

# The Hampshire College Student Handbook

## Welcome to the 2021- 2022 Hampshire College Student Handbook



### **The Student Handbook is your annual contract with the College?**

The Student Handbook provides you with your rights and responsibilities as a student as well as links to important information that will help you make decisions about your academic and social success. Students are expected to read the Handbook in its entirety each year.

### **Did you know there's a policy updates section?**

The Student Handbook is reviewed annually and completed in August for each academic year. While typically you will only see policy changes in August, the [Policy Updates](#) [1] section is dated to show you the most recent updates divided between Academic Policies and Norms for Community Living and Policies.

### **You can access previous versions of the Student Handbook?**

While students are responsible for following Student Handbook policies as changes become effective, students are responsible for following the academic program policies for their year of entrance into the College. Visit the [Handbook Archives](#) [2] page to review academic policies from your year of entry into the College.

### **There is a notes feature that you can use?**

In the left side bar, log in using your usual Hampshire College log in information. Once logged in, a Navigation section will appear below the "Handbook Navigation" in the left side bar that allows you to "Add a Personal Note." Only you can view these notes and they will remain on the pages you save them on for your own personal use.

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## **NOTICE OF NONDISCRIMINATION**

Hampshire College reaffirms publicly its moral and legal commitment to a policy of equal opportunity in education and employment. Please [click here](#) for the full notice as well as the [discrimination, harassment, and retaliation policy](#) [3], how to report, and where to find support and resources.

## **A NOTE ON PRONOUN USE**

This document uses “they” and “their” in place of “he or she” and “his or her.” Though we acknowledge that this is not traditional English and sometimes sounds awkward to the ear, it is intentional. We seek not to use gendered pronouns, as doing so may exclude valuable members of our community.

## **CRIME STATISTICS**

Hampshire College publishes its [Annual Security Report and Daily Crime and Fire Log](#) [4] in accordance with the Clery Act and encourages all persons to report any criminal act or activity of which they may be aware. Accurate reporting of all crimes can help the College to identify crime patterns and support its efforts to reduce crime.

## **ACCURACY**

We strive to ensure this publication is made as accurate as possible. Please refer to the [Policy Updates](#) [1] section for up-to-date summaries of changes and specifically where to view individual sections that have been modified. While it is our practice to be transparent with students and the community, Hampshire College reserves the right to change and/or modify policies, processes, and procedure without notice. The [office of student rights and responsibilities](#) [5] oversees publication of the Hampshire College Student Handbook, please direct any questions and feedback to the director at [gansa@hampshire.edu](mailto:gansa@hampshire.edu) [6].

# **Academic Policies**



In this section you will find academic policies for the 2021-2022 academic year.

For policies applicable to other years please visit the [Handbook Archives](#) [2] section.

[View the Academic Calendar](#) [7]

## Ethics of Scholarship

Students at Hampshire College are part of a broader community of scholars and artists, a community in which ideas, hypotheses, new concepts and images, and carefully established facts are the currency. None of us is able to survive without borrowing from the work of others. Just as we expect to have our work recognized in the footnotes of those who borrowed from us, so must we carefully recognize those from whom we borrow.

Brief guidelines are presented in this section for the proper acknowledgment of sources upon which we draw for course assignments, papers, examinations, oral presentations, artistic productions, and so on. We acknowledge the work of others not only in gratitude to them, but also to provide our readers with the opportunity to consult our sources if they want to review the evidence, consider other interpretations, or determine the basis for the cited passage. In the evaluation of scholarly work, the writer's creativity in locating appropriate sources and using them well can be assessed only if those sources are identified.

The failure to acknowledge one's sources is more than a failure to be properly socialized into a community of scholars. Scholars who fail to note sources are at best ignorant and at worst dishonest. Unacknowledged borrowing from the work of others in any medium is academically dishonest and a fundamental repudiation of the deepest values of the academic community. Students and faculty are members of this community and bound by these values, whether they are on our campus, taking courses at another of the Five Colleges, on an internship, or studying abroad. Academic dishonesty refers to plagiarism, falsification of data, and any other cases of violations of the ethics of scholarship.

# Academic Dishonesty: Procedures for Dealing with Violations

Academic dishonesty (plagiarism, fabrication, or falsification of data) is a breach of the ethics of scholarship and a violation of one of the central norms of an academic community. Because reports of academic dishonesty are most likely to arise from work done in a course or for a divisional project, a member of the college faculty usually brings forward the report. When such a report is brought forward, the procedure is as follows:

1. The faculty member will inform the student and the School dean that a violation of academic honesty may have occurred. The School dean will inform the dean of advising of the violation. The faculty member will provide all documentation to the dean of advising, who will meet with both the student and faculty member, and recommend a course of action. If the dean of advising determines that it is more likely than not that academic dishonesty has occurred and determines that it is a first offense, the dean of advising will:
  - Write a letter of warning to the student, to remain in the student's academic file;
  - In consultation with the faculty member and the School dean, determine academic consequences that may include but are not limited to submitting a revised or new assignment; no evaluation given for the course regardless of add/drop/withdrawal deadlines or, in the case of [Division III](#) [8] work, a decision to set aside the project in question and require the student to do an alternative project on a different topic with a different committee (unless the committee concerned agrees to continue working with the student).

Academic integrity lies at the core of our work and unacknowledged borrowing from the work of others in any medium is a fundamental repudiation of the deepest values of the academic community. Therefore, in cases of egregious violation, the dean of advising may also refer the case to for review through the [Formal Conduct Process](#) [9], as outlined below.

## Referral of the Case to the Formal Conduct Process

Second or multiple offenses concerning plagiarism or other violations of the [ethics of scholarship](#) [10] (as well as egregious first offenses) will be referred by the dean of advising to the [Formal Conduct Process](#) [9]. Among the sanctions available if found responsible for a violation of the Ethics of Scholarship are probation, suspension, and expulsion from the College.

## Appeals

The student has the right to appeal the finding of academic dishonesty and/or sanctions to the vice president of academic affairs and dean of faculty. Findings may be appealed only on procedural grounds.

### **Process for Appeal**

Appeals of procedure and appeals of sanction(s) by the student must be submitted in writing to the vice president for academic affairs within five (5) business days after written notification of the finding and/or sanction is sent to the student. Appeals must state the specific rationale for a procedural appeal and/or the grounds for an appeal of the sanction.

In all cases of an appeal, the vice president of academic affairs shall review the appeal and the pertinent facts relative to the appeal, determine if further investigation is warranted, and render a decision. The vice president of academic affairs will endeavor to render a decision within 21 days after an appeal has been submitted but may take additional time to consider the appeal when such time is deemed necessary. The vice president's decision is final.

### **Record of Cases of Academic Dishonesty**

All cases of academic dishonesty should be reported in writing to the dean of advising. A confidential record of all cases of plagiarism will be maintained by the [Center for Academic Support and Advising](#) [11] (CASA) to aid in determining appropriate action.

### **Academic Dishonesty at another institution**

Should a charge of academic dishonesty be brought against a Hampshire College student at another institution (i.e. Five Colleges, study abroad institution, internships or other external academic institutions) the policies and procedures of the host institution will apply.

## **Plagiarism**

### **Plagiarism**

Plagiarism (from the Latin for kidnapper) is the presentation of another's work as one's own. The term, "plagiarism" covers everything from *inadvertently* passing off as one's own the work of another because of ignorance, time constraints, or careless note-taking, to *deliberately* hiring a ghost writer to produce an examination or course paper. This range of possibilities is spelled out in more detail in the following list of examples.

### **Cheating**

Cheating is the unfair or dishonest acquisition or use of information in order to gain an advantage. This includes but is not limited to unauthorized use of information from another person's paper, quiz, or exam; buying/borrowing, or selling/loaning quizzes, exams, or papers; unauthorized use of opened textbooks, notes, or other devices during a quiz or exam. It is the responsibility of each student to consult with faculty about the study aids and materials that are permissible.

### **False Citation**

Material should not be attributed to a source from which that material was not obtained. That is, one must not pass off primary sources as if they had been consulted when in fact, the material in the oral presentation or written work is based upon a secondary source. All primary and secondary source material must be properly identified and cited.

### **Poor Documentation**

As scholarly writers, we are expected to acknowledge our indebtedness for ideas, phrases, sentences, data, computer code, charts, diagrams, figures, images, and longer verbatim quotations by citing our sources. Sources can include, but are not limited to, course readings, lectures, websites, interviews, and other students' work. The necessity to cite sources extends to both published and unpublished work. Writers prepare for the necessity of proper source citation by taking careful notes on exact wording and spelling, page numbers, and source identification, including any material found on the internet. It is particularly important to present verbatim quotations exactly as they are in the original sources, including any errors. Paraphrases require documentation, and they must be a true restatement of the original rather than simply a rearrangement of the words in the sources. There are a number of methods of documentation. The form of the reference list or bibliography or footnote style may vary by discipline. There are a number of style manuals that describe the documentation rules for various academic disciplines. Some are in the reference collection at the library; many are online. Please the Hampshire College library for [assistance on citing sources](#) [12] via the associated link.

### **Unacknowledged Use of Work Produced by Others**

Presenting papers or sections of papers (including any material found on websites) bought, borrowed, or stolen from others as one's own is the most blatant form of plagiarism. Plagiarism can also extend to buying, borrowing, or stealing data, images, or computer code and presenting it as one's own. There is no acceptable excuse for this behavior, including ignorance.

### **Unacknowledged Multiple Authors or Collaboration**

The notion that intellectual work is and should be a lonely and fiercely independent enterprise is sometimes overemphasized. At Hampshire College, students are encouraged to collaborate on work for courses, work for [Division II](#) [13], and even [Division III](#) [8] "independent projects." For example, students are encouraged to have better spellers look at their work if that is necessary, and faculty members show drafts of their work or discuss their ideas with colleagues. In almost any book or article, writers in footnotes and references lists recognize their indebtedness to colleagues who have criticized their work. Students, too, should acknowledge the assistance of their collaborators. In joint examinations or class projects, the contributions of each member of the group should be made clear and every member of the group should have an understanding of the whole project. All collaborators should be clearly acknowledged and cited on each individual's work. Students should consult with their faculty about the expectations and limitations about collaboration specific to each course.

### **Unacknowledged Multiple Submission**

Students are expected to generate original work in response to each assignment, unless the faculty member setting the assignment has expressly stated otherwise. Using the same paper or assignment, or portions thereof, for several purposes without prior approval (for example, submission of a paper to several classes or publication in several scholarly journals) is generally considered to be unacceptable.

### **False Data**

Data fabricated or altered in a laboratory experiment or field project is an instance of academic

fraud. Though it is not plagiarism per se, falsification of data is a clear violation of the [ethics of scholarship](#) [10].

A repudiation of plagiarism in all its forms is shared by all academic disciplines. However, there is some variation between disciplines regarding the methods and norms for acknowledging and citing sources within that discipline. These are best discussed with the faculty in the context of specific courses or projects. Ignorance of expectations around proper citations of sources and collaborations is not an excuse.

## Library and Knowledge Commons

**Due to the covid-19 pandemic, some services and policies may change.**

Please check the daily announcements and the library web pages for updates.

### Harold F. Johnson Library and Knowledge Commons

#### Access to Library Services

Library services are available to currently enrolled and field study Hampshire College students, faculty, and staff with a valid Hampshire ID. Students on leave do not continue to have access to library services. Students who will be returning to campus the following fall term have access to library services during the summer.

Services include:

- Access to collections
  - Circulation of books, CDs, bound periodicals, games, media equipment & seeds from the Harold F. Johnson Library Center
  - Direct borrowing and request item access to Five College libraries and Inter-Library Loan
  - Archives and Special Collections, including archived Division III's
- Help with your academic work:
  - Research Help
  - Audio/Visual Production & Editing Support
  - Technology & Digital Tools
  - Quantitative Skill Development & Coding Help
  - Study Skills, Time Management & Accessibility
  - Writing Help
  - Transformative Speaking
  - Gallery Installation
- Study spaces: Carrels, 24/7 Airport Lounge
- Printing/ Scanning/ Faxing/3D Printing
- Times Square Campus Advertising



- Division III archiving

### **Hampshire and Five College Borrowing Policies**

Hampshire College students may borrow books directly from all Five College main libraries and most major branch libraries. Items may be borrowed with your student ID. Five College book loan periods are 28 days for students; however, all loans are subject to recall for another borrower or for course reserve.

### **Media Loans**

Five College students may also borrow CDs, DVDs, and VHS directly from all the media libraries in the area. This requires presentation of an ID card from one of the institutions. Five College media loan periods are standardized at five days with three online renewals.

### **Five College Delivery**

Hampshire College students may request books, CDs, videos, and DVDs from the Five Colleges to be sent to the Hampshire College library for pickup. After identifying the desired item in the online library catalog, click on “Request item” and log in using your Hampshire college ID. The request will be placed and the item sent, usually within two business days. You will receive an email notice when the item is ready for pickup. Material will be held for pickup for seven days.

### **Renewals**

Book, DVD and CD loans may be renewed at least three times for the same time period as the original loan. Click on “My account” in the [online library catalog](#) [14], log in with the barcode on the college ID, and follow the directions on the screen to renew books at all Five College libraries. Items that have been recalled or billed cannot be renewed.

### **Recalls**

All loans from the Five College libraries are subject to recall for another borrower or for use on reserve. You will receive an e-mail recall notice asking you to return the item and giving its new due date. Unreturned recalls are fined at \$2 per day per item, and may result in denial of borrowing privileges.

### **Bills**

Two overdue notices are sent in the month following a date the item is due. If it is still not returned, it is billed at a minimum charge of \$85 per item, of which \$10 is a nonrefundable billing fee. Media loans are billed on a shorter time frame, for a minimum charge of \$95. Billed items may result in denial of borrowing privileges. Inquiries about bills should be addressed to the library that owns the item.

## **Carrel Policy**

## **Carrel Policy**



- The Harold F. Johnson Library assigns carrels to students semester by semester.
- Priority is given to second semester Division III students. Since there are not enough carrels for all students, the library has developed an application process.
- Applications will be accepted at the beginning of each semester. Hampshire College students can apply for a carrel by filling out an [online form](#) [15].
- Carrel space is limited, so we highly encourage you to find a carrel mate with whom you can share the space. If you are willing to share a carrel, but don't have a carrel mate in mind, the library will facilitate a match.
- In assigning carrels, the library will give priority 1) to second semester Div III students, 2) to second semester Div III students willing to share carrels, and 3) to first semester Div III students willing to share carrels. In all three of these groups, students who have not previously had carrel access will be given priority over those who have already had carrels assigned to them.
- Recognizing that the number of carrels is so small, and that all students may want to use carrels, 10 carrels will remain unassigned and open for use by students on a first come, first served basis each day. You can use these carrels as they are open during library hours, on a first come, first served basis. Please do not store or leave items in the carrels, nor do anything to claim them beyond the duration of that day's library visit.
- Hampshire items that are checked out and that have pink due slips may be left in assigned carrels, as well as checked out Five College items. You may ask at the InfoBar to get due slips for your checked out items. All other Hampshire items, including reference books and current periodicals, will be reshelfed daily. We will occasionally spot check the assigned carrels to ensure that items are in fact checked out. Items that are not checked out will be reshelfed.
- If you choose to leave personal or checked out items in carrels, please store them neatly on or under the carrel shelf. Items not stored in such a manner may be removed at the discretion of library staff. Please keep your carrel neat and do not leave trash or recyclables in the carrel. Carrels that become unsightly may be cleared at the discretion of the library staff.
- Electric kettles and other kitchen appliances are not allowed in the carrels.
- At the end of each semester, carrels are cleared completely.
- The responsibility for personal items and checked out library items remains yours. Leave them at your own risk. Do not leave laptops or other personal devices unattended in your carrel; thefts have been reported in the library.
- Assignment to a carrel is an agreement between the student and the library to observe good library conduct. Carrel holders agree to keep noise to a minimum and respect the needs of those around them. Social conversations and hangouts should move from the carrels to a more social space in the library, like the library's first floor.

## **Role of the Academic Advisor and Advising Communities**

Close student-faculty relationships are a central feature of a Hampshire education. Advisors provide academic advice, support, serve as mentors in their field, and help the student

successfully navigate their academic paths. The advisor/advisee connection can be strengthened when the student and faculty member work closely together on common academic projects.

### **Division I Advisor**

During Division I, the faculty advisor supports students' academic progress, selection of courses, and progress toward completion of Div I, including assembling the Div I portfolio.

The Division I advisor typically stays with the student until the student has filed for Division II and has an assigned Division II committee, which typically happens during the third semester. Transfer students will be assigned an advisor based on their interests, and keep that advisor at least until Division II is filed.

### **Advisor During Division II and Division III**

During advanced studies, the Division II or III chairperson serves as the academic advisor.

### **Divisional Seminar Advising Communities**

In Division I, the advising communities (comprising first-year students, faculty, staff, and peer mentors) established within Division I Seminars support navigating Hampshire and navigating Division I, and provide academic community.

In Division II, the advising communities within Division II seminars (comprising Division II students, faculty, and peer mentors) support navigating the transition from Division II to Division III.

In Division III, the advising communities within Division III seminars (comprising Division III students and faculty) support navigating the Division III process.

### **Major Roles of the Advisor**

- Assisting students in planning an academic program and developing their educational interests
- Helping students understand Hampshire's programs and procedures
- Contributing to the determination of students' academic standing
- Writing letters of recommendation, upon request
- Counseling students about internship opportunities, field study, study abroad, exchange, leave of absence, and withdrawal

### **Student's Responsibilities**

It is the student's responsibility to remain in good communication with the academic advisor and to attend advising sessions on Advising Days.

# Academic Program

Hampshire College students qualify for the Bachelor of Arts degree by completing a full-time program composed of three tiers or “divisions” of study, with the aim of increasing students’ agency and the ability to tackle complex problems through increasing degrees of independence coupled with the ability to organize, collaborate, and engage with their peers and the greater community. The Divisional System challenges students to take charge of their own intellectual development and to integrate an active, critical, reflective perspective into their lives.

**In Division I**, students learn and practice academic, interpersonal, and collaborative skills to engage in meaningful work with others, including campus-engaged and project-based learning in supported contexts. Each student is mentored by an advisor and through our advising networks of students, staff, and faculty.

**In Division II**, students explore their chosen field(s) of study, “the concentration,” through an individually designed program of courses, independent work, special projects, such as internships or community-based work, and in some cases field study. In addition to these requirements, students in Division II must include a community-engaged learning component as a part of their Hampshire education and demonstrate an understanding or an engagement with multiple cultural perspectives as they relate to their course of study.

