safety of self, others and/or property, the student may be immediately suspended from all or any portion of College property and banned from off-campus College sponsored activities. This temporary suspension will remain in effect until an administrative decision is made about the interim sanction.

The student may, if no decision about the interim sanction has been rendered within five (5) working days of the imposition of the suspension, petition the Vice President for Student Affairs for reinstatement. The petition must be in writing, and must include supporting documentation or evidence that the student does not pose, or no longer poses, a potential risk of harm to the health or safety of self, others and/or to property. All interim sanctions remain in effect during the petition.

## **K. Reservation of Rights**

The College reserves the right to remove at any time any student or person whose conduct or academic standing it regards as unacceptable in a community of scholars and students.

## **L. Notification**

When appropriate, the student will be notified by the Conduct Code Administrator or designee verbally or in writing. The main means of communication for all aspects of the discipline process is through AMC email. It is the responsibility of the student to check his/her AMC email regularly.

When the accused student is found in violation of sexual harassment, the College may permissibly disclose to the complainant matters about the sanction that are directly related to the complainant. When the accused student is found in violation of a crime of violence or non-forcible sex offense, the College may permissibly disclose to anyone the final results of the grievance procedure, which includes the accused student's name, violations, and sanctions. This disclosure may be made to anyone.

When the accused student faces allegations of a crime of violence or non-forcible sex offense but has not been found in violation of that conduct, the College may still permissibly disclose the final results of a disciplinary proceeding to the complainant.

## **M. Appeal**

### *Purpose*

The purpose of the appeals procedure is to provide a system of checks and balances in the disciplinary process. The actual facts of a case must always prevail over a "loop-hole" of procedure or policy.

A student who did not attend his/her disciplinary meeting when notified by the Conduct Code Official forfeits his/her right to appeal unless the student has been charged with sexual harassment and/or the sanctioning results in the student's dismissal, expulsion or suspension from the College and/or dismissal, expulsion or suspension from the residence halls.

The appeal official shall consider the basis of the appeal, the facts of the incident, and the disciplinary history of the student when rendering a decision. The appeal official may, after a review of appeal, reject the appeal, uphold the original sanction, dismiss the original sanction, modify the decision or sanction, or refer the appeal back to the original hearing official for reconsideration.

### *Grounds for Appeal*

The following shall be considered as grounds for appeal:

1. Procedural error
2. Relevant, new evidence unavailable at the time of the discipline meeting
3. Disproportionate sanction

### *Identifying the Appeal Official*

A student seeking to appeal will be heard by the following official(s):

<i>Title of Original Conduct Code Official</i>	<i>Title of Corresponding Appeal Official</i>
Resident Director	Director of Residence Life
Director of Residence Life	Vice President for Student Affairs or Dean of Student Life
Vice President for Student Affairs	College President

### *Appeal Process:*

1. A student seeking appeal must submit his/her intention to appeal in writing to the original conduct code official (see chart above) within one (1) working day of the issuance of the original decision. The appeal must be sent via the student's AMC email. Upon receiving the student's "intent to appeal", the original conduct code official will determine what, if any, sanctions will be suspended pending the appeal and will inform the student.
2. The student will submit his/her formal appeal letter stating the specific ground(s) for the appeal (see above) with supporting arguments and/or documentation in writing to the original conduct code official within three (3) working days of the issuance of the original decision. The original conduct code official will forward the appeal and supporting paperwork to the appropriate parties.
3. It shall be up to the Appeal Official to hear or dismiss the appeal. If he/she dismisses the appeal, the student shall be notified and the appeal is complete.
4. If the Appeal Official hears the appeal, he/she will review the appeal, conduct any investigation he/she deems necessary, and will render a decision. The Appeal Official may:
  - a. Uphold the decision and sanction (makes no changes)
  - b. Modify the decision and/or modify the sanction
  - c. Without rendering a decision, return the case to the original Conduct Code Official for his/her reconsideration
5. The student will be notified in writing of the Appeal Official's decision through the AMC email system and the appeal is complete.
6. In the case where the respondent has been charged with sexual harassment, the complainant has equal opportunity to appeal the finding of the conduct code official through the process above.