**In Division III**—advanced studies—students complete a major independent project centered on a specific topic, question, or idea, as well as two advanced educational activities. In the advanced activities, students broaden the scope of their intellectual endeavor by engaging in advanced courses, special projects, or teaching assistant positions.

## Division I

**Division I** is designed for exploration and for learning new ways of working across a wide range of critical, scientific, and creative approaches through Hampshire’s transdisciplinary curriculum. Students learn and practice academic, interpersonal, and collaborative skills to engage in meaningful work with others, including campus-engaged learning. Students are supported to develop skills for engaging in project-based learning, deepening their ability to pose and pursue authentic questions through collaborative or other mentored projects. Students are mentored by advisors who guide them through the selection of courses; and are also mentored through advising networks of students, staff, and faculty.

Because project-based work is an important component of Hampshire’s pedagogy, students take an active role in their learning. They deepen their ability to ask and answer authentic questions, sparking a love of learning and preparing them for a well-conceived individualized concentration in Division II. Division I generally covers the first two semesters of enrollment, during which

time students' advisors will periodically review academic progress to identify developing areas of strength as well as indicators of the need for further study.

Note for first-year entrants with advanced standing: carefully read the [advanced standing](#) [16] description and contact CASA with questions.

Note for transfer entrants: the rules for completing Division I are significantly different than those for first year entrants. Students should refer to the [Transfer Policy](#) [17] for information and contact CASA with questions.

## CEL- 1 Requirements

### Campus-Engaged Learning (CEL-1)

The Campus-Engaged Learning (CEL-1) requirement enables first-year students to participate in campus life in meaningful ways that foster the development of skills in intercultural competencies and prepare students to take part in active community-building in campus and community settings.

Campus-Engaged Learning (CEL-1) must total a minimum of 40 hours, approximately equal to course contact hours. Of these, 20 hours will involve participation in campus educational events focused on diversity, inclusion, equity and access, in order to expand the student's intercultural competencies; and 20 hours will consist of campus activities/projects of the student's choice that meet the goals of the requirement to work collaboratively in community and meet a community need. The student will document the fulfillment of the CEL-1 and reflect on both the community education and the campus activities.

The purpose of CEL-1 is for students to deepen their ability to engage with the community on campus. Not only are these skills important for becoming part of the Hampshire community, they also prepare students to pursue other out-of-classroom learning activities, which can affect their educational path and enrich their experience at Hampshire.

CEL-1 activities should help with any or all of the following goals:

- Students further develop their communication strategies to effectively express themselves, listen to others, and establish relationships
- Students further develop their abilities to work collaboratively within and across communities
- Students further develop their abilities to reflect on their perspectives in community with others
- Students further develop their abilities to help promote goals of diversity, equity, and inclusion
- Students further develop their abilities to reflect on their own needs and growth
- Students further develop their abilities to adapt to and help meet the needs of others

- Students further develop their abilities to be a productive member of a team

# Division I Procedures

## Procedures for Completion of Division I

### Portfolio

At the end of the second semester of enrollment, first-year students are responsible for preparing a Division I portfolio that contains completed course evaluations, representative samples of work, a retrospective that reflects on their studies in Division I, the CEL-1 reflections on Community Education and Activities, and an exploratory statement about the student's goals for Division II. Students meet with their advisor to review and discuss their academic progress and Division I portfolio.

### Passing Division I

**After completing all the necessary courses as well as fulfilling the CEL-1, students prepare to pass Division I at the end of their second semester by: 1) writing a retrospective essay that describes their intellectual development during Division I, and 2) developing a portfolio of selected Division I work. This final work is coordinated with and approved by the students' academic advisor. Students who do not satisfy all Division I requirements on the basis of their first two semesters' work should consult with their advisor to address the need for further study to ensure the satisfactory completion of Division I. Students must complete Division I before filing Division II.**

### For Transfer Students

**When transfer students complete all the Division I course requirements, they should notify Central Records in order to record a Division I pass. Transfer students do not need to write a Division I self-evaluation or submit a Division I portfolio, and they will not receive a Division I evaluation. Transfer students should refer to the [transfer policy](#) [17] section.**

### First-Year Students with AP, IB, or Prior College Work

**Students who have completed fewer than 15 semester or 23 quarter credits of college work will be considered first-year entrants and must meet all requirements of the Division I curriculum.**

First-year students who present Advanced Placement program (AP) scores of 4 or 5 or International Baccalaureate (IB) scores of 5, 6, or 7 on Higher Level exams may use these exams in place of up to three electives in Division I, and use those elective courses toward Division II.

College course work recorded for credit on students' high school transcripts may not be used at Hampshire College. College courses not recorded for credit on the high school transcript may be considered for use in Division II with the approval of the committee chairperson. Courses must be full academic courses taken at a regionally accredited college or university, evidenced by a college transcript, and graded C or better.

# Division I Requirements

To complete Division I, students must satisfactorily complete seven academic courses and the Campus-Engaged Learning requirement. Of the seven, three may be Five College courses carrying three or more credits graded C or better; one may be a combination of two dance technique courses; and one may be a Special Project. Students also write a retro-spective essay to reflect on the trajectory of their learning experience in Division I.

Note that courses labeled Co-curricular on TheHub such as OPRA courses may not be used to fulfill Division I course requirements.

Students are required to enroll in a Division I seminar during their first semester at Hampshire, typically the fall semester. Each of these seminars is linked with several others focused on a single question of contemporary relevance. These seminar clusters embed different disciplinary approaches, enabling students to study a wide range of approaches to the topic. Staff educators on teaching teams working with seminar faculty, support skill building in communication, collaboration, and intercultural competence. They also organize workshops that orient students to Hampshire's academic program and available resources. Peer mentors additionally support student learning inside and outside of the classroom.

Exposure to curricular areas including the sciences, culture and human experience, the arts and design, and race and power are built into the transdisciplinary approaches of Division I seminars. Because of this, there are no additional course requirements in the first year other than completing at least six additional elective courses based on student interests.

In addition to the seven courses, students must complete Campus-Engaged Learning activities (CEL-1) totaling a minimum of 40 hours of active engagement. Of these, 20 hours will involve participation in campus educational events focused on diversity, inclusion, equity and access in order to expand intercultural competencies; and 20 hours will consist of campus activities/projects of the student's choice that meet the goals of the requirement to work collaboratively in community and meet a community need. Students will document fulfillment of the CEL-1 and reflect on their CEL-1 experience in the Division I retrospective essay.

Note for first-year entrants with advanced standing: college courses and exams taken prior to matriculation may be used towards Division I requirements with certain limitations. Students who think they may be eligible, should carefully read the [advanced standing policy](#) [16] and contact CASA with questions.

Note for transfer entrants: the rules for completing Division I are significantly different than those for first year entrants. Students should refer to the [Transfer Policy](#) [17] for information and contact CASA with questions.

# First-Year Entrants with Advanced Standing

## First-Year Entrants with Advanced Standing

Advanced Standing as described below may be awarded by The Center for Academic Support and Advising (CASA) to students who are in good academic standing. This policy applies to students who have completed fewer than 15 semester or 23 quarter credits of college work post high school graduation, and students who have completed college work during high school. The [guidelines for academic progress](#) [18] should be carefully reviewed to determine eligibility to use advanced standing. It is important to note that advanced standing may not be used to make up for academic deficiencies. Students' academic records are reviewed at the end of the first year of enrollment to determine eligibility to apply advanced standing to Division I electives, and are reviewed again in Division II to determine the eligibility to apply advanced standing to Division II.

Students may use a total of eight courses and exams combined towards their Hampshire degree with the following restrictions:

Courses must be full academic courses[1] taken at a regionally accredited college or university, evidenced by a college transcript, and graded C or better. Eligible exams include Advanced Placement (AP) exams with scores of 4 or 5 and International Baccalaureate (IB) Higher-Level exams with scores of 5 or higher. The courses described above may be used either for Division I electives, in Division II or a combination of both. The exams described above may only be used for up to three Division I electives in Division I.

Students complete the first year requirements along with their entering cohort according to the guidelines in [Division I](#) [19]. They should consult with their advisor and contact the Division I dean in CASA for approval to use advanced standing in Division I at the end of their first year of enrollment after the evaluations and any Five College grades for all seven courses have been recorded. Final approval from the Division I Dean is required to make advanced standing available for selection in Division I forms on [TheHub](#) [20]. Hampshire and Five College courses that are not used to complete Division I requirements may be included in Division II with committee approval.

Students should discuss the possibility of using advanced standing courses with their committees early in Division II. The committee will determine if the courses are appropriate for the student to include. Final approval from a Division II Dean in CASA is required to make advanced standing available for selection in Division II contracts on [TheHub](#) [20].

## Request for Timeline Adjustment

Students with advanced standing are encouraged to complete the full program of eight semesters along with their entering cohort to benefit fully from Hampshire's rich academic program. However, students with a semester or more of advanced standing may, with CASA approval and the support of their Division II committee, request a timeline adjustment at the beginning of the



anticipated final full semester of Division II. (For a student on an eight-semester timeline, the final semester of Division II is the 6<sup>th</sup> semester of enrollment.)

The request for a timeline adjustment will be considered if the student has maintained good academic standing and is on track to fulfill the requirements of Division II early. The student should initiate a conversation with the committee, who must write a letter of support directed to the appropriate dean in CASA. If approved, the student's timeline will be adjusted by one or, in some cases, two semesters.

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[1] Full academic courses carry at least 3 semester credits at a community college; 4 semester credits at a four-year college or university; or 4.0 quarter credits for institutions operating on a quarter- system. Courses must be comparable in academic demands and disciplines to those offered at Hampshire and be graded C or better. Courses carrying less than the above-mentioned number of credits may be taken into consideration for advanced standing in combination with similar courses.

## Division II

**Division II** is the core of the student's academic experience at Hampshire. It is a generative time when students articulate their questions and interests and acquire the knowledge and skills that not only help them gain purchase on their questions, but also prepare them to carry out an extensive independent project in Division III. The challenge for Division II students is to continually think across their courses and other experiences to integrate their learning. Doing so requires ongoing reflection, seminars that enable integrative work, and regular communication with their advising networks. As such, students' Division II concentrations evolve as they develop and deepen their interests, while finding new points of intersection.

Division II consists of a self-designed concentration pursued through courses and other appropriate learning experiences, such as special projects (including internships, community-based projects with an organization, and practica), field study, and study abroad. Students are expected to consider the multiple cultural perspectives that relate to their work (see [MCP Requirement](#) [21]) and to integrate the knowledge gained from community involvement into their academic program (see [Community Engaged Learning or CEL-2 Requirement](#) [21]).

Each student develops a Division II contract outlining their concentration and program, which is periodically reviewed and revised as the student's program of study evolves. The contract supports students in thinking about the questions that drive them, the goals they have for their learning in Division II, and their plan to accomplish their goals. Students' goals might include acquiring content knowledge and skills (e.g. research, writing, quantitative, production, project management, creative expression, cultural perspectives, collaboration skills), learning a

language, or other educational goals. The contract asks students to outline the kinds of courses and out-of-classroom experiences that will help them reach their goals.

**A strong Division II concentration is a highly individualized program of study that gives the student a solid foundation in knowledge and techniques, the broader concepts behind them and the contexts from which they emerge, and critical, analytical, and creative skills. Division II is typically four full semesters of academic work, culminating in the production of a Division II portfolio and a final meeting with the committee.**

As part of their Division II, students take a Division II seminar which supports their transition from Division II to Division III. The sixth-semester Div II seminar supports students' compiling of the Div II Portfolio and completion of a robust Div III proposal by the end of the semester.

## **Division II Requirements**

There are three other requirements that students fulfill during Division II (semesters 3 - 6) in addition to fulfilling the requirements agreed upon between students and committees documented in Division II contracts.

### **Race and Power Requirement for Division II**

Students are required to build an awareness of race in relation to methodology and epistemology. Every student is expected to critically reflect on the role of race in perpetuating inequality in the disciplines, practices and interdisciplinary areas of knowledge that they specialize in during their Division II studies.

### **Community Engaged Learning (CEL-2)**

The Community Engaged Learning - 2 (CEL-2) requirement encourages students to build community on and off campus in order to help address critical needs, as defined by communities and organizations while advancing their own learning.

### **Division II Projects Course**

Students are required to undertake a substantial supported project during Division II (semesters 3-6) .

## **Division II Procedures**

### **Published Deadlines**

Please refer to the [academic calendar](#) [22] published by [Central Records](#) [23] for the following deadlines in a semester: committee request; Division II filing; and Division II passing.

### **Establishing a Division II Committee**

Division II is a four-semester undertaking, with at least three full semesters completed after filing the Division II contract. The Division II committee chairperson, who also serves as the student's academic advisor, has the primary responsibility for monitoring the progress of the concentration, overseeing the final meeting, and writing the student's final Division II evaluation. During the third semester of enrollment, students participate in a committee request process to identify their committee. After meeting with and getting feedback from potential faculty members, they complete a form on [TheHub](#) [24], which includes a statement about the students' goals and objectives for Division II, and a list of faculty they are interested in working with. The completed form is reviewed by faculty and deans to assign the appropriate committee.

Note: The deadline for most transfer students to submit the committee request is in their first semester of enrollment.

### **Drafting the Division II Contract**

Students draft their Division II contracts on [TheHub](#) [25] under the guidance of their newly-formed Division II committees, incorporating suggestions and responding to feedback through communications and meetings. Plans for fulfilling the [Community Engagement and Learning \(CEL-2\)](#) [21] and [Multiple Cultural Perspectives](#) [21] requirements should be included in the discussions.

### **Filing the Division II Contract**

When the contract has been written to the satisfaction of the committee, the student changes the "state" of the document on TheHub to "ready for faculty signatures," making it available for committee members to electronically sign. After the committee has signed, the student has officially "filed" Division II. The deadline for students to file is at the beginning of their fourth semester of enrollment, though students may file Division II any time after receiving notification of their assigned committee.

Note: The deadline for most transfer students to file Division II is in their second semester of enrollment.

### **Contract Revisions**

The initial contract may be revised on [TheHub](#) [20] at any time during Division II to reflect changes in educational goals or a change in the committee. The contract must be revised before passing to include courses taken in the final semester of Division II and any other relevant changes. For completion at the end of a fall semester the final revision must be dated after October 15; for completion at the end of a spring semester the final revision must be dated after March 1. Any time a student revises, the new draft must be signed by the committee to be "filed" with Central Records. The final revision of the contract should be signed before the final meeting.

### **Fulfilling the Division II Contract**

Prior to passing, students are responsible for fulfilling the commitments detailed in the Division II contract. Evidence of completion will typically include Hampshire course evaluations; evaluations for Hampshire independent study, Special Projects, and teaching assistantships; Five

College grades; field study and exchange program transcripts and/or evaluations; fulfillment of the Multiple Cultural Perspective and Community Engagement and Learning requirements; research papers and lab work; evaluations for Special Projects such as internships; and performances and artistic work. During Division II, faculty committees provide guidance in the form of critical comments, advice, and ongoing evaluation. Students should meet and communicate regularly with their committees to assess progress. The culmination of a student's work is compiled in a portfolio that is presented to the committee in advance of the final meeting to review, provide feedback and give instruction for additional work or revision if needed. A time for the final meeting is scheduled with the student's Division II committee. Before that date arrives, students should confirm with their committees that all of the materials specified have been received including the completed CEL-2 forms on TheHub (see [how to document your CEL-2](#) [26] ). The final meeting may occur at the end of the 6<sup>th</sup> semester and must occur by the published deadline in the beginning of the 7<sup>th</sup> semester of enrollment.

Note: Transfer students pass Division II when their committee determines that the student has satisfied the Division II requirements.

### **The Final Meeting**

When determining whether a student's Division II is ready to be passed, the faculty committee takes into consideration: whether the student has met the goals set out in the contract; the number and type of courses and other educational activities in the portfolio and whether they form a comprehensive body of work; the student's proficiency with writing and other modes of expression and presentation; and the student's readiness, in terms of requisite knowledge and skills, to embark on their proposed Division III project.

Although the format and style of the final meeting varies, it is normally an oral examination of the student's Division II work, which involves a discussion of the central questions addressed in the concentration and the material presented in the portfolio. The committee will determine the student's readiness to pass Division II.

### **Passing Division II on TheHub and Faculty Evaluation**

Committee members sign the online pass form at or shortly after the final meeting. The pass date recorded in the student's record will be the date the last committee member signs the pass. The committee chairperson will write a formal evaluation of Division II for the student's transcript in accordance with evaluation deadlines.

### **Preparing for Division III**

Students are encouraged to include a statement about prospective Division III work as a part of their Division II portfolio. Typically, Division III projects explore in depth a specific aspect of the student's Division II work. Division III work should only be undertaken in a different area of study in cases in which the student has the appropriate background that constitutes suitable preparation for advanced work. Students use the skills, methodologies and techniques necessary for independent study acquired in Division II to pursue their work in Division III.

### **Accelerated Division II**

Division II is considered to be a four-semester undertaking. Under exceptional circumstances,

students who have demonstrated outstanding accomplishment in their Division II studies may, with the support of their Division II committee, petition for an accelerated Division II. They must do this in the anticipated final semester of their Division II. Students must be able to demonstrate not only that they will have completed the equivalent of four semesters worth of work in their Division II, but also that their work rises to an exceptional level. They must also demonstrate readiness for [Division III](#) [8], including commitments from a [Division III](#) [8] committee. Students must complete the application form available at the [Center for Academic Support and Advising \(CASA\)](#) [27] and secure written support from both Division II committee members. The full application must be submitted to [CASA](#) [11] no later than October 1 or March 1 of a student's anticipated final semester of Division II.

## Division III

**In their final two semesters, students undertake a major independent project with the guidance of a committee. Typically, Division III projects explore a specific aspect of the student's Division II work in depth. Division III students devote the majority of their time to the independent project.**

We expect scholars and artists to move beyond the boundaries of their particular fields of expertise and to participate in the collective activities that help to define and invigorate intellectual and artistic life. In a similar way, students are expected to engage in two Advanced Educational Activities concurrent with their Division III independent project that have the dual goal of broadening the scope of their intellectual endeavor and making their more mature skills and viewpoints available to the College at large.

### Division III Requirements

#### The Advanced Independent Project

Each student designs, implements, and completes a two-semester advanced independent project that encompasses a sophisticated and complex set of questions, concepts, skills, and abilities. The completed project should clearly demonstrate the student's ability to perform advanced work. The culmination of the Division III advanced independent project—whether a thesis, portfolio, film, exhibit, computer program, performance, or committee-approved combination of these—must be in a form that can be evaluated by the student's faculty committee. Judgment of the quality and scope of the advanced independent project is the responsibility of a student's committee.

#### Division III Advanced Educational Activities

In addition to their Division III projects, students must complete two Advanced Educational Activities approved by their Division III committees, referred to in the following as the primary AEA and the second AEA. Students should consider the following points carefully.

- The primary AEA must be an advanced-level academic course or supervised teaching assistantship (TA) for a full academic course.
  - An advanced-level Hampshire course is defined as a course offered by one of the five interdisciplinary schools numbered 250 or higher. The schools are Cognitive Science (CS), Critical Social Inquiry (CSI), Humanities, Arts and Cultural Studies (HACU), Interdisciplinary Arts (IA) and Natural Science (NS).
  - An advanced-level Five College course is defined as a course numbered 300 or higher taken at one of the other four institutions in the consortium.
  - An advanced-level course taken at an institution outside the Five College consortium is one that is defined at the host institution as an advanced or upper-level course.
  
- The second AEA may be a full academic course; a supervised teaching assistantship; an independent study; facilitation of an EPEC course registered as an independent study, or a special project such as an internship.
  
- All AEAs must be at least three semester credits or the equivalent.
  
- Hampshire courses must be successfully completed and evaluated. Any courses taken for a traditional grade used for either AEA must be graded C or better or its equivalent from an international institution. They may not be audited, taken pass/fail, satisfactory/unsatisfactory, or any other binary grading scheme.

**Note:** Students studying away from campus on field study or an exchange program in Division III should carefully plan with their committees how they are going to satisfy their AEAs in keeping with the above definition. They may not use the entirety of their field study as an AEA but may use a component, such a special project or a course. Students should check the planning guides for study away from campus and discuss them with their faculty. Two courses may not be combined to satisfy one AEA.

The work for all AEAs must be completed by the end of the Hampshire advising and progress review period in the student's final semester. Formal awarding of the degree will be delayed if documentation of completion of one or both AEAs is not received prior to the degree award date. Students may not negotiate an incomplete in the final semester for any AEA. Failure to complete an AEA will result in the student having to complete an advanced-level course at another institution, pre-approved by the Division III chairperson in a revised contract. The student's graduation date will be delayed until after receipt of a transcript documenting successful completion of the substituted course.

### **Field Study:**

Students studying away from campus on field study or an exchange program in Division III should carefully plan with their committees how they are going to satisfy their AEAs in keeping

with the above definitions. They may not use the entire field study as an AEA but may use a component, such as a special project or a course. The component used for the Advanced Educational Activity will be registered separately and evaluated or certified as complete by the Division III chair.

If the student is using a special project, they must submit a special project form to Central Records and submit documentation of completion to their Division III chair. Although not required, a site supervisor evaluation may be submitted to Central Records for inclusion in the student's Hampshire transcript. If the student is using a course, they must submit an official copy of their transcript to both Central Records and their chair.

### **Teaching Assistantship (TA) Definition:**

A student is considered a TA if they are assisting in the planning of and engaging in teaching activities in a course approved by the Division III committee. This course must be a full academic course, or a course equivalent in level of activity and time commitment to a full academic course. Please note that TA responsibilities differ significantly from the duties of a work-study or office/course assistant position, which are more limited in scope. Examples of the responsibilities of a teaching assistant might include: leading discussions, holding office hours for student appointments, and providing feedback on papers or other assignments.

### **Special Project Definition:**

[“Special Projects”](#) [28] are robust supervised or mentored learning experiences that students have at or away from Hampshire with organizations (such as schools, labs companies, or nonprofit organizations) or with community groups. They can be internships, practica, or other independent projects that are evaluated by a qualified supervisor at the organization or community group and approved by the student's advisor. They must engage a student in learning for 180 hours or more. Students must fill out a special project form (obtained from the Central Records office). Declaration of a special project must occur by the add/drop deadline in the student's final semester.

## **Awarding of Degrees**

**Degrees are voted by faculty and the board of trustees in February and May. Students who complete Division III by the fall completion deadline will be awarded their degrees on the first Friday in February. Students who complete by the spring completion deadline will be awarded their degree on the day of commencement. Please refer to the academic calendar for deadlines. No degree will be awarded until evidence of completion of degree requirements has been received, library books returned, student conduct sanctions fulfilled, and outstanding bills paid. All holds must be cleared by the individual offices responsible before a degree is awarded. Degrees are voted by faculty and the board of trustees in February and May. Students who complete Division III by the fall completion deadline will be awarded their degrees on the first Friday in February. Students who complete by the spring completion deadline will be awarded their degree on the day of commencement. Please refer to the academic calendar for deadlines. No degree will be awarded until evidence of completion of degree requirements has been received, library books returned, student conduct sanctions**



**fulfilled, and outstanding bills paid. All holds must be cleared by the individual offices responsible before a degree is awarded.**

# **Division III Extension or Personal Leave of Absence**

## **Students Who Do Not Finish Division III by the Completion Deadline**

Students who do not complete the Division III project by the spring or fall completion deadline, and both advanced educational activities by the end of the second semester in Division III, are typically expected to take another semester of full enrollment.

In extenuating circumstances, a student may request an extension for completing the Division III project. If a student is granted an extension, the date for submission of all completed work would be the first advising day in the following semester. Students on extension are not considered enrolled at the College and should participate in student loan exit counseling at the Financial Aid Office before going on extension.

In order to be considered eligible for the extension date instead of the typical extra semester of enrollment, the Division III committee would need to certify, no later than the final day of classes, that they had received and reviewed Division III work that constitutes at least 90% of the total expected for that student's independent project. The student must have completed both advanced educational activities. (See policy on Advanced Educational Activities the Division III Guide.)

Students who meet the above requirements to qualify for an extension date will be given the opportunity to be on leave of absence for the next semester, for only one semester, before taking advantage of finishing Division III on extension during the term following the leave. If a student decides to take a leave of absence for the following term, that student will have until January 15 after fall semester or June 15 after spring semester to indicate a change of plans. The status as of January 15 or June 15 is final. If the student has chosen to finish Division III with the extension date, that student is expected to turn in all work by the first advising day of the following semester. If the student has chosen leave of absence, the student will be placed on leave status for the following semester, and expected to turn in all work for completion of the Division III by the first advising day of the term following the one-semester leave. Students who choose to be on leave of absence may not continue on leave for more than one term.

A student who successfully completes all necessary work by the advising day deadline and passes Division III may then request a letter from the Office of Central Records stating that degree requirements have been met. The degree would be voted by faculty and trustees during the following February or May, and the diploma would be made available to the student following the voting of degrees.

If a student is granted an extension and remains in contact with the Division III committee, but does not turn in all necessary work by that date, the student would be placed on leave for the

remainder of the semester. The extension fee is not refundable, even if the student does not complete the work by the extension deadline. The student is expected to be fully enrolled and pay full tuition for the following term, in order to complete the Division III. The student would not be permitted to complete degree requirements with a second extension deadline. If such a student fails to complete e-checkin for the next term the student will be withdrawn from the College and need to apply for readmission in a future term.

If a student is granted an extension for completion of Division III, and fails to remain in communication with the Division III faculty, the student would be withdrawn from the College as of the advising day deadline. The extension fee is not refundable, even if the student does not complete the work by the extension deadline. In order to complete degree requirements, the student would need to apply for readmission for a future full semester of enrollment. The student would not be permitted to complete degree requirements with a second extension deadline.

### **Division III Leave of Absence**

All Division III leaves require special approval. Division III students must meet the college requirement of two terms of enrollment in Division III and must plan their personal leave accordingly. Occasionally, a Division III student may plan a personal leave in the middle of two enrolled semesters. Consultation with the Division III counselor in CASA must take place well in advance of College deadlines in order to plan appropriately. Students planning to go on personal leave during Division III must file a leave application.

## **Procedures for Division III**

### **Contract Filing Process**

Students complete a Division III committee request form on TheHub by the published deadline. Faculty will then review committee requests during a two-week period, and students will be assigned prospective Division III committee members with whom they will work to refine their project ideas and draft their contracts. The Division III committee chairperson will serve as the student's academic advisor.

Because Division III is a two-semester undertaking, the contract must be filed early in the first semester of Division III. Refer to the academic calendar for deadlines. Division III contracts may not be negotiated or filed while a student is on a leave of absence.

A student may file a request for an exception to the Division III filing deadline based on the demonstration of extenuating circumstances beyond the student's control as well as the academic soundness and viability of the student's plan of study. The appeal is heard by the College exceptions committee. Materials to request an exception are available in the Center for Academic Support and Advising. The Division III dean in CASA can provide further information about the Division III exceptions procedure.

### **Division III Funding**

Students who receive financial aid and have already expended the funds included in their aid package may apply to the financial aid office for additional funds. Students should not expect the College to meet the expenses of costly Division III projects. Several College programs also offer partial funding for Division III. Information about applying for these funds is available on the CORC website.

### **Division III Field Study or Exchange**

Students may be granted field study or exchange status for the first semester of Division III work. Students must apply for an exchange program through the Global Education Office. Refer to the Exchange, Field Study, Leave, or Withdrawal section. In all cases, the final semester of Division III must be one of full enrollment on campus, not on field study or exchange.

Division III students who pursue field study or participate in an exchange relevant to the independent project should plan to complete all Division II work and file the Division III contract (or, at minimum, participate in the Division III committee request process) by the end of the semester prior to the term of field study or exchange. All plans for field study or exchange must be written into the Division III contract and approved by the student's Division III committee and the Center for Academic Support and Advising (CASA). In order to plan appropriately, students need to consult with the Division III dean in CASA well in advance of the enrollment notification deadline, which is in April or November of the semester prior to the term in which the student plans to be away. Two meetings with the Division III dean are required. The first meeting is used for reviewing necessary materials and answering questions about Division III field study or exchange. After the student has secured all necessary signatures, the process is completed during a second meeting with the Division III dean in CASA.

### **Progress Report**

Each student must submit a progress report on TheHub by the published deadline near the end of the first semester of Division III. At this time, the student's Division III committee assesses in writing whether the student is progressing satisfactorily toward the completion of the contract. The chairperson is responsible for submitting the committee's assessment of progress on TheHub by the published deadline.

### **Contract Revisions**

Students must complete a contract revision online, approved by the committee, by the published deadline early in the student's final semester of Division III.

### **Passing Division III**

Committee members will decide and committee chairs will communicate to students the date by which completed Division III work must be submitted to the committee. All final meetings must be held and all members of the committee must pass the student on TheHub by the published pass deadline. All final presentations, including film screenings, gallery shows, and theater productions, must take place by this date. If a final meeting does not take place by the pass

deadline, students are typically expected to take another semester of full enrollment. The final evaluation is due ten days after the Division III pass deadline and must address each part of the contract.

In extenuating circumstances, a student may request an extension for completing the Division III project. See the section about students who do not finish Division III by the completion deadline for information on deadlines and fees for extension.

### **Completion Dates for Fall Term**

In the fall term, the completion date is in early December. There is an alternate completion date in January only for those students whose full committees are available to meet then and to write the evaluation. Refer to the academic calendar for deadlines.

## **Responsibilities of the College and the Faculty during Division III**

### **The College**

The College will provide adequate faculty supervision for students admitted to Division III in a given year. Students should be aware that the College cannot guarantee that supervision will be available for a student's first choice of project.

### **The Faculty**

Supervision of a student's Division III project, and/or acting as chairperson of a student's Division III committee, is a serious teaching responsibility. Committee members should thoroughly discuss the duties of respective members and the amount of assistance the student can expect from each. Faculty should be sure that deans are informed about their Division III supervisory loads and about the number of Division III committees on which they are serving or acting as evaluators.

## **Transfer Policy**

Transfer students are required to fulfill all course requirements of Hampshire's Division I, II, and III. Transfer course work completed prior to enrollment at Hampshire may be used to satisfy some of Hampshire's graduation requirements. To be considered for transfer status, students must have been enrolled at a regionally accredited college or university on a full- or part-time basis and have completed at least 15 transferable semester credits or 23 quarter credits in a variety of academic (liberal arts and sciences) disciplines post-high school graduation prior to enrollment at Hampshire. Courses must be comparable in academic demands and disciplines to those offered at Hampshire, be graded C or better and not be recorded as high school credit except for courses completed during high school dual-enrollment programs when the student's

transfer institution has awarded them credit. Students who have completed fewer than 15 semester credits or 23 quarter credits of college work will be considered first-year entrants and should refer to the description of the [first-year program](#) [19] which includes a policy on advanced standing for more information. Hampshire College will also transfer Advanced Placement Program (AP) exams scores of 4 or 5 and International Baccalaureate (IB) higher level exams scores of 5 or higher for up to four Division I elective requirements. Comparable international exams will be considered for transfer credit on a case by case basis.

**Division I:** In order for transfer students to pass (complete) Division I, eight academic courses which may include eligible exams as described above must be identified for Division I. They may all be from the student's transcripts or may be a combination of transfer courses and Hampshire courses. Student's transcripts are evaluated prior to their arrival to determine if they have the required number of courses to pass Division I from their transcript. Central Records will record a Division I "pass" for students who do. Students who have remaining Division I requirements will satisfy them in their first semester of enrollment at Hampshire and pass Division I by the semester's end. Prior to arrival Central Records will establish an estimate of the number of semesters students can expect to spend at Hampshire to graduate based on the number of transfer courses that have been accepted. Unlike first year entrants, transfer students do not complete Division I portfolios or submit Division I retrospective essays. They do not take a Division I seminar and are not required to complete the [CEL-1](#) [29] requirement.

**Division II:** Like all Hampshire College students, transfer students negotiate a plan of study for [Division II](#) [13] with their advisor. Transfer courses not used for the completion of Division I are eligible for inclusion in Division II with approval of Division II committees. Please see the section concerning requirements and procedures for filing [Division II](#) [13]. When determining whether a student's Division II is ready to be passed, the faculty committee takes into consideration: whether the student has met the goals set out in the contract; the number and type of courses and other learning activities in the portfolio and whether they form a comprehensive body of work; the student's proficiency with writing and other modes of expression and presentation; and the student's readiness, in terms of requisite knowledge and skills, to embark on the proposed [Division III](#) [8] project. Transfer students are required to complete the [CEL-2](#) [21] (Community Engagement and Learning) requirement and the Race and Power requirement during Division II.

**Division III:** Transfer students follow the Division III policy guidelines. Transfer work does not apply to Division III.

**Mass Transfer Agreement:** Courses transfer under this agreement in a block for students who have earned an associates degree in Massachusetts. The expectation is that students will complete their education at Hampshire in two years (two semesters in Division II and two semesters in Division III) though students may take additional time to complete.

**NOTE:** Students receiving financial aid should consult with the [Financial Aid Office](#) [30] regarding the number of semesters of financial aid eligibility.

# Special Projects

At Hampshire, "Special Projects" are robust supervised or mentored learning experiences that students can pursue at or away from Hampshire with organizations (such as schools, labs, companies, or nonprofit organizations) or with community groups. Special Projects can be essential to a student's education and should result in substantial learning. Special Projects may be paid or unpaid. They can be internships, practicums, or other independent projects approved by the student's advisor that are evaluated by a site supervisor at the organization or community group hosting the activity. Special Projects can take place at any time of the calendar year and can be initiated at any time after a student enrolls at Hampshire up until the add/drop deadline in the final semester of Division III. They must engage a student in learning for 180 hours or more.

As Special Projects can be started and completed off the semester schedule, they do not count toward full-time student status for a given semester in Division I and II. This means that students must register for a minimum of three academic courses equivalent to at least 12 credits, which may include independent study and teaching assistantships in the spring and fall semesters in addition to any Special Projects in progress. In Division III, students must follow the Division III Policy Guidelines to use a Special Project for an Advanced Educational Activity. For outside institutions (graduate programs, scholarship organizations, transfer institutions, etc.), the College recommends four credits for a successfully completed Special Project. Please note that the special projects policy went into effect in summer of 2018.

## Divisional Notes

If a Special Project is to be included in Division I, II, or III, it must be completed and evaluated by the appropriate divisional passing deadline.

- A Special Project completed by the Division I passing deadline may count as one of the six elective courses required for [Division I](#) [31].
- Students should speak to their committees to determine how Special Projects can be used in their Division II.
- A Special Project may be used to fulfill one of the two [Advanced Educational Activities](#) [8] with permission of students' Division III committees.

## Procedure

### Registration

The student secures the site and completes a registration [form](#) [32] detailing the scope and length of the project, to be reviewed by both the student's advisor and the site supervisor.

- The site supervisor may be anyone approved by the student's advisor.

The student can submit the registration form with faculty approval to Central Records anytime (before or after completing the Special Project), but only completed, evaluated projects go on the

permanent transcript. Central Records registers the Special Project with the student's advisor as the faculty member of record. When used as an Advanced Educational Activity In Division III, the registration forms are due the last day of the add/drop period in the student's final semester of enrollment. Students should list the Special Project on their contracts by the Division III revision deadline at the latest.

Only one registration is allowed for an individual Special Project, even if the number of hours of engagement exceeds 180. A student is free to do more than one Special Project at the same site, but they must register for them separately and the Projects should have different focuses.

### **Evaluations**

Upon conclusion of the project, the student writes a reflective self-evaluation and obtains a written evaluation from the site supervisor stating that the Special Project has been completed and that the hour requirement has been satisfied along with narrative comments on the student's work. The student submits the documentation to their advisors. The students may also, but are not obliged to, bring a copy of the site supervisor evaluation to Central Records for inclusion in their transcripts.

Special Projects can be started and completed off the semester schedule. When an advisor signs a student's form, the expectation is that the student will follow the procedure outlined above. If this process is not followed, the Special Project will not be included in the student's transcript.

*If the student does not complete a Special Project, or separates from the College without completing, a registered Special Project, it will be removed from their transcripts without a "W" notation.*

### **For Faculty**

In addition to signing off on the registration form, the student's advisor completes an evaluation on TheHub based on the evaluation from the site supervisor. The student is responsible for obtaining the site supervisor's evaluation and submitting it to their advisor along with their own self evaluation. The advisor's evaluation may be brief or detailed, but at least certifies for the student's official transcript that the experience was completed and that the hour requirement of a minimum of 180 hours engaged in learning was satisfied. The evaluation ideally contains evaluative comments shared by the site supervisor.

Once the Special Project has been completed, advisors are asked to write their evaluation on TheHub as soon as possible, ideally within 30 days or by the semesters end. In Division III, the deadlines for Advanced Educational Activities apply.