### **N. Request for Clemency After Petition**

After the exhaustion of appeal, a student who has been expelled or dismissed from the College may request a reduction in sanction based on presidential clemency. The student must put the request and the basis for the request in writing to the President of the College within three working days of the conclusion of the

petition. The President may choose to hear or dismiss the request for clemency. The President's decision is final and cannot be appealed. The student will be notified of the President's decision in writing. In the case where the accused student has been charged with sexual harassment, the complainant has equal opportunity to request the President review the findings as described in this section.

## **O. Administrative Procedures**

The Conduct Code Administrator has the authority to establish administrative procedures to carry out the standard of conduct.

### **CLOSED CIRCUIT TELEVISION (CCTV) SURVEILLANCE SYSTEM**

Anna Maria College employs CCTV technology to assist Paxton Police and AMC's Conduct Code Administrator in the protection of the College community and determent of criminal activity and Conduct Code violations. All monitoring is conducted in an ethical, professional and legal manner. Monitoring will be of public areas only. It is the intent of the College's policy on CCTV use to achieve a reasonable balance of priorities, a respect for privacy and sensitivity to the possibility of misuse. All cameras in use are visible with there being no attempt to hide their presence.

It is important to understand that Anna Maria College does not continuously monitor CCTV cameras. Specific signage stating this policy can be found in selected areas across campus. Whereas this CCTV technology is an example of the College's continuing commitment to helping students and staff enjoy a safe and secure community; the College encourages the community to employ sensible security and safety precautions such as: not leaving keys in vehicles, always locking vehicles and rooms, safeguarding campus ID cards and not leaving valuables such as laptop computers, cameras, GPS units and purses in plain sight inside vehicles.

### **RESIDENCE HALLS: ADVERTISING, LOUNGE RESERVATION & SOLICITATION**

#### Advertising:

All postings in the residence halls must be approved by the Director of Residence Life or designee. Flyers about on-campus events that do not exceed 8 ½ x 11 in size may be posted in the residence halls on bathroom doors or designated bulletin boards. Larger posters about on-campus events may be posted in the lobby areas on the appropriate bulletin boards. No postings are allowed in stairwells or on doors, walls, or windows. Posters that are fire hazards will be removed without notice and destroyed.

Posters and notices about major on-campus events may be placed on the front doors of the residence halls with the permission of the Director of Residence Life or designee and generally not more than 1 day prior to the event. Flyers may not be placed under room doors.

Postings during election times by candidates for SGA or other campus leadership positions shall be limited to space provided by the Director of Residence Life in the lobby area of each residence hall. To make sure that there is space for all candidates, one poster per candidate (whether singularly or as part of a group poster) will be allowed in each hall. Posters for candidates will be posted no more than 10 days prior to the election and shall not exceed standard poster board size. Only posters that are in the spirit of the College shall be accepted. Posters that are placed outside of the designated posting area or that are in violation of the election posting policy shall be removed without notice and destroyed.

Flyers from off-campus individuals, groups or organizations must be approved by the Office of Residence Life and, after approval, may be posted in the main lobbies on the appropriate bulletin boards. Flyers must be appropriate to the Mission of the College. No flyers advertising alcohol or events where alcohol will be served shall be approved. Unapproved posters from off-campus individuals, groups or organizations will be removed and destroyed without notice.

**Lounge Reservation:**

During the academic year, lounges in the residence halls may be used for small events hosted by AMC students, SGA, Class Officers, Residence Life and the offices of Campus Ministries and Student Activities. Contacting the Residence Life Office, [residencelife@annamaria.edu](mailto:residencelife@annamaria.edu), reserves the spaces on a “first-come, first-served” basis. The host of the event is responsible for the cleanup of the area reserved and any damages occurring due to the event. Other on-campus groups may be accommodated at the discretion of the Director of Residence Life.

**Solicitation:**

On-campus groups may solicit within the residence halls with the permission of the Director of Residence Life.