# Academic Records

Students' academic records are the responsibility of the [central records office](#) [33]. Students have access to their files at any time during open office hours; online evaluations are available through [TheHub](#) [34]. A picture ID must be presented upon requesting copies of documents from the file, which generally contains evaluations of special projects, field study internships, other learning activities and transcripts for courses taken at other institutions outside of the Five College Consortium after matriculation. Documents from the file may be photocopied in central records. Students are responsible for checking the accuracy of their records and reporting any discrepancies to central records prior to graduation.

# Course Registration

Dates and deadlines are located on the [Academic Calendar](#) [35].

There are two periods a semester in which students may register for Hampshire and Five College courses: preregistration and add/drop. At preregistration, students register for courses for the upcoming semester. Before or during this period, students must meet with their advisors to discuss plans and obtain advisor authorization, which is required to participate in preregistration.[1] Students may register and drop courses on [TheHub](#) [36] during preregistration and again during the add/drop period at the beginning of the semester. There are two deadlines during the add/drop period: the last day to add a class on TheHub; and the last day to drop a class on TheHub and to submit paper registration forms to Central Records. No record of courses dropped during either preregistration or add/drop will appear on student transcripts. Note that courses will not be removed from the transcript after the drop deadline at the beginning of the semester has passed.

Students who have not registered for courses they are attending by the end of the add/drop period should contact Central Records to petition for late registration.

Students may withdraw from Hampshire and Five College courses between the drop deadline and the published course withdrawal deadline in November for a fall course and April for a spring course. A "W" for course withdrawal is recorded on student transcripts. Note that only successfully completed co-curricular courses appear on student transcripts. Students may not withdraw from courses after the course withdrawal deadline. Failure to withdraw from a course by the deadline could result in a "no evaluation" notation for a Hampshire course or an "F" for a Five College course. Students with documented medical reasons or other verified, unforeseen grounds of personal or family hardship may contact the [Center for Academic Support and Advising](#) [27] to request an exception to this policy. Any request for an exception to registration policy must occur by the drop deadline in the semester after the course in question.

In some cases, faculty may grant students an extension for completing work. See the policy for [incomplete courses](#) [37] for more information.

Students who withdraw from the institution or take a medical leave during a semester should refer to the information on academic work in the [leave policy](#) [38].

The need to observe religious holidays will be honored by arrangement with individual faculty members. The Commonwealth of Massachusetts statute ensures that any student who is unable, because of religious beliefs, to attend classes or to participate in any examination, study, or work requirement on a particular day shall be excused and shall be provided with an opportunity to make up such examination, study, or work requirement that may have been missed because of such absence on any particular day, provided, however, that such makeup shall not create an unreasonable burden upon the College. No adverse or prejudicial effects shall result to the student.

For more information about course registration, please visit the [Central Records webpage](#) [23].

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[1] Some holds will prevent students from participating in preregistration. Students should check the "Approvals and Holds" page on [TheHub](#) [36] for information on holds.

## Five College Courses

Listed below are the rules and regulations covering enrollment in off-campus courses. These regulations have been worked out by mutual agreement among the Five Colleges. Registration instructions are located on the [central records webpage](#) [39].

- Students may preregister for a maximum of two (2) Five College courses. During the add/drop period, students may request and register for additional Five College courses.
- Students may take no more than two courses at Amherst College in any one semester.
- There are no courses offered through the interchange during January or over the summer. Continuing education courses at the University of Massachusetts are not part of the interchange.
- Off-campus courses do not incur extra tuition charges unless there are special lab fees, private music lesson and practice fees, or special materials. Registration for Five College courses in any registration period is completed on TheHub through the Five College course request system. Enrollment in a course is not guaranteed until the class actually begins.
- Students follow the Hampshire College academic calendar dates and deadlines for registering, dropping, and withdrawing from Five College courses.
- If a student fails to enroll properly in a Five College course by the appropriate deadline, the other colleges will not permit enrollment unless the student has been granted an exception through the late add justification process. This process is initiated in central records.
- For year-long courses, students must repeat the registration process for the spring term.

- Students taking Five College courses are subject to the grading system, calendar, and academic honor system of the institution where they are taking the course, and must take all exams at the time scheduled. Some instructors in the other four institutions will provide a written evaluation in addition to (not in place of) the required grade, on request. A Five College grading system is used by the Five Colleges. Students may be graded on a 14-point system (A+, A, A-, B+, B, B-, etc.) when taught by Five College–appointed faculty. Students with questions about a grade received should contact the professor of the course.
- Five College grading policies and practices vary from institution to institution including policies on granting incompletes. Students should check with the instructor if they think they may want to petition for an incomplete course.
- Note that courses graded S/U (satisfactory/unsatisfactory) are converted to a pass/fail system at Hampshire.
- Division III students who enroll in off-campus courses to fulfill advanced educational activities that extend beyond Hampshire graduation deadlines should be aware that formal awarding of the degree will be delayed if confirmation of course completion is not received prior to commencement.

## **FERPA and Privacy of Records**

### **What is FERPA?**

The Family Educational Rights and Privacy Act of 1974, commonly known as FERPA, is a federal law governing the privacy of education records. It grants specific rights to current and former students and sets restrictions on how schools may handle education records. It is College policy to keep student academic records confidential, with the exception of public information, which may be released at the discretion of Hampshire College officials.

FERPA requires that schools obtain written permission from students before releasing education records. Exceptions to this include emergency situations in which the health and safety of the student is involved, to provide information to schools to which a Hampshire student is transferring, in certain student conduct cases, and in other circumstances described in FERPA. In addition, in well-defined circumstances, some information may be released without written permission from the student. College officials with a legitimate educational interest may also have access to a student's education records without prior consent.

### **What is an education record?**

The definition of an education record under FERPA is broad. It refers to any record that is directly related to a student and that is kept by the College or someone acting on behalf of the College from which an individual student, or students, can be personally (individually) identified. Records can include: files, documents, and materials maintained by the College in any medium.

**FERPA gives each student the following rights:**

- The right to inspect and review education records the school is keeping on the student within 45 days of making a request.
- The right to consent to any disclosure of those records, unless disclosure is permitted under FERPA.
- The right to seek amendment to those records.
- The right to file a complaint with the FERPA Family Policy Compliance Office in Washington, D.C.

Note: When a student reaches the age of 18 or begins attending a postsecondary institution regardless of age, FERPA rights transfer to the student.

### Public Information

The items below are considered public information and may be released to third parties at the discretion of Hampshire College officials. Students may request that public information be withheld. Since there are important consequences of such a request, students must consult with the director of central records.

- Name
- Campus box number and phone
- Campus email address
- ID photo
- Pronouns
- Dates of attendance
- Field of concentration
- Name of advisor
- Participation in officially recognized activities and sports
- Dates, titles, and committees of Divisional projects
- Most recent educational institution attended

### Privacy of Records

Students complete an annual 'privacy of records' form on [TheHub](#) [20] regarding parent or guardian access, which they may change at any time. Ordinarily, students themselves share evaluations and Five College grades with others. In some cases, however, parents, guardians or individuals acting as parents in the absence of a parent or guardian, may request information from advisors, faculty, or staff. Students indicate whether the College may release to these individuals general information on academic progress and financial matters and/or copies of academic contracts, and whether, upon request, the College may send them copies of evaluations. Other third parties may obtain non-directory information if the student has granted specific permission to do so.

Privacy rights apply only to currently enrolled students and former students; Hampshire applicants are not covered. These rights pertain to any education records in whatever form maintained by the College.

Type of Record	Responsible Office
<a href="#">Academic</a> [33]	director of central records

<a href="#">Admissions</a> [40]	dean of academic support and advising/dean of enrollment and retention
<a href="#">Student Conduct</a> [41]	director of student rights and responsibilities/ dean of students office
<a href="#">Financial Aid</a> [30]	director of financial aid

Telephone inquiries for information on alumni are answered by the [Alumni and Family Relations Office](#) [42], which releases this information only to other alumni, Hampshire and Five College faculty, and other inquirers expressly authorized by the alum. Hampshire students interested in contacting alums are encouraged to email [alumni@hampshire.edu](mailto:alumni@hampshire.edu) [43] with their requests.

The following are not considered “education records” and access will not be provided:

- Personal files kept by a College staff member if the record is not revealed to others and is kept in the sole possession of the staff member
- Records maintained separately from education records solely for law enforcement purposes
- Medical records maintained by the College’s student health clinic
- Parents’ financial records

Access to student education records may be provided without prior written consent where such disclosure involves:

- Hampshire College officials who have a legitimate educational interest in the record. A school official is a person employed by the College in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials (such as an attorney, auditor, or collection agent); a person serving on the board of trustees; or a student serving on an official committee, such as a student conduct or grievance committee, or assisting another school official in performing their tasks.
- Officials of another school in which the student seeks or intends to enroll
- Federal, state, and local agencies and authorities as provided under law
- Parents of an eligible student if the student is claimed as a dependent for income tax purposes
- Organizations conducting studies for or on behalf of an educational institution, where such studies will not permit personal identification of students or their parents by those other than the representatives of such organizations
- Appropriate parties in a health or safety emergency
- Compliance with a judicial order or lawfully issued subpoena, where reasonable effort has been made to notify the student in advance of compliance
- Disclosure of final results of certain Formal Conduct Process proceedings (described in FERPA regulations) when there is a determination that a student committed a violation of its rules or policies with respect to the crime
- Disclosure to a parent of a student’s violation of a federal, state or local law or any rule or policy of the College governing the use or possession of alcohol or controlled substances
- Other circumstances permitted by the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended

The following College personnel have access to student files: staff of central records, dean of faculty, center for academic support and advising, admissions, and student life; offices of the College with responsibility for academic programs; the student's advisor; current and potential divisional committee members; College employees gathering data for legitimate college purposes; or any College official with a legitimate educational interest in an education record. To qualify as legitimate and educational, an interest must be related in a clearly discernible way to the conduct of the normal business of the institution or to the educational welfare of the individual student or of other students. Exceptions to this policy may be made in individual cases with the permission of the director of central records, provided that the exceptions are consistent with applicable law.

### **Request for Amendment to Educational Records**

Generally, students resolve minor inaccuracies in their narrative evaluations without a formal process. Requests for amendment to records are not used in cases where the student is disputing a faculty member's judgment of academic work. Refer to the section on [Evaluation of Educational Activities](#) [44] for information on requesting changes to narrative evaluations.

If an eligible student believes information contained in their education record is inaccurate, misleading, or in violation of the student's privacy, the student may request a review of the record and its amendment. Requests to amend record may not be considered beyond 60 days after the student's final semester of attendance.

Requests for amendment will be reviewed within a reasonable time and if appropriate college officials so decide, the record will be amended. If the College decides not to amend a record, the student will be notified and informed of the right to a hearing.

## **Preferred First Names & Pronouns**

Many members of the Hampshire community use names other than their legal names to identify themselves. As long as the use of this different name is not for the purposes of misrepresentation, Hampshire acknowledges that a preferred first name and pronoun may be used wherever possible in the course of a student's education. The preferred first name is used except where the legal name is required, such as payroll records and student transcripts.

Students should give serious consideration to the request to use a preferred first name and/or pronoun, as this choice will be permanently reflected in the narrative portions of the [academic transcript](#) [45]. Although students are generally free to determine the preferred first name they wish to be known by, inappropriate use of the preferred first name policy (including but not limited to avoiding a legal obligation or misrepresentation) may be cause for denying the request. The College reserves the right to remove a preferred first name if it is used inappropriately.

Preferred first name requests are entered via the directory. Students have a choice of displaying their preferred first name instead of their legal first name, or in addition to their legal first name. Authorized changes to preferred first names will be almost immediate in some locations; others may take additional time based on system configurations.

In addition to the preferred first name, students may select a pronoun from the list provided in their [directory preferences](#) [46] to be displayed on TheHub and Moodle. Pronouns are viewable to members of the Hampshire community who have a login to the directory. If no pronoun has been selected "not set" will be displayed. When writing evaluations, faculty use the pronoun entered on the directory.

Changes to a current student's legal name can only be made in the [central records](#) [33][office](#) [33] and require a court order and social security card as supporting documentation. Students with legal name changes may request that their narrative evaluations be amended to reflect their gender identity. Such amendments can take up to 45 business days to process.

*Disclaimer: This policy does not form a contract of any kind and may be modified, changed, altered, or rescinded at the discretion of Hampshire College.*

## The Hampshire College Transcript

**The first page of the transcript includes the following:**

- Divisional titles and dates of completion
- Hampshire and Five College course numbers and titles
- Five College grades
- Completed co-curricular activities
- Terms of enrollment (including semesters of field study and exchange programs)
- Last date of attendance for incompleting terms
- Students degree status
- Transcript key

*Note: Hampshire courses that are not successfully completed, incomplete, or audited are notated accordingly.*

**Evaluations and other documents included in the transcript completed by the transcript issue date:**

- Division I evaluation, which includes certification of the Community Engaged Learning (CEL-1) requirement.
- Division II evaluation, which includes certification of the Community Engaged Learning (CEL-2) requirement and the Multiple Cultural Perspectives requirement.
- Division III evaluation, which includes evaluations and/or grades for the two Advanced Educational Activities.
- Evaluations for successfully completed Hampshire courses.
- Field study and exchange program evaluations and international transcripts.
- Special Project, Learning Activity, and Five College evaluations when submitted to central records by the student.

*Note: If a student studied at another U.S. institution before or during enrollment at Hampshire, the transcript should be ordered directly from the institution attended. This includes transcripts for study abroad programs that are issued by a U.S. school of record institution.*

### **Requesting a Transcript**

Transcript request forms and additional information are available on the [central records web site](#) [47], and in the central records office. No transcripts will be issued without a student's written permission and signature. It can take up to ten business days to prepare a transcript.

### **Cost**

Students are billed a one-time transcript fee, which entitles them to request transcripts both while enrolled and in the future at no additional charge. Students are responsible for expedited shipping costs.

### **Maintenance of Student Files**

Students should inspect their academic records before leaving the College. Academic records are scanned for permanent archiving after students leave the College. Requests for changes to academic records may not be considered beyond sixty (60) days after the student's final semester of attendance.

### **Transcripts/Outstanding Obligations**

- Students who have outstanding financial obligations to the College may not receive official transcripts, nor will transcripts be issued to a third party.
- Transcripts will not be issued for any student who has defaulted on any federal student loan until the College has been notified by an agency that the student is no longer in default.
- If a student has not fulfilled any student conduct sanctions imposed through the [Formal Conduct Process](#) [9], the degree will be withheld and official transcripts will not be released.

Students who have not fulfilled obligations as described above may be issued one unofficial transcript that will be stamped with "issued to student" and "outstanding obligation." Transcripts will not be issued to a third party.

## **Evaluation of Courses and other Educational Activities**

The expectations for a student to receive an evaluation for the successful completion of a Hampshire course or other type of educational activity such as an independent study, [field study](#) [48] or [teaching assistantship](#) [49] are established in advance of the start of the activity.



Evaluations for [special projects](#) [50] must be submitted to the student's advisor who certifies successful completion. The student may also, but is not obliged to, bring a copy of the site supervisor evaluation to central records for inclusion in their transcript.

Students are responsible for checking their records for accuracy at the end of each semester. If a student finds an error in an evaluation, they should request that it be corrected as soon as possible after it has been posted online. Requests for changes to evaluations may not be considered beyond sixty (60) days after the student's final semester of attendance.

Generally, students resolve minor inaccuracies in their evaluations without a formal process. Typographical and minor factual errors, including pronoun and preferred name errors, are easily resolved by contacting the appropriate School administrator. The College has a separate policy and procedure for amending records of students who change their [preferred pronoun, preferred name or legal name](#). [51]

Students who question the content of an evaluation should first discuss their concerns with the faculty member who wrote the evaluation to come to a resolution. If a resolution with the faculty member cannot be reached, the student should contact the appropriate school dean, who may consult with other parties as necessary to arrive at a decision.

## Faculty Evaluation Deadlines

### Mid-semester Course Evaluations

Faculty indicate concerns or comments regarding student progress courses by [published deadline](#) [52]s. (Mandatory for first and second semester students; optional for others)

### Course Summary Evaluations

Faculty indicate whether students will be receiving an evaluation, no evaluation, or an incomplete by the [published deadline](#) [52]. Also see course [registration policy](#). [53]

### Course Evaluations

Course evaluations are due by January 15th for a fall term and June 15th for a spring term.

### Short Term Courses January or May/Summer

All student work must be completed within one week (7 days) after the end date of the course as listed on TheHub. Faculty must provide course completion summaries on TheHub ten days after the course end date. Full course evaluations are due from faculty two weeks after student work is turned in (three weeks after the course end date).

### Incomplete courses

Faculty are not obligated to negotiate an incomplete. In those cases where a student has requested and the faculty member agrees that an incomplete is appropriate, that information must be recorded no later than the course [completion summary](#) [52] deadline for that semester.

To record an incomplete, the faculty member enters the negotiated date along with any other pertinent notes on [TheHub](#) [54] in the course summary by the course summary deadline. Students are notified of the incomplete via email and asked to agree to the terms. The negotiated date will not exceed January 15<sup>th</sup> for a fall course, and June 30<sup>th</sup> for a spring course.

When the faculty member has determined that the conditions of the incomplete have been met, they must record that the course has been successfully completed on TheHub by January 15<sup>th</sup> for a fall course and June 30<sup>th</sup> for a spring course. If successful completion is not recorded by this time, the incomplete will automatically convert to a “no evaluation” notation. Faculty have one month from the negotiated date to evaluate the work.

Students experiencing exceptional circumstances that could make it difficult to adhere to any part of this policy should be referred immediately to [CASA](#) [11] for assistance with accommodating circumstances.

### **Division I and II**

Evaluations for Division I and II work passed during a fall term are due January 30. Evaluations for Division I and II work passed during a spring term are due June 30. Check the [academic calendar](#) [55] for the evaluation deadline for Division I work that is passed at the beginning of a term.

### **Division III**

Division III evaluations, including all Advanced Educational Activities, are due by the [published deadline](#) [52]. No student can formally be awarded the degree unless all Division III evaluations have been received.

## **Exchange, Field Study, & Short-term Field Courses**

Due to the ongoing COVID-19 pandemic and continued international travel restrictions, study abroad for the upcoming 2021-2022 academic year is operating at a limited capacity with special permission. Please see our [updated travel policy](#) [56] for more information about current travel policies as well as processes for the 2021-2022 academic year.

### **Exchange**

Exchange programs are sponsored by Hampshire and are administered by the global education office and follow a home school tuition policy. These semester or year-long programs have either been designed by Hampshire faculty or were created through an affiliation with an academic institution that complements Hampshire's academic program in some way. They offer a variety of opportunities for language study, community engagement, coursework, independent research projects, internships, and more. Participation in an exchange program is considered a full semester of enrollment. All Hampshire Exchange programs (both international and domestic) are administered by the [global education office](#) [57] (GEO).

## **Field Study**

The term "field study" at Hampshire refers to an approved semester of academic work or study that must be conducted away from the College (international or domestic). Course-based and self-designed field study are considered a full semester of enrollment that will count toward graduation. Field study may be granted for academic study that requires a student to be away from the Hampshire campus for an entire semester. Students should apply for field study through the center for academic support and advising. Refer to the [field study](#) [58] section of this handbook.

## **Short-term Field Courses**

Hampshire College offers a number of [faculty-led short-term courses](#) [59] that provide students the opportunity for off-campus study and research either elsewhere in the U.S. or abroad. These courses are offered and administered through the global education office during January or summer and are generally 2- 4 weeks in length.

# **Exchange**

Students interested in participating in exchange must apply through the Global Education Office. The Hampshire Exchange application deadlines (fall and spring term) are listed each year on the [GEO website](#) [57] and advertised extensively around campus. Students who enroll at a program or institution where Hampshire has an exchange agreement must do so through Hampshire College. Students may not enroll directly with Hampshire exchange partners.

A meeting with the advisor (Division II or Division III chair) who will be supervising the work during the exchange should occur at an early stage. If this is a Division III exchange, this planning meeting must be followed by a meeting with the Division III advisor in CASA. Division III students should refer to the [Division III section](#) [8].

## **Eligibility Requirements for Hampshire Exchange (both domestic and international):**

To be eligible to participate in a semester on Exchange you must

- Have filed for Division II or be in your first semester of Division III. Division I students and Division III students in their last semester are not eligible.
- Be in good academic and disciplinary standing to qualify.
- For Exchange Programs, students must apply for the program through the Global Education Office.
- Receive approval from your academic committee.
- Be in good financial standing at Hampshire. Students who may have outstanding financial obligations may not be eligible.
- Receive necessary approvals from all relevant offices by the Field Study, Leave & Exchange Deadline the semester prior to being away (November for spring/April for fall).

## **Policy on Good Academic and Disciplinary Standing for Exchange:**

Students wanting to participate in a semester on Exchange must be in both good academic and disciplinary standing at Hampshire College. The Center for Academic Support and Advising (CASA), the Global Education Office (GEO) and the Dean of Students Office/Office of Student Conduct, Rights, and Responsibilities collaborate to review all academic and conduct records of students who are applying to be on Exchange. Students who are on academic contract are not eligible to participate in either Exchange until the terms of the contract have been fulfilled. In addition, students must be clear of any outstanding or ongoing Formal Student Conduct processes and probationary terms cannot coincide with the intended semester away (all must be completed the semester before leaving campus). Students who may be on probation ([disciplinary status sanction](#) [60]) or contract at the time of application but whose probationary terms end prior to the planned semester off-campus are not automatically disqualified from participating. Hampshire reserves the right to review each case on the nature, severity, and number of incidents prior to approving the semester away. Students may be required to submit additional information to CASA or GEO as well as participate in an interview prior to their approval for a semester on Exchange. Once a student's application is approved, approval may be revoked at any time for failure to maintain good academic and disciplinary status at through the time of departure. It is in the student's best interest to notify the appropriate CASA or GEO advisor/program manager if they have a violation of the norms for community living and policies prior to application. If a student's application for Exchange has been denied or their eligibility status to participate has been revoked, students have an opportunity to seek a review by filing a written request to the Dean of Faculty within 3 days once they have been notified.

### **Academic Expectations:**

A semester of exchange is considered a full semester of enrollment for the purpose of academic standing. Students are expected to fulfill the academic requirements as outlined by their exchange program and their Division II or III committee. To remain in good academic standing at Hampshire while on exchange, students must successfully complete a minimum of 12 U.S. credits or the equivalent. If the host institution requires more to be fully enrolled, then the student needs to fulfill the host institution requirement. Successful completion of a course means receiving an evaluation or a grade of C or better or the equivalent. The final transcript must show evidence of this and will be evaluated for satisfactory academic progress and [good academic standing](#) [18]. [61]

Failure to successfully complete a semester of exchange may impact a student's academic progress, divisional status, or financial aid eligibility. Fees and refunds associated with exchange withdrawal will be assessed per the program specific student agreement. The Global Education Office and CASA must be notified in writing of any withdrawal from an exchange program. [61]

### **Enrollment Status:**

Students on exchange will be considered full-time students for the purpose of educational loan obligations. If, for other valid reasons, certification of student status is necessary, the [Central Records Office](#) [33] will prepare a letter bearing the College seal.

A student on exchange may **not** have use of any Hampshire College or Five College facilities. A student on exchange may have access to library resources.

### **Fees:**

Students who participate in a Hampshire Exchange program are charged Hampshire College tuition for that semester. Room, board, and other fees vary by program; refer to the [Global Education Office website](#) [57]. Fees associated with exchange withdrawal will be assessed per the [program withdrawal and refund policy](#) [62] [63]

### **Insurance:**

Students on Hampshire Exchange are required to have health insurance coverage. Students who will be studying outside of the United States will need to confirm that their provider will cover them internationally. Some exchange programs may have additional, country-specific insurance requirements.

All students, including those on exchange, are automatically enrolled in the Hampshire College health insurance plan. Students have the option to waive Hampshire's insurance if they are covered under another acceptable insurance plan. If covered through Hampshire College health insurance, students will automatically be covered internationally. Plan and coverage information for Hampshire's health insurance can be found through the [student health insurance](#) [64] webpage.

### **Financial Aid:**

Financial aid students who enroll in exchange are able to continue to receive Hampshire financial assistance. State and federal funding is also applicable. Students should consult with the Financial Aid Office to determine the exact terms and conditions of their aid package. Refer to the [Financial Aid website](#) [30].

### **Transcripts or Evaluations:**

After students are enrolled in a Hampshire Exchange program, Central Records will add the comment 'Documentation of Completion Pending' to their transcript. Exchange counts as a full semester of enrollment at Hampshire.

All exchanges must be documented to be included in your Division II or III portfolio. Students on exchange are required to carry a full course load that is equivalent to (or above) 12 US credits. If the host institution requires more to be fully enrolled, then the student needs to fulfill the host institution requirement. To document your exchange, you must have official transcripts or evaluations from the institution you are attending.

Transcripts or evaluations should be sent directly to the Global Education Office no later than 30 days after the start of the semester of your return from exchange. When Central Records receives your transcripts and or evaluations from the Global Education Office, they will replace the above comment with the appropriate titles of your courses and other learning activities that you have successfully completed.

### **International Students:**

International students (with an F-1 student visa) are required to consult with the [international student advisor](#) [65] regarding visa implications of exchange BEFORE applying for exchange.

### **Returning from Exchange:**

In order to preregister for courses or participate in the on campus housing lottery process, the student must notify CASA of their intention to return by the November and April enrollment deadline. Students should refer to [online forms](#) [66] [and information](#) [66] on the Hampshire College website and TheHub. Other information regarding returning to Hampshire is also included at this website. If CASA is not notified of a student's plans for the term following the exchange by the notification deadline, the student will be withdrawn from the College.

## **Field Study**

Field Study at Hampshire is an approved semester of academic work or study that requires a student to be away from the College for a semester. Field study status assumes that the student is engaged in academic work away from the College, not just living off campus. Field Study should only be taken when a student has adequate academic preparation. Field Study may be international or domestic and may be course-based or self-designed.

Field Study must be pre-approved by Division II or Division III committees. Ideally, students should have their field study plans approved by the field study, leave, withdrawal deadline in the semester prior to the field study. If plans are not definite or if a signature is missing, the form should still be submitted by the deadline and an appointment made with a [CASA](#) [11] dean the following week. Occasionally a student will find that their plans cannot be finalized until later in the term or during the summer.

A student on field study is supervised by an appropriate person at the field-study site. The student is entitled to limited supervision by the Division II or Division III committee. Students must submit the [required documentation](#) [67] to show evidence of continued full-time enrollment in the field study semester and successful completion of the semester.

Students are expected to fulfill the academic requirements as outlined by their field study program and their Division II or III committee. Failure to successfully complete a semester of field study may impact a student's academic progress, divisional status, or financial aid eligibility.

A student on field study may **not** have use of any Hampshire College or Five College facilities. A student on field study may have access to library resources.

The [center for academic support and \[11\]advising \[11\]](#) staff are available to answer questions about field study.

### **Field Study Options**

Students may choose between a Course-Based Field Study or a Self Designed Field Study.

## **Course-based Field Study**

A course-based field study includes full-time study at another regionally accredited U.S. institution, at an internationally accredited institution, or on an accredited study abroad program. Completion of a course-based field study is documented through an official transcript.

### **Academic Expectations**

Students are expected to fulfill the academic requirements as outlined by their field study program and their Division II or III committee. Failure to successfully complete a semester of field study may impact a student's academic progress, divisional status, or financial aid eligibility.

To remain in good academic standing at Hampshire, students must successfully complete a minimum of 12 U.S. semester credits or the equivalent. The final transcript must show evidence of this and will be evaluated for satisfactory academic progress and good academic standing by Central Records and CASA. Please note that at some institutions, fulltime status requires students to be enrolled in four courses. The minimum grade required is a C or its equivalent.

By the course add/drop deadline of the field study semester, students must send Central Records either an unofficial or official transcript, or a screenshot of their schedule that clearly shows they are registered for 12 credits or the equivalent. This may be emailed to [centralrecords@hampshire.edu](mailto:centralrecords@hampshire.edu) [68] or sent to the Central Records Office. Students who do not produce this document will be registered for a self-designed field study and must be in contact with their committee to discuss how they will complete the semester at the equivalent of at least 12 credits.

### **Eligibility Requirements for Field Study (both domestic and international):**

To be eligible to participate in a semester on Field Study, you must

- Have filed for Division II or be in your first semester of Division III. Division I students and Division III students in their last semester are not eligible.
- Be in good academic and disciplinary standing to qualify.
- Receive approval from your academic committee.



- Be in good financial standing at Hampshire. Students who may have outstanding financial obligations may not be eligible.
- Receive necessary approvals from all relevant offices by the Field Study, Leave & Exchange Deadline the semester prior to being away (November for spring/April for fall).

### **Policy on Good Academic and Disciplinary Standing for Field Study:**

Students wanting to participate in a semester on Field Study must be in both good academic and disciplinary standing at Hampshire College. The Center for Academic Support and Advising (CASA), the Global Education Office (GEO) and the Dean of Students Office/Office of Student Conduct, Rights, and Responsibilities collaborate to review all academic and conduct records of students who are applying to be on Field Study. Students who are on academic contract are not eligible to be on Field Study until the terms of the contract have been fulfilled. In addition, students must be clear of any outstanding or ongoing Formal Student Conduct processes and probationary terms cannot coincide with the intended semester away (all must be completed the semester before leaving campus). Students who may be on probation ([disciplinary status sanction \[60\]](#)) or contract at the time of application but whose probationary terms end prior to the planned semester off-campus are not automatically disqualified from participating. Hampshire reserves the right to review each case on the nature, severity, and number of incidents prior to approving the semester away. Students may be required to submit additional information to CASA or GEO as well as participate in an interview prior to their approval for a semester on Field Study. Once a student's application is approved, approval may be revoked at any time for failure to maintain good academic and disciplinary status at through the time of departure. It is in the student's best interest to notify the appropriate CASA or GEO advisor/program manager if they have a violation of the norms for community living and policies prior to application. If a student's application for Field Study has been denied or their eligibility status to participate has been revoked, students have an opportunity to seek a review by filing a written request to the Dean of Faculty within 3 days once they have been notified.

### **Enrollment Status**

Students on field study will be considered full-time students for the purpose of educational loan obligations. If certification of student status is necessary, the [Central Records Office \[33\]](#) will prepare a letter bearing the College seal. A semester of field study is considered a semester of enrollment for the purpose of academic standing (see the section on [Guidelines for Academic Progress \[69\]](#)).

Students who discontinue a field study for any reason should contact the Center for Academic Support & Advising and their advisor immediately. If the field study is canceled before classes begin, students may either elect a one-semester leave of absence or return to Hampshire full time. If the field study is cancelled after classes begin but by the last day to drop Hampshire and Five College courses on TheHub at the beginning of the semester, enrollment status will change to leave of absence. Any change in enrollment after the drop deadline will result in withdrawal from Hampshire. Students are required to reapply for admission if there is a change of enrollment status after the drop deadline.



## **Insurance**

Students on Hampshire Field Study are required to have health insurance coverage. Students who will be studying outside of the United States will need to confirm that their provider will cover them internationally. Some field study programs may have additional, country-specific insurance requirements.

All students, including those on field study, are automatically enrolled in the Hampshire College health insurance plan. Students have the option to waive Hampshire's insurance if they are covered under another acceptable insurance plan. If covered through Hampshire College health insurance, students will automatically be covered internationally. Plan and coverage information for Hampshire's health insurance can be found through the [student health insurance webpage](#) [70].

## **Fees**

The fee for field study is approximately one third of the Hampshire College tuition for that semester. Refer to the Student Financial Services website.

## **Financial Aid**

Refer to the [Financial Aid website](#) [30].

## **Procedures for Filing for Field Study**

The process for filing for field study should begin about six weeks into the term preceding the field study.

- A meeting with the Division II or Division III chair who will be supervising work during the field study should occur at an early stage. If this is a Division III field study, this planning meeting must be followed by a meeting with one of the deans in the Center for Academic Support and Advising.
- Field-study forms are available from the Center for Academic Support and Advising. A student will not be registered for field study until they have completed and submitted the form with all approvals. Students who do not complete the field study form with all approvals will be registered as a full-time student for the upcoming semester.
- All students traveling on a Hampshire College-sponsored study are required to submit an Assumption of Risk and General Release form. College-sponsored travel is any travel that a student receives any funding, academic credit for work done during or upon return from the travel; or any travel which has been arranged by the College. This includes participation in field study, whether domestic or international.

**NOTE:** Permission is rarely granted to extend field study if the field study was originally approved for one semester. If such permission is granted, students must file a new field-study form and obtain updated signatures. Failure to do so will result in cancellation of the field study and students will be placed on leave of absence.

## **International Students**

International students (with an F-1 student visa) are required to consult with the [international student advisor](#) [71] regarding visa implications of field study BEFORE applying for field study.

## **Returning from Field Study**

In order to preregister for courses or participate in the on-campus room-choosing lottery process, the student must notify CASA of their intention to return by the November and April field study, exchange, and leave of absence deadline. If CASA is not notified of the student's plans for the term following the field study by this notification deadline, the student will be withdrawn from the College.

## **Transcripts or Evaluations**

Transcripts must be submitted to Central Records no later than the beginning of the semester following the field study semester. Successfully completed courses will appear on TheHub for students to include in Division II or Division III.

# **Self-designed Field Study**

A self-designed field study is a semester of full-time Hampshire enrollment, studying away from campus with a field supervisor or under the supervision of the Division II or III chairperson.

Students are expected to spend approximately 25-40 hours per week over a 15-week semester engaged in activities pre-approved by the Division II or III committee. These hours could include an internship, apprenticeship, field-based project, course work, research or teaching assistantships or participation in a non-accredited training program. In some cases, students may enroll in courses or pursue other learning activities in addition to the self-designed component.

## **Academic Expectations**

Students are expected to fulfill the academic requirements as outlined by their field study program and their Division II or III committee. Failure to successfully complete a semester of field study may impact a student's academic progress, divisional status, or financial aid eligibility.

## **Eligibility Requirements for Field Study (both domestic and international)**

To be eligible to participate in a semester on Field Study, you must

- Have filed for Division II or be in your first semester of Division III. Division I students and Division III students in their last semester are not eligible.
- Be in good academic and disciplinary standing to qualify.

- Receive approval from your academic committee.
- Be in good financial standing at Hampshire. Students who may have outstanding financial obligations may not be eligible.
- Receive necessary approvals from all relevant offices by the Field Study, Leave & Exchange Deadline the semester prior to being away (November for spring/April for fall).

### **Policy on Good Academic and Disciplinary Standing for Field Study**

Students wanting to participate in a semester on Field Study must be in both good academic and disciplinary standing at Hampshire College. The Center for Academic Support and Advising (CASA), the Global Education Office (GEO) and the Dean of Students Office/Office of Student Conduct, Rights, and Responsibilities collaborate to review all academic and conduct records of students who are applying to be on Field Study. Students who are on academic contract are not eligible to be on Field Study until the terms of the contract have been fulfilled. In addition, students must be clear of any outstanding or ongoing Formal Student Conduct processes and probationary terms cannot coincide with the intended semester away (all must be completed the semester before leaving campus). Students who may be on probation ([disciplinary status sanction \[60\]](#)) or contract at the time of application but whose probationary terms end prior to the planned semester off-campus are not automatically disqualified from participating. Hampshire reserves the right to review each case on the nature, severity, and number of incidents prior to approving the semester away. Students may be required to submit additional information to CASA or GEO as well as participate in an interview prior to their approval for a semester on Field Study. Once a student's application is approved, approval may be revoked at any time for failure to maintain good academic and disciplinary status at through the time of departure. It is in the student's best interest to notify the appropriate CASA or GEO advisor/program manager if they have a violation of the norms for community living and policies prior to application. If a student's application for Field Study has been denied or their eligibility status to participate has been revoked, students have an opportunity to seek a review by filing a written request to the Dean of Faculty within 3 days once they have been notified.

### **Enrollment Status**

Students on field study will be considered full-time students for the purpose of educational loan obligations. If certification of student status is necessary, the [Central Records Office \[33\]](#) will prepare a letter bearing the College seal. A semester of field study is considered a semester of enrollment for the purpose of academic standing (see the section on [Guidelines for Academic Progress \[69\]](#)).

Students who discontinue a field study for any reason should contact the Center for Academic Support & Advising and their advisor immediately. If the field study is canceled before classes begin, students may either elect a one-semester leave of absence or return to Hampshire full time. If the field study is cancelled after classes begin but by the last day to drop Hampshire and Five College courses on TheHub at the beginning of the semester, enrollment status will change to leave of absence. Any change in enrollment after the drop deadline will result in withdrawal

from Hampshire. Students are required to reapply for admission if there is a change of enrollment status after the drop deadline.