Off-campus individuals, groups or organizations will not be allowed to place flyers under room doors, leave materials in common areas, or to in any manner solicit within the residence halls. AMC students hired by or volunteering for off-campus individuals, groups or organizations will fall under the “off-campus” solicitation restrictions.

*Revised July 2015*

**TOBACCO AND NICOTINE FREE POLICY STATEMENT**

Anna Maria College is committed to a tobacco and nicotine free environment for the health of the AMC community and visitors. Employees, students, and visitors are restricted from using any tobacco or nicotine delivery product, including smoking, vaping, or chewing tobacco, within any college building or in any area adjacent to a building; in any vehicle owned or leased by the College; and on or adjacent to any athletic field or facility, including open air bleacher seating.

Generally, tobacco and/or nicotine use is discouraged on campus property but may occur in parking lots and on sidewalks away from building entrances as long as the use of the tobacco product or nicotine delivery system in these areas does not negatively impact others. By State law, use of tobacco products may not occur where there is the possibility that the smoke may enter a building through doors, windows, or by any means.

The College reserves the right to initiate disciplinary procedures for employees, students, and any individual found to be in violation of this policy. Retaliation against a person who makes a complaint or furnishes information concerning a violation of this Policy is strictly forbidden.

**Implementation & Enforcement**

All campus constituents have a collective responsibility to promote the safety and health of the campus community and, therefore, share in the responsibility of policy compliance. Individuals observed using tobacco or nicotine in any form are to be reminded in a professional and courteous manner of the College policy. Paxton Police may issue citations to those found violating this policy. They may be reached at 508-494-9010.

Referrals for addressing repeated violations of the policy should be addressed to the Human Resources department for employees, the Director of Residence Life for students, and Paxton Police for visitors and guests.

More information about a tobacco-free workplace may be found in Massachusetts General Law, Chapter 270, Section 22, <https://malegislatu.re.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter270/Section22> and on the Department of Health website <http://www.mass.gov/eohhs/gov/departments/dph/programs/mtcp/>.

### Definitions

Tobacco Products: cigarette (clove, bidi, kretek), cigar (cigarillo, little cigar), pipe tobacco, hookah or goza product, and any other smoking product. Additionally, all spit or spitless tobaccos, dissolvable tobacco, dipping tobacco, chew, snuff, or snus, in any form, is considered a tobacco product for the purpose of this policy.

Nicotine Delivery Product: any form of “e-cigarettes” or “e-cigs”. Nicotine delivery products do not include physician-prescribed “patches”.

Use: includes, but is not limited to, smoking, vaping, chewing, or ingesting tobacco or nicotine. Use is also defined as possession of any lit tobacco or nicotine delivery system product. Use does not preclude simple possession of unlit tobacco or nicotine delivery system products, tobacco products as a prop in performance art or a material in artistic work, or in health awareness related courses, programs or training sessions, or any other activity protected by academic freedom.

### Student & Employee Support for Tobacco-Free Assistance

Students may access support for smoking cessation and other related tobacco and nicotine free lifestyle supports through the Anna Maria Health and Counseling Office. The Health and Counseling Office is located at the east end of Trinity Hall and may be reached by calling 508-849-3315. Services provided through the Health and Counseling Office are confidential and free to AMC students.

Employees may access smoking cessation resources through the Employee Assistance Program. The Employee Assistance Program may be accessed through the College’s employee intranet portal and is provided by Lifescope’s E4Health program.

*Revised July 2015*

## **OFFICIAL NOTIFICATIONS, UPDATES, AND COPYRIGHT**

Anna Maria College reserves the right to change its descriptions of services, policies, tuition, fees, curriculum and other matters subsequent to the publication of this handbook. The online version of this handbook is the official version, which will be updated periodically. Update notifications will be posted in the AMC Insider or sent through the AMC email account.

The AMC Insider is considered the official newsletter for the College. All students are responsible for reading the AMC Insider when it is sent to their AMC email.

The main means of communication between the College and students is through AMC email. It is the responsibility of the student to check his/her AMC email regularly.

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