### **Evaluation Requirements for self-designed field study: Student**

Students are required to submit the following to show evidence of continued enrollment and completion of Field Study.

- 1) Mid-semester self-evaluation on TheHub by the published deadline.
- 2) Final self-evaluation on TheHub by the end of the semester.
- 3) Other documentation required to demonstrate completion of the semester must be submitted to the Chairperson. *Examples: Narrative evaluation(s) from field supervisor; official transcript(s); other certificate(s) and forms of media.*
- 4) Students using a component of field study such as an internship for a div III advanced educational activity (AEA) must have this listed on the filed copy of their div III contract in the AEAs section. The component used for the AEA will be registered separately and evaluated or certified as complete by the div III chair. Students must submit documentation of completion directly to the div III chair. Although not required, students may submit a site supervisor evaluation to Central Records for inclusion in the Hampshire transcript. If a student takes a course or courses at another institution an official transcript must be sent to both the div III chair and Central Records.

### **Evaluation Requirements for self-designed field study: Chairperson**

- 1) Submit a mid-term evaluation and course summary according to published deadlines.
- 2) Certify successful completion; or write an evaluation referencing documentation from field supervisors; or write a full evaluation if directly supervising the student.

Note: There is no option for partial completion of the semester. Your certification/evaluation, brief or detailed, will be included in the student's transcript.

### **Insurance**

Students on Hampshire Field Study are required to have health insurance coverage. Students who will be studying outside of the United States will need to confirm that their provider will cover them internationally. Some field study programs may have additional, country-specific insurance requirements.

All students, including those on field study, are automatically enrolled in the Hampshire College health insurance plan. Students have the option to waive Hampshire's insurance if they are

covered under another acceptable insurance plan. If covered through Hampshire College health insurance, students will automatically be covered internationally. Plan and coverage information for Hampshire's health insurance can be found through the [student health insurance](#) [64] webpage.

## **Fees**

The fee for field study is approximately one third of the Hampshire College tuition for that semester. Refer to the [Student Financial Services](#) [72] website.

## **Financial Aid**

Refer to the [Financial Aid website](#) [30].

## **Procedures for Filing for Field Study**

The process for filing for field study should begin about six weeks into the term preceding the field study.

- A meeting with the advisor (Division II or Division III chair) who will be supervising work during the field study should occur at an early stage. If this is a Division III field study, this planning meeting must be followed by a meeting with one of the deans in the Center for Academic Support and Advising.
- Field-study forms are available from the Center for Academic Support and Advising. A student will not be registered for field study until they have completed and submitted the form with all approvals. Students who do not complete the field study form with all approvals will be registered as a full-time student for the upcoming semester.
- All students traveling on a Hampshire College-sponsored study are required to submit an Assumption of Risk and General Release form. College-sponsored travel is any travel that a student receives any funding, academic credit for work done during or upon return from the travel; or any travel which has been arranged by the College. This includes participation in field study, whether domestic or international.

**NOTE:** Permission is rarely granted to extend field study if the field study was originally approved for one semester. If such permission is granted, students must file a new field-study form and obtain updated signatures. Failure to do so will result in cancellation of the field study and students will be placed on leave of absence.

## **International Students**

International students (with an F-1 student visa) are required to consult with the [international student advisor](#) [71] regarding visa implications of field study BEFORE applying for field study.

## **Returning from Field Study**

In order to preregister for courses or participate in the on-campus room-choosing lottery process, the student must notify CASA of their intention to return by the November and April field study, leave, exchange deadline. If CASA is not notified of the student's plans for the term following the field study by this notification deadline, the student will be withdrawn from the College.

## Short-term field courses

Hampshire College offers a number of faculty-led short-term field courses for academic credit that provide students the opportunity for off-campus study and research either elsewhere in the U.S. or abroad. These courses are offered and administered through the global education office (GEO) during January or summer and are generally 2-4 weeks in length. All Hampshire short-term field courses have an application, course fee, and registration process administered through the global education office. For more information see [the global education office webpage](#) [59].

### Eligibility Requirements for Short-term Field Courses:

To be eligible to participate in a GEO short-term field course, you must:

- Be an actively enrolled student in [good academic](#) [18] and [disciplinary standing](#) [60]
- Qualify for specific course prerequisites
- Be in good financial standing at Hampshire. Students who have outstanding financial obligations may not be eligible.
- Apply to the global education office using the online application system by the published application deadlines.

Note: Students on medical leave are not eligible to participate in short-term field courses. Students on personal leave must request permission to apply from the global education office.

### Policy on Good Academic and Disciplinary Standing for Short-term Field Courses:

Students wanting to participate in a short-term field course must be in both good academic and disciplinary standing at Hampshire College. The center for academic support and advising (CASA), the global education office (GEO) and the dean of students office/ office of student rights and responsibilities collaborate to review all academic and conduct records of students who are applying for a short-term field course. Students must be clear of any outstanding or ongoing normal student conduct processes and probationary terms cannot coincide with the intended period away (all must be completed the semester before leaving campus). Students who may be on probation ([disciplinary status sanction](#) [60]) or contract at the time of application but whose probationary terms end prior to the planned period off-campus are not automatically disqualified from participating. Students may be required to submit additional information to CASA or GEO as well as participate in an interview prior to their approval for a short-term field course. Once a student's application is approved, approval may be revoked at any time for failure to maintain good academic and disciplinary standing at any time up to the time of departure. It is in the student's best interest to notify the appropriate advisor if they have violation of the norms

for community living and policies prior to application. If a student's application for a short-term field course has been denied or their eligibility status to participate has been revoked, students have an opportunity to seek a review by filing a written request to the Dean of Faculty within 3 days once they have been notified. Hampshire reserves the right to review each case on the nature, severity, and number of incidents prior to approval of participation in a short-term field course.

### **Fees and Financial Aid:**

The cost of each short-term field course varies. Please refer to the course-specific webpage listed at [Short-term Field Courses](#) [59] for more information about the course fee and additional costs. Airfare is generally NOT included in the course fee. Fully enrolled students who receive need-based financial aid from Hampshire College are eligible to apply for financial assistance through the global education office (GEO). For further details and payment information visit the [Short-term Field Study Course Fees and Financial Aid](#) [73] webpage.

### **Insurance:**

Students participating on short-term field course are required to have health insurance coverage. Students who will be studying outside of the United States will need to confirm that their provider will cover them internationally.

All Hampshire students, are automatically enrolled in the Hampshire College health insurance plan. Students have the option to waive Hampshire's insurance if they are covered under another acceptable insurance plan. If covered through Hampshire College health insurance, students will automatically be covered internationally. Plan and coverage information for Hampshire's health insurance can be found through the [student health insurance](#) [64] webpage

## **Leave & Withdrawal**

### **Personal Leave of Absence**

If a student needs to be away from Hampshire College and will not require faculty supervision or a formal Hampshire record of activities while away, a one semester personal leave of absence may be appropriate. The leave form is available from the Center for Academic Support & Advising.

### **Withdrawal**

Students who want to withdraw from Hampshire College must complete a withdrawal form, which is available from the [Center for](#) [11][Academic Support and Advising](#) [11].

# Leave of Absence

## Personal Leave of Absence

There are various reasons students might consider a personal leave: to take time away from Hampshire for personal circumstances; the desire to travel or work; or simply the need for a break. Personal leaves are not intended for students planning to obtain academic credit while away.

A personal leave may be granted to any student for one term. By the field study, leave and exchange deadline, students must meet with a dean in the Center for Academic Support and Advising (CASA) to notify the College of their intention to take personal leave for the upcoming semester.

In extenuating circumstances, students already enrolled in a term may take a personal leave for the semester, but must meet with a CASA dean to request the leave by the end of the drop deadline at the beginning of the term. Requests for a personal leave after the drop deadline will be denied and are considered to be requests for withdrawal from the institution.

Automatic readmission after one semester will be assumed, provided students declare their intention to return by the field study, leave and exchange deadline of the term away from campus. A personal leave is not a semester of active enrollment. Students anticipated graduation will be adjusted to a later date by one semester to account for the term away. Should students pursue academic work while on personal leave, there is no guarantee that it will be accepted. Students who fail to notify the College of their intention to return will be withdrawn and must apply for readmission.

## Leave with Conditions of Return

Students who are not making satisfactory academic progress as determined by CASA may be required to take a leave to make up for academic deficiencies by completing course and divisional work elsewhere. If students do not meet the conditions of return terms, students will be withdrawn. Read more about this academic progress under the [Guidelines for Academic Progress](#) [18] section.

## Procedure for Filing for Leave of Absence

The first step in the process is for students to meet with a CASA dean to discuss their plans before the leave deadline. CASA will provide a form that requires signatures from the student's advisor, housing operations office, financial aid office, the bursar, the international student advisor in the multicultural and international student services offices (for students with an F-1 student visa), and a CASA dean. To return from leave of absence the following semester, students should refer to online forms and information on the Hampshire College website. If CASA is not notified of the student's plans for the term following the personal leave by the notification deadline, the student will be withdrawn.



Students on leave do not have an advisor and may not work with faculty. They may not complete divisional work or negotiate the Division II or the Division III contract. Students on leave of absence may not have use of any Hampshire College or Five College facilities. Specifically, this involves the library; the Robert Crown Center; the Hampshire College or University of Massachusetts Amherst Health and Counseling Services; the Outdoors Program/Recreational Athletics college-sponsored trips; enrolling in, teaching, or auditing Hampshire or Five College interchange courses; having a job on campus, or having a validated Hampshire ID card.

### **Deadlines and Fees**

The leave of absence fee is \$400 for each term.

A change of status from fully enrolled to leave of absence after the start of classes will, if approved, lead to the partial or full forfeiture of tuition, room, and board fees. Refer to the [Student Accounts website](#) [74] for the refund schedule. Factors determining the amount of the refund include the date of leave, the type of leave, and the financial aid status of the student. Upon leave, financial aid students may have a part of their aid returned to the programs that assisted them as mandated by the federal return-of-funds formula. Returns are applied in the following order: federal student and parent loans, federal grants, college and outside grants, and scholarships. Students will be responsible for a balance due created by the return-of-funds process.

### **Insurance**

Students who have waived insurance coverage for the preceding term are not eligible to apply for insurance while on leave. Students enrolled in the insurance plan are eligible for coverage for a maximum of two semesters. Health insurance does not automatically continue while on leave. To request continuation of health insurance while on medical leave, contact student accounts at 413.559.6982.

Students may purchase the supplemental health insurance offered by Hampshire College that entitles leave students to medical care as outlined in the college insurance company brochure and on the [Student Financial Services website](#) [75]. Supplemental insurance does not cover a student for care at the [Hampshire College](#) [76][Health and Counseling Services](#) [76] or [University of](#) [77][Massachusetts Amherst University Health Services](#) [77].

### **Vacating Student Rooms**

See the [Residential Life & Housing Policies](#) [78] section.

### **International Students**

International students (with an F-1 student visa) are required to consult with their international student advisor before submitting their leave of absence form to CASA; or if filing for medical leave, before submitting the medical leave declaration and any supporting medical documentation to [health and counseling services](#) [76]. Mandatory advisement will address the

visa implications and procedures for international students taking a leave of absence or medical leave, and requests for authorization for a SEVIS Reduced Course Load (RCL) due to a medical condition, if applicable. Without receiving timely advisement from their international student advisor, the student risks jeopardizing their student visa status and lawful presence in the U.S. The advisor is located in the [multicultural and international student services office](#) [79] in the Lebrón-Wiggins-Pran Cultural Center.

### **Student in the Military**

Students who are called to active duty after the beginning of a semester may consider the two options below with CASA in determining their enrollment status at Hampshire College.

#### Option 1:

Students may remain enrolled for the current semester and make arrangements with their instructors to complete courses early or request an incomplete status and complete courses at a later agreed upon date. (Zena and Rachael, can you work on this option and provide wording please.)

#### Option 2:

Students may withdraw or take a leave of absence from all courses as of the effective date of their orders to report to active duty and prior to the last date to withdraw established by the College. Upon withdrawal/leave tuition and fee charges are cancelled and room and board charges will be prorated as of the date of withdrawal. If a student withdraws after the established withdrawal date, the student is ineligible for a refund of tuition and fee charges. For the purposes of this section, the "withdraw date" shall be the same as the date set by the institution for its general student population to withdraw from the institution or a course or class without academic penalty. Students who choose to withdraw may apply for [readmission](#) [80] through the Center for Academic Support and Advising (CASA). The readmission processing fee will be waived.

It is important to note, if the student withdraws from all classes in a semester and has federal financial aid, the "[Return of Title IV Funds](#) [81]" policy applies. The same applies if a student has state funding or outside scholarships, the financial aid office is obligated to follow any state or outside aid return policy. The School Certifying Official will notify the Veterans Administration about withdrawals and last dates of attendance for students who are receiving VA benefits and who are called to duty.

Students receiving federal and/or state financial aid must contact the financial aid office to determine how their federal financial aid could be affected due to their withdrawal.

Any refunds for tuition and fees will be reviewed and calculated by the Financial Aid Office and Student Accounts.

### **Information about Medical Leave**

Refer to the [Medical Leave](#) [82]section.

## **Medical Leave and Academic Work**

Students who begin a medical leave (either voluntary or involuntary) during a semester do not have the option of completing the semester's academic work.[1] If students begin a medical leave before the course drop deadline at the beginning of a semester, courses in progress will not appear on their transcripts. If the medical leave begins after the semester's course drop deadline, a "W" for withdrawal will appear on student transcripts for courses in progress.

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[1] Students who begin medical leave within the last two weeks of classes may appeal to the dean of academic support and advising to discuss the possibility of completing work. This request must be in writing, addressed directly to the dean. Students should not negotiate the completion of work with the faculty member teaching the course. Approval to complete work will be considered on a course-by-course basis. If an exception is granted for one or more courses, a firm date for submitting the work will be established. If students do not complete the work, a "no evaluation" notation will be recorded on their transcripts. If students complete the approved courses, the semester will count as a semester of enrollment.

## **Medical Leave**

A medical leave is a leave of absence from the College that may be granted to students who are unable to continue their enrollment because of physical or psychological conditions. Non-degree students are not eligible for medical leave. A request for medical leave is considered a request to withdraw from Hampshire College. Students seeking a medical leave must contact [health and counseling services](#) [76] (413.559.5458) to discuss the circumstances and to obtain medical verification of their need to leave the College. The final day to take a medical leave is the last day of classes for the current semester; students cannot take a retroactive medical leave after classes have concluded. All medical leaves are processed through [health and counseling services](#) [76]. A "W" for withdrawal will appear on transcripts for courses in progress if a student goes on medical leave after the add/drop deadline. Students seeking a medical leave must fill out a medical leave declaration.

As with any other leave, the College reserves the right to deny a student's request for medical leave.

A student on voluntary or involuntary medical leave normally will not be permitted to participate in College activities or to utilize the College's services, facilities, or programs (including extracurricular activities) and will also be restricted from entering the campus during the leave

period; exceptions to these restrictions must be approved in advance by the dean of students office.

Students on medical leave must complete a readmissions application. Refer to the [readmission policy](#) [80] for details.

Students who have waived insurance coverage for the preceding term are not eligible to apply for insurance while on medical leave. Students enrolled in the insurance plan are eligible for coverage for a maximum of two (2) semesters. Insurance must be requested. Refer to the [student \[75\]financial services website](#) [75] for more information.

A change of status from fully enrolled to leave of absence after the opening of the term (enrollment check-in date) will, if approved, lead to the partial or full forfeiture of tuition, room, and board fees. Refer to the fee brochure and [refund schedule](#) [83]. Factors determining the amount of the refund include the date of leave, the type of leave, and the financial aid status of the student. Upon leave, financial aid students may have a part of their aid returned to the programs that assisted them as mandated by the federal return-of-funds formula. Returns are applied in the following order: federal student and parent loans, federal grants, college and outside grants and scholarships. Students will be responsible for a balance due created by the return-of-funds process.

For information about medical leave in relation to academic work, see the [leave policy](#) [38] in the Academic Policies section.

### **Duration of Medical Leave**

Students on medical leave normally will be assumed to be on leave for the remainder of the semester in which the leave began and for one additional semester. Students beginning a medical leave within the last two weeks of classes are considered to be on medical leave for the remainder of the semester as well as two full consecutive semesters. Students may be permitted to return in accordance with the [readmission policy](#) [80].

Students on medical leave will have their leave automatically extended for a second consecutive semester. Students who do not apply for readmission after their second semester of medical leave are withdrawn from the College.

Students who want to return to the College after any medical leave (voluntary or involuntary) must follow the [readmission policy](#) [80].

### **Involuntary Medical Leave**

All students (including those with physical or psychological conditions) are required to meet the academic, behavioral, and other standards of the College; requests for reasonable accommodations to meet these requirements are considered on a case-by-case basis. Threatening or other inappropriate behavior by a student will usually be addressed either through the College's student conduct process or by a qualified health professional. Where such behavior is deemed attributable to a physical or psychological condition, the College may, in its discretion, initiate the following:

The College may encourage the student to voluntarily seek professional assistance and/or apply for a voluntary medical leave in order to address the condition. If the student is unwilling to take a voluntary medical leave, the College may place the student on involuntary medical leave. When, prior to being placed on an involuntary medical leave, a student requests to take a voluntary medical leave, they normally will be permitted to do so.

Examples of behavior that may lead to involuntary medical leave include, but are not limited to:

- Engaging in or threatening behavior that is deemed dangerous to the student or to others (e.g., physical threat to self or others, suicide attempt or threat, demonstrated inability to care for oneself)
- Engaging in or threatening behavior that is deemed to be disruptive of the ability of the student or other members of the College community (including other students, faculty, and staff) to participate in the College's academic, residential, or social environment
- Engaging in or threatening behavior that is likely to cause significant damage to property

The following procedures will apply to involuntary medical leaves:

- Prior to placing a student on involuntary medical leave, the dean of students, the director of health and counseling services, or the associate director of health and counseling services will make an assessment of the student's ability to participate in the College's academic, residential, or social environment. When the student is available on campus, the assessment may include a meeting with a clinician from health and counseling services or the dean of students or designee of the dean of students, at which time they will: (a) discuss the areas of concern with the student; (b) give the student an opportunity to respond to those concerns; and (c) explain the College's involuntary medical leave policy to the student. Further assessment may include consultation with persons knowledgeable about the College's obligations regarding students with disabilities and with appropriate health or other professionals. The total assessment will take into consideration the following: (a) the nature, duration, and severity of the risk of harm; (b) the likelihood that the harm will occur; and (c) whether reasonable modifications of policies, practices, or procedures would sufficiently mitigate the risk.
- If the process is initiated by the dean of students office, the student may be required to be evaluated by an appropriate health professional selected by the College. Such evaluation normally must be completed within five business days after the dean's request. The student will be requested to sign a written authorization permitting the health professional to exchange health information with appropriate representatives of the College. A student's refusal to sign such authorization will impede the dean's ability to make an assessment and may negatively affect the leave decision.
- If the assessment results in a decision to place the student on involuntary medical leave, the assessor will inform the student of that decision in writing. The student may request reconsideration of the decision by submitting a written request (including the grounds for reconsideration and requested resolution) to the dean of students within ten (10) business days of receiving notice of the decision. The student will also need to sign a form giving the dean permission to speak with any medical professionals involved in the case.

The student also may utilize the Section 504 complaint procedure referred to in the [accessibility resources and services](#) [84] section of this handbook.

- The College may immediately suspend a student from the campus and/or from student housing if it determines that such immediate action is warranted due to: (a) imminent risk of substantial harm to the health/safety of the student or others; (b) the student's refusal to participate in any part of the above-described process; or (c) a senior administrator's determination that such action is necessary under the circumstances then known to them. Following an immediate interim suspension, the College will engage in the procedures described above as soon as reasonably practicable.

Students placed on involuntary medical leave will be subject to the policies and procedures for [readmission](#) [80].

## Withdrawal

Students are required to meet with a CASA dean to discuss their plans as the first step in the process of withdrawing from the College. CASA will provide a form that requires signatures from the student's advisor and other offices on campus. Students who wish to withdraw from an exchange program should refer to the [exchange section](#) [62]. Withdrawing from an exchange program after the program start and/or opening of the term is considered withdrawing from Hampshire College.

### Deadlines and Fees

The enrollment notification deadline is listed each year in the [academic](#) [55][calendar](#) [55] and tuition information on the [Student Financial Services website](#) [75].

A change of status from fully enrolled to withdrawal after the first day of classes will lead to the partial or full forfeiture of tuition, room, and board fees. Refer to the [Tuition and Fees Refund Schedule](#) [85] for refund information. Factors determining the amount of the refund include the date of leave, the type of leave, and the financial aid status of the student. Upon withdrawal, financial aid students may have a part of their aid returned to the programs that assisted them as mandated by the federal return-of-funds formula. Returns are applied in the following order: federal student and parent loans, federal grants, college and outside grants and scholarships. Students will be responsible for a balance due created by the return-of-funds process.

Fees associated with exchange withdrawal will be assessed per the program withdrawal and refund policy ([see GEO website](#) [62]).

### Vacating Student Rooms

See the [residence life and housing policies](#) [78][section](#) [78].

### International Students

International students (with an F-1 student visa) are required to consult with the international student advisor BEFORE filing for withdrawal with [CASA](#) [11], regarding visa implications of withdrawing. Without receiving timely advisement from the international student

advisor, the student risks jeopardizing their student visa status and lawful presence in the U.S. The advisor is located in the [79][international student services](#) [65], Merrill Student Life.

## Readmission Policy

Students seeking readmission to the College are required to submit an application to the [center for academic support and advising](#) [11] (CASA) that includes a statement of their activities while away from the College and a proposed plan of study if readmitted. Contact CASA for information and the readmission application.

The completed application (including supplemental materials) is due no later than November 1 for readmission for the spring term and April 1 for readmission for the fall term. Hampshire does not have a rolling process for considering applications for readmission; late applications will not be accepted. The readmissions committee meets just once per semester. It is important that supporting documents be recent. A processing fee of \$50 (non-refundable) is required. Students seeking readmission who have been away from Hampshire for four years or more will follow the academic policies and deadlines in effect at the time of readmission. The [center for academic support and advising](#) [11] will provide current policies and deadlines upon request.

Applications for readmission from students who have an outstanding financial obligation to the College will not be reviewed by the readmissions committee until the outstanding debts are cleared, or acceptable arrangements for payment have been made **prior to the readmissions application deadline**.

Complete applications will be reviewed by the readmissions committee before a final decision is made. The readmission decision rests on the discretion of the readmissions committee. There is no appeal process for decisions of the readmissions committee.

Applicants must fulfill all requirements as set forth in the application materials, including submission of a personal statement that explains how the circumstances which led to the leave have been addressed. In addition to the requirements listed in [readmission by withdrawal type](#) [86], the readmissions committee may require the student to submit additional documentation and/or participate in a personal interview with a College administrator.

The readmissions committee will sometimes recommend that a student be readmitted to the College with the understanding that certain conditions or expectations will be met once the student has returned. [CASA](#) [11] will be responsible for conveying academic information to the student and the advisor in the form of an academic contract for monitoring academic progress. The committee may also consult with faculty or other pertinent persons, such as former advisors and faculty working in the area of the student's interests, concerning the advisability of readmitting the student.

The readmissions committee consists of the deans for academic support and advising, the director of central records, and a representative from health services when appropriate.

**Regardless of the original or predominant reasons for withdrawal or medical leave, all**

**issues that pertain to the student's ability to function successfully at Hampshire will be addressed in determining suitability for readmission.**

Information reviewed by the readmissions committee includes, but is not limited to:

1. The readmission application including any supplemental materials.
2. Documents specifically requested by the center for academic support and advising, health services, the dean of student life office, a student's faculty committee or academic advisor.
3. Academic history while enrolled at Hampshire.
4. Social or disciplinary history while enrolled at Hampshire.
5. Current status of account with the College business office. Applications for readmission from students who have an outstanding financial obligation to the will not be reviewed by the readmissions committee. If the outstanding debts are cleared, or acceptable arrangements for payment have been made **prior to the readmissions application deadline, the application will be considered.**

It is important that students notify the financial aid and housing offices regarding their interest in applying for readmission as soon as possible. Financial aid resources for readmitted students are limited. If a student is readmitted to Hampshire, the level of financial aid awarded may be lower than that received when the student was first admitted.

International students (with an F-1 student visa) should also contact the international student advisor before applying for readmission to discuss visa status and enrollment limitations.

## **Readmission by Withdrawal Type**

In addition to the standard readmission application, compare your leave/withdrawal circumstances to these categories and be sure to include these supplemental materials:

### **Readmission after Academic Withdrawal**

Applicants must provide documentation of completion of all academic work stipulated in the academic withdrawal letter.

### **Readmission after Administrative Withdrawal**

Students who have been administratively withdrawn from the College because they have not informed the College of their enrollment plans must submit information concerning any academic activities while away as part of the application.

### **Readmission after Incomplete Medical Records Withdrawal**

A student who has been administratively withdrawn due to missing medical records must submit required documentation to [Health and \[76\]Counseling Services \[76\]](#). Health and Counseling Services will notify [CASA \[11\]](#) once all medical information has been received. Reinstatement



will be automatic if the student is in good academic and disciplinary standing and the materials have been received by the Friday before the start of the upcoming semester.

### **Readmission after Disciplinary Suspension**

In addition to any criteria and recommendations made at the time of suspension from the College, evidence of responsible behavior in academic and nonacademic areas will be among the criteria used to determine readiness to reenter the Hampshire community.

### **Readmission after Financial Withdrawal**

Students financially withdrawn at the end of a semester may be reinstated without going through the Readmissions process if the student is in good academic and disciplinary standing and the account is paid in full the Friday before classes begin for the upcoming semester. Students are required to go through the Readmissions process if the account is not paid by that deadline. If the student misses the above deadline, then the account must be paid in full by the Readmissions application deadline corresponding with the semester the student wishes to return.

### **Readmission after Medical Leave**

In addition to a completed readmission application, the student must submit a letter to [CASA](#) [11] from a qualified health professional that contains the following information:

1. A specific diagnosis and prognosis of the health condition that led to the medical leave
2. Description of the treatment that was received by the student during leave
3. An assessment of the student's present and sustained ability to meet the academic, behavioral, and other requirements of the College
4. An assessment of the student's present and sustained ability to live independently in student housing
5. An assessment of whether the student's return to the College presents a potential threat to the health or safety of the student or to others in the College community
6. Recommendations for continued treatment or accommodations (if any) upon return to the College. If requested to do so, the student also must provide the College with written permission to contact their health professional. In specific cases, additional requirements are possible. This information will be held as confidential by College health officers and the readmissions committee to the extent practical.

### **For International Students**

International students (with an F-1 student visa) are required to contact the international student advisor immediately after applying for readmission, regardless of withdrawal type, to discuss visa status, enrollment limitations, and to obtain an updated Form I-20 necessary for returning to Hampshire. The advisor is located in the International Student Services office at Merrill Student Life.

## **Satisfactory Academic Progress and Financial Aid**

Academic progress is the standard by which progress toward degree completion is measured. It applies to all students whether or not they are receiving financial aid. According to federal regulations, in order to be eligible for financial student aid funds, a student must make satisfactory academic progress and all schools must define their Satisfactory Academic Progress in terms of both Quantitative and Qualitative measures. Students also have a limit to the length of time to graduation, and must complete their degree within a maximum timeframe of 150% of the published length of the program. In order to be making satisfactory progress, students must meet both quantitative and qualitative measures each year. Students who fail to meet these standards may lose their eligibility for financial aid.

The College, in accordance with these regulations, has instituted the following guidelines for all students for Satisfactory Academic Progress (SAP). Hampshire College does not use the traditional grade point average (GPA) as a method of evaluation, therefore the College will examine the ratio of successfully completed courses to total courses.

- To meet the quantitative standard a student must successfully complete at least 67% of all courses attempted. Attempted courses **include** successfully completed courses, incomplete courses, courses in progress, courses marked as “No eval”, transfer, and courses from which the student had withdrawn.
- To meet the qualitative standard, the ratio of successfully completed courses to total courses (including courses evaluated and those marked as “no eval”; **excluding** incomplete, in-progress, and withdrawn courses) must be at least 1:2 or 50% (i.e. for every two courses attempted, one must be successfully completed). A Five College course is successfully completed at a C or better.
- Hampshire College has determined that a student may not take longer than 10 full-time semesters to complete the degree requirements.

Hampshire College will measure Satisfactory Academic Progress standards at the end of the spring semester each academic year. Students who are not meeting the Satisfactory Academic Progress standards described above are not eligible for financial aid, will be placed on financial aid suspension, and monitored each semester. Students who wish to appeal this decision should refer to the *Satisfactory Academic Progress (SAP) Financial Aid Appeal Policy* outlined below. In order to maintain financial aid after being placed on financial aid suspension, an appeal will be required each semester until the student makes the minimum SAP standards. If the student does not make progress toward meeting the standards as outlined in their plan, they will lose eligibility for financial aid until all three standards (quantitative, qualitative, and the limit on the length of time to graduation) are met.

## **The Impact of Not Completing Courses**

### **Withdrawing from Courses**

Every course in which you remain enrolled after the add/drop deadline counts toward your total attempted courses. To maintain eligibility for financial aid, you must complete at least 67% of the courses you attempt. If you withdraw from a course, your course completion (quantitative)

rate will decrease. Withdrawing from too many courses can put you at risk of losing your financial aid.

### **Failing or Never Completing Courses**

As with course withdrawals, incomplete courses, courses for which you receive a “no evaluation,” and Five College courses graded below C will make it more likely that you will not reach the minimum course completion rate of 67% and lose eligibility for financial aid.

### **Hampshire College Financial Aid Suspension, Probation, and Appeal Policy**

**Financial Aid Suspension** - Students who fail to make SAP will be placed on financial aid suspension and are not eligible for financial aid. Students who lose aid eligibility due to financial aid suspension, but who are not dismissed or academically withdrawn from the college can appeal this decision to the Financial Aid Office.

- Students on financial aid suspension may continue to attend the college without financial aid. Students may become eligible for financial aid once SAP is obtained.
- Students who are dismissed, withdrawn, or who withdraw from the college but who are subsequently reinstated may be considered for financial aid based upon SAP standards as determined by a review of their academic record since separating from the college.

**Financial Aid Probation** - Students who have successfully appealed and overturned a financial aid suspension, will be placed on financial aid probation for one term. The student will be eligible for financial aid while on probation. Students who do not earn SAP at the end of the term are placed on probation and will lose financial aid eligibility.

Students may continue to be eligible for some outside sources such as private loans or outside scholarships. Students are urged to contact the source to determine if they remain eligible.

**Satisfactory Academic Progress (SAP) Financial Aid Appeal** - A SAP Appeal is the process by which a student who is not meeting SAP standards may petition for reconsideration of eligibility to receive financial aid. A student may submit a written appeal for review to the Financial Aid Office via email at [financialaid@hampshire.edu](mailto:financialaid@hampshire.edu) [87]. **Appeals are due no later than one week prior to the start of the new term in which the student seeks financial aid.** Appeals will be reviewed within 7 business days by both the Financial Aid Office and the Center for Academic Support and Advising (CASA).

An appeal will be considered based on the following extenuating circumstances:

- Death of a relative
- Injury or illness of the student
- Other special circumstances
  - Family difficulties, such as divorce or illness
  - Interpersonal problems
  - Difficulty balancing work, school, responsibilities

- Financial Difficulties

The written appeal may be used to reconsider either the quantitative standard, qualitative standard, or for the maximum timeframe of completion. The appeal must include the following items:

1. A signed explanation for not achieving SAP.
2. Documentation for extenuating circumstances (i.e. non-family member third party letter, doctor's note, letter of support from faculty advisor, etc.)
3. An academic plan listing how the required standards will be reached by the next evaluation period.
4. Support for the plan provided by CASA.

Note on academic plans: The plan needs to state the number of courses the student must complete in one semester in order to be compliant at the next SAP review. However, if the student will require more than one semester to become compliant with SAP standards, an academic plan must be developed that specifies the coursework and number of courses necessary to become compliant within two semesters. An academic plan should not exceed two semesters of enrollment. The academic plan will be approved if it contains a reasonable schedule with a minimum of 3 courses per semester, agreement by the student to meet with advisor and CASA for support, and agreement by the student to complete all courses stated in the plan.

An incomplete appeal will automatically be denied.

If the appeal is approved, the student will be placed on financial aid probation for one semester. Unless otherwise noted in the academic plan, it is expected that after one semester a student will be making satisfactory academic progress. If the appeal is not approved, then the student's financial aid will be suspended until the student is making satisfactory academic progress. The decision is final and cannot be appealed. Written appeals, documentation, appeal decisions, and plans will be saved in the student's financial aid file. Plans will also be on file with CASA.

Students not making SAP will have their progress monitored by CASA throughout the semester. These students will also be reviewed by CASA, Financial Aid, and the Registrar at the end of each semester to determine if they are making progress towards completing the number of courses necessary to maintain SAP. If the student is not meeting those terms, further eligibility for aid will be suspended immediately.

Students may submit an appeal each semester they are not making satisfactory academic progress.

### **Frequently Asked Questions**

*What happens to my financial aid if I don't complete all the courses for which I am registered?*

To remain eligible for aid, you must successfully complete a minimum of 67% of the courses you attempt. Since this measure is based on your entire academic history (including transfer

credits), your performance in an individual course may have no impact on your eligibility for financial aid. However, an accumulation of unsuccessful courses will affect your eligibility. Transfer courses accepted toward your degree count as both attempted and completed courses.

If your course completion rate falls below 67% you can work with CASA to develop a Satisfactory Academic Progress plan and submit an appeal to the financial aid office by the due date. If the appeal is approved, then you will be allowed to retain financial aid eligibility while you work toward meeting the minimum standard.

*What if the qualitative rate falls below 50%?*

Hampshire College does not have a traditional Grade Point Average (GPA). Therefore, to remain compliant with federal regulations we have developed an alternative ratio comparing successfully completed courses to unsuccessfully completed courses, excluding transfer, withdrawn, incomplete and in-progress courses. If that ratio should drop below 1:2 (one successfully completed courses for every two courses attempted and evaluated, or 50%), you may work with CASA to develop a Satisfactory Academic Progress plan and submit an appeal to the financial aid office by the due date. If the appeal is approved, then you will be allowed to retain financial aid eligibility while you work toward meeting the minimum standard.

*What happens to my financial aid if I withdraw from some, but not all, of my courses after the add/drop deadline?*

Your financial aid award will not change for that semester. However, you must remember that withdrawals decrease your course completion rate and increase your risk of falling below the required minimum of 67% course completion rate.

*What happens if I take an incomplete in one or more courses?*

An incomplete is counted as an attempted course that has not been successfully completed. Incompletes decrease your course completion rate and increase your risk of falling below the required minimum of 67% course completion rate. You should finish any incomplete work as soon as possible, and follow up with your instructor to be sure that the evaluation for the work is recorded.

*What happens if I need more than 10 semesters to complete my Hampshire degree?*

You automatically lose eligibility for future financial aid after you have attempted 10 semesters.

*Can withdrawing from a course now affect my eligibility for aid later?*

Yes. Your course completion rate is a cumulative measure. Course withdrawals at any time decrease your overall course completion rate and can eventually put you at risk for falling below the required minimum 67% course completion rate.

**For more information**

To learn more about Satisfactory Academic Progress and how it impacts your financial aid please call or visit:

Financial Aid, R.W. Kern Center, 2<sup>nd</sup> floor, [finaid@hampshire.edu](mailto:finaid@hampshire.edu) [88], 413-559-5484

CASA, Lemelson Center, [advising@hampshire.edu](mailto:advising@hampshire.edu) [89], 413-559-5498

Central Records, Lemelson Center, [centralrecords@hampshire.edu](mailto:centralrecords@hampshire.edu) [68], 413-559-5421

## **Office of Accessibility Resources and Services (OARS)**

Hampshire College offers services on an individual basis to students with documented disabilities. The College recognizes its obligation under Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act (ADA) of 1990, and the ADA Amendments Act of 2008 to provide reasonable accommodations for individuals with disabilities so they may participate as equitably as possible in the College's academic programs. Disabilities are considered any documented impairment which impacts a major life function. This may include, but is not limited to diagnoses related to sensory impairments, mobility impairments, chronic illnesses and medical disabilities, learning disabilities, developmental disabilities and psychological disabilities. The OARS staff is responsible for the coordination of services and accommodations for students with disabilities. Accommodations may be provided by OARS directly, but often accommodations are implemented in collaboration with faculty or other relevant campus offices and personell. OARS may be reached at 413.559.5498 or via email: [OARS@hampshire.edu](mailto:OARS@hampshire.edu) [90].

### **Student Responsibilities**

The Office of Accessibility Resources and Services supports students by advocating for equitable access to all programs and services at Hampshire College. Students are expected to self-identify to OARS and requests accommodations through the [Disability Disclosure and Accommodation Request](#) [91] process. This is an interactive process to determine reasonable accommodations for which a student is eligible and to educate a student about relevant processes, support services, and additional responsibilities to access approved accommodations of which they should be aware. Once approved for accommodations, it is a student's responsibility to notify relevant faculty or administrators of approved accommodations and to collaborate with those entities and OARS in an ongoing process of accommodation implementation.

### **Confidentiality**

The decision to disclose a disability to the College is wholly voluntary. The information provided by students will be treated as confidential and will be disclosed by OARS only if necessary to assess and/or implement requested services or accommodations. Evaluations, medical records, and other documents submitted to establish record of a disability or the need for accommodations are securely maintained in the OARS office and do not become part of a student's academic record or transcript. Students aged 18 years or older are legally considered to be adults.

Communication of confidential information with parents or professionals regarding disabilities must be authorized by the student.

### **Evaluations of Eligibility**

Hampshire College does not provide educational evaluations or any other assessment of medical, learning, or mental health status to determine eligibility for accommodation. [Documentation Guidelines](#) [92] are available to clarify types of assessments and appropriate professionals to administer such assessments which substantiate need and eligibility for disability-related accommodation. A list of local practitioners qualified to conduct relevant evaluations at a student's expense can be made available at a student's request. [Health and Counseling Services](#) [76] will provide referrals to local professionals who can evaluate psychiatric and medical conditions.

## **Request and Review of Accommodation Eligibility**

### **Request for Accommodations/Documentation of a Disability**

In order to be recognized by the College as a person with a disability and become entitled to reasonable accommodations, a student must first [disclose a disability](#) [91] with the Office of Accessibility Resources and Services (OARS) and provide appropriate supporting documentation in accordance with our [documentation guidelines](#) [92]. That signifies that the student is formally registering with the College as a person with a disability and is seeking accommodations.

Students may not receive accommodations from the College without such disclosure and/or without providing appropriate supporting information and documentation. A request for accommodations may be made at the point of disclosure or at some future date. Accommodations cannot be retroactive. Some students who go through the process of documenting a disability are not seeking specific accommodations, but are rather seeking confirmation of a disability that they can present to faculty to assist in best meeting their learning strengths and weaknesses; faculty are not obligated to provide any accommodations which are not formally approved through OARS.

### **Housing Accommodation Requests**

OARS works closely with the Housing Accommodation Committee to review and approve requests for accommodations in the residential setting. The Housing Accommodation Committee includes members of the Housing Operations Office, Dining Services, and Health and Counseling Services who consult to ensure students disability-related needs are met in the residence halls with reasonable accommodations and appropriate placement. Please navigate to the [Housing Accommodation Request Process](#) [94] for more information about requesting housing-based accommodations

### **Review of Requests**

All requests for accommodations will be assessed by the [Office of Accessibility Resources and](#)

[Services](#) [95] through an interactive process with the student. It is OARS' general practice to discuss accommodations directly with the student requesting them prior to approval and to consider the student's history of accommodation, self-report of necessary accommodations, and documentation from a relevant treating professional. OARS may request further information from the student and/or treating professional and may make its own recommendations for alternative, reasonable accommodations which are more appropriate to address individual circumstances in the context of Hampshire courses and curricula. Students will be notified in a timely manner by OARS when requests are approved, modified, or denied. Students can request additional accommodations at any time or appeal denial of accommodations.

### **Disability-related Accommodations and Academic Contracts**

(Please find more about academic contracts and accommodations here: [Guidelines for Academic Progress](#) [69].)

### **Request for Accommodations at the Five Colleges**

Hampshire students frequently take courses at the other four colleges in the Five College consortium. If a student documents a disability at their home college, they do not need to engage the same process at the other colleges. Requests for accommodations in courses at other colleges can be made with OARS staff, who will certify that the student is recognized as a person with a disability and approved for accommodations at Hampshire College. The student is then responsible for bringing verification of accommodation from their home institution to the accessibility services office at the host institution. The final decision regarding the appropriateness or feasibility of such a request for accommodation rests with the accessibility services administrator at the other campus. Though the hosting institution's accessibility services staff will consult with OARS when appropriate to support students as proactively as possible, any formal grievances regarding barriers or discrimination encountered at another institution in the Five Colleges should follow the host institution's grievance process.

More about accommodations at other campuses can be found on our [Five College Accommodations](#) [96] page.

## **Grievance Procedures for Disability-related Access**

Hampshire College [prohibits discrimination](#) [97] on the basis of disability. The College has adopted a grievance procedure to provide prompt and equitable resolution of complaints which allege any action prohibited by Section 504 of the Rehabilitation Act, the Americans with Disabilities Act (ADA) and applicable state law. These laws prohibit discrimination on the basis of disability in any programs, activities, and employment opportunities available at Hampshire College. These laws also prohibit retaliation against an individual who files a complaint regarding disability discrimination, files a grievance under this procedure, or cooperates in the investigation of such complaint or grievance.

If a student is in need of accommodation related to any of Hampshire's physical environments or programs, they are strongly encouraged to [disclose their disability](#) [98] to OARS in order to have



access to advocacy and on-campus resources which assist with proactive removal and prevention of barriers through accommodations or other means. This includes, but is not limited to [dining and residence](#) [94], [academic programs](#) [91], co-curricular programs and events, and on campus employment. If students do encounter any additional, unforeseen barriers to College programs, services, or resources, they are encouraged to report these barriers as soon as reasonably possible to the department where the barrier was encountered and to the Office of Accessibility Resources and Services (OARS). If a student encounters a barrier or discrimination in the course of working for the college as a student employee, the student can still seek resolution through the student grievance process.

### **Informal Solutions are Encouraged**

The [ADA \(Americans with Disabilities Act\)](#) encourages alternative means of dispute resolution [99] when appropriate and to the extent authorized by law. These methods include settlement negotiations, conciliation, facilitation, mediation and arbitration. The use of alternative dispute resolution mechanisms is completely voluntary and is intended to supplement, and not to supplant, the remedies provided by the ADA as an aspect of the [interactive accommodation process](#) [98]. No alternative dispute resolution procedure precludes the affected person from seeking relief under the enforcement provisions of the ADA. Alternative dispute resolution measures are not required to be used prior to the filing of an administrative complaint with the federal government or through existing campus discrimination grievance procedures.

The College encourages students to seek the aid and intervention of the director of OARS in order to resolve complaints informally – typically conciliation or facilitation of a remedy. If informal procedures do not satisfactorily address the student's concerns, they may still file a written grievance.

### **Filing a Written Grievance**

Students have the right to file a grievance if they believe they have been denied equal access to the college's programs, resources or services (academic or otherwise) because of, or on the basis of, a disability. In order to establish the basis for such a grievance students must first [register with the Office of Accessibility Resources and Services](#) [98] (OARS) and provide written documentation of their disability. The written grievance should include the student's identifying information (name and student ID), a description of how the College has denied equal access to the student, any steps that the student has already taken to identify and resolve the problem, and the desired remedy. Students are encouraged to include relevant documents to support their account.

The formal grievance should be given to the director of OARS. The director will investigate the complaint and meet with the parties cited to resolve the student's concerns. Absent any unusual circumstances, the director will make recommendations for resolution to the student and other parties involved within thirty days after the filing of the grievance.

### **Appealing a Grievance Resolution**

If the proposed resolution is unacceptable to the student or to the other principals in the grievance, either party may then appeal to the [chief diversity officer](#) [100]. The chief diversity officer may attempt to reach an informal resolution and/or investigate the grievance as described

above or shall review all of the documents pertaining to the case, hear the parties and convene such meetings as required to resolve the complaint. If consensus on a resolution cannot be reached, the chief diversity officer will render a decision as soon as possible after an appeal has been submitted. It typically takes about 10 days, but may take up to 21 days, to consider the appeal when such additional time is deemed necessary. In rare instances where extenuating circumstances exist, appeals may take longer than 21 days for a decision to be rendered. The decision of the chief diversity officer is final.

If a grievance pertains to the actions of the director of OARS or the chief diversity officer specifically, or they are unable to otherwise serve in the above outlined capacities due to any other conflict of interest, an appropriate senior-level administrator will be appointed to serve in their place during the relevant parts of the grievance process.

### **Privacy and Confidentiality**

Personal information regarding such grievances is considered confidential. The College reserves the right to consult with legal counsel, relevant faculty or staff, and/or experts in the field of disability services in order to obtain information or advice regarding the subject of the grievance. All individuals consulted agree to be bound by the rules governing disclosure of confidential personal information.

### **State and Federal Options**

The College recognizes the right of students to file grievances with the U.S. Office of Civil Rights or other regulators if they believe that their rights under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 have been violated.

Office for Civil Rights, *Boston Office*  
U.S. Department of Education  
8<sup>th</sup> Floor  
5 Post Office Square  
Boston, MA 02109-3921  
Telephone: (617) 289-0111  
Fax: (617) 289-0150  
Email: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov) [101]

United States Department of Justice  
Civil Rights Division  
950 Pennsylvania Ave., N.W.  
Disability Rights Section, NYA  
Washington, DC 20530  
(202) 307-0663 (voice and TDD)  
Fax: (202) 307-1198

ADA Coordinator  
Massachusetts Office of the Attorney General  
One Ashburton Place  
Boston, MA 02108

<http://www.mass.gov/ago/consumer-resources/your-rights/civil-rights/disability-rights/ada-rights-and-grievance.html> [102]

## Service and Emotional Support Animals

Hampshire College is committed to creating a welcoming environment through the use of commonly accepted guidelines and procedures that allow animals to be on-campus for specific purposes. These purposes include reasonable accommodations for employees, students, and visitors with disabilities in compliance with applicable Massachusetts state and federal laws. In accordance with the [Americans with Disabilities Act of 1990, as amended](#) [103] and related laws, rules and regulations, including the [Fair Housing Act](#) [104], Hampshire College will reasonably accommodate requests for service animals and other assistance animals to reside with their owner/handler in College provided housing.

To learn more about what constitutes a pet, emotional support animal, or service animal, and how to gain an exemption to our Pet Policy, please see our [animal definitions and policies](#) [105] on the Norms for Community Living and Policies section.

Students in need of accommodation related to a service or emotional support animal and would like to register with the Office of Accessibility Resources and Services (OARS) should review:

- [Request and Review of Eligibility Policies](#) [98]
- [Student Responsibilities for Service and Emotional Support Animals](#) [106]
- [Disability Disclosure and Accommodation Request Process](#) [91]
- [Housing-based Accommodations](#) [94]

## Norms for Community Living and Policies

### **Student Rights and Responsibilities: Our Philosophy**

Our approach to student rights at Hampshire College is one of restorative practice, education, and care, focusing on student learning through individual growth and accountability for behavior within the Hampshire College community. Our goal is to help and encourage students to be successful, both socially and academically; this includes providing the tools for students to make informed decisions. The conduct process and sanctions for violation of the policies laid out under the Ethics of Scholarship, Code of Conduct, and [Norms for Community Living](#) [107] are designed to guide student behavior and to balance the rights of the individual with that of the health and safety of the community.



### **Informal and Formal Processes**

Hampshire College values the ability to facilitate outcomes through both formal and informal processes. As often as possible, the College encourages students to utilize informal processes, such as working with resident advisors and area coordinators in residence life to resolve conflict. Engaging in informal processes means there will be no formal student conduct record, however it is the right of students and administrators overseeing processes to request and recommend the use of formal processes. The goal of both formal and informal processes is to repair harm and find resolution for all involved parties. The dean of students or designee may put in place [interim administrative actions](#) [108] pending the scheduling of a campus hearing of the alleged violation(s) of the Norms for Community Living and Policies.

Policies related to academic matters are found in the [Academic](#) [109][Policies](#) [109] section of the Hampshire College Student Handbook.

## **Code of Conduct, Norms, & Policies**

In the early years of Hampshire College, each of the four housing areas determined their own policies and procedures. In 1972, community council (comprised of 8 students, 4 faculty, and 2 staff) began work to establish a student Code of Rights that would apply to all students. On May 17, 1973 the community council approved the first guidelines for community living, the "Code of Rights;" over time this document was reviewed and revised and the community council approved the second set of guidelines for community living, the "Bill of Rights." Finally on March 11, 1976, the community council affirmed the "Norms for Community Living" that the College continues to use today as guiding principles for review of all reported violations of policy. The Code of Conduct section was later added as the student conduct process evolved, and serves to strengthen the College's expectation that these are the standards, along with the associated policies, to which all Hampshire College students and employees must conform. While the Code of Conduct is specific to students, the Norms for Community Living apply to all Hampshire College community members.

## **Code of Conduct**

Hampshire College expects all students to demonstrate responsible citizenship. Hampshire College students, whether or not they are on campus or enrolled as a degree candidate, must abide by this Code of Conduct including the Norms for Community Living that guide review of all policies. The College considers an individual to be a student when an offer of admission has been extended and thereafter as long as the student has a continuing educational interest in the College. Guests of Hampshire students and students from other colleges who are enrolled in Hampshire College courses are required to comply with these policies while on the Hampshire College campus and while off campus when participating in Hampshire College programs and activities.

All rules and laws of the Town of Amherst, the Commonwealth of Massachusetts, and the United States of America apply on the campus and are considered part of College policies. The Town of Amherst and Commonwealth of Massachusetts laws include, but are not limited to, regulations on indoor and outdoor smoking, open container laws (for alcoholic beverages), public nudity restrictions (including public urination), bans on drug use and paraphernalia, and limitations on weapons possession.

Town of Amherst General

Bylaws: <https://www.amherstma.gov/207/General-Bylaws-Government-Act> [110]

Commonwealth of Massachusetts General Laws: <https://malegislature.gov/Laws/GeneralLaws/> [111]

The dean of student's office reserves the right to change and/or modify policies, processes, and procedure without notice.

## **Norms for Community Living**

### **Charge and Membership**

Members of the Hampshire College community have a common concern for each individual person and their personal development. Each member of the community has certain rights that afford personal protection and insure the College's commitment to learning and the advancement of knowledge through free inquiry will not be interfered with. No member of this community shall violate the rights of any other member, as represented by the norms described in this document.

All persons affiliated with Hampshire College are considered members of the Hampshire community and are expected to abide by the Norms for Community Living and Policies while they are on or off the Hampshire College campus.

### ***Right of Assembly***

All members of the Hampshire community have a right to assemble peaceably and petition for the redress of their grievances.

### ***Right of Freedom of Communication of Ideas***

All members of the Hampshire community have the right to freely express their ideas provided

that the method of expression does not violate any other rights affirmed by this document, the Code of Conduct, and policies in the Hampshire College Student Handbook. Any member of the College has the right to publish and distribute without interference. However, while such members may not be subject to prior restraint, they shall be held accountable for any erroneous, malicious, or defamatory statements that violate any other right affirmed by this document, the Code of Conduct, and policies in the Hampshire College Student Handbook.

### ***Right of Integrity***

Every member of the Hampshire community is entitled to the Right of Integrity. The Right of Integrity is composed of three parts:

1. Academic Integrity: Every member of the college community has the exclusive right to their own academic work. To use or convert another person's work as one's own for academic credit, public approbation, or monetary gain violates this right. (Also see [Ethics of Scholarship](#). [10])
2. Business Integrity: Every member of the college community has the right to expect that any business conducted with any other member is free from malice and fraud.
3. Personal Integrity: Every member of the college community has the right not to be the subject of slander or libel, and not to have their character impugned.

### ***Right of Personal Security***

Every member of the Hampshire community has the right to reasonable security from threat or physical abuse or mental anguish by any other person or device or substance controlled by any other person.

## **Access and Use of Facilities and Grounds**

### **Building and Roof Access**

Students may not access buildings after closing hours (hours vary per building). Should a student have permission to access a building after closing hours, campus police should be contacted to grant access. Students are not permitted on roofs except as necessary for emergency evacuation.

### **Summer Access to Campus Facilities and Grounds**

Students may visit campus offices during summer business hours following the office's procedures for appointments or drop-ins. Students wishing to access academic spaces at any time during the summer need permission of the faculty overseeing their work, as well as the School dean. Students wanting access to other campus facilities at any time, or campus grounds outside of business hours need authorization from the appropriate office or department in advance. Offices granting access should notify [campus safety](#) [112] that permission has been granted for the student, including the approved date(s) and time(s) for which access has been approved. Hampshire does not provide housing for students over the summer, and all residences are closed.

Hampshire College students may not have access to the following services during the summer: media services, and TV studio and editing facilities.



### **Access to Five College Physical and Recreational Facilities**

Physical and recreational facilities at each of the Five Colleges are available year-round to Five College students only if they are registered in a physical education class at that college. These classes will be arranged through administrators of each program and limited to class time only. Arrangements for fee-funded courses and use of special facilities such as ice rinks, swimming pools, stables, and tennis courts will be made through the proper authorities at each school, and the rules and regulations for use will be determined by the host school.

### **Camping**

Camping on Hampshire College property is not allowed without the written permission of the director of [campus safety](#) [112].

### **Chalking Policy**

Chalking is permitted on any outside ground surface that is exposed to the elements (i.e. horizontal walking surfaces that rain and snow fall on). Chalking is prohibited inside campus buildings and outside on non-ground surfaces including, but not limited to, walls and windows of campus buildings, signs, trees, poles, and other structures.

### **Postering Policy**

Posters are permitted only on bulletin boards not designated for other purposes. Students are encouraged to use the bulletin boards under the walkway along the west wall of Franklin Patterson Hall and the north wall of the Harold F. Johnson Library Center, underneath the bridge. Posters placed anywhere but upon designated bulletin boards may be removed regardless of content. Students are expected to remove posters after an advertised event has taken place. Posters that do not pertain to an event that occurs on a specific date will be removed on the last working day of each month. The College reserves the right to remove any posters that are not related to College sponsored activities or events.

### **Project Review**

Student projects that may impact the physical campus, pose a health, safety or environmental hazard, or otherwise increase the College's institutional risk require review and approval by applicable campus offices. Please visit the [student project approval](#) [113] site to view the online project review process. Examples of projects requiring approval: installations of art or other structures on campus (other than gallery approved exhibits), creating new garden space, and performances in other than regular theater spaces.

### **Removal**

Installations, art works, posters, writings, and other projects that have not been approved through the student projects process (<https://studentprojects.hampshire.edu/> [114]) may be removed by the College at any time.

## **Trespass Policy**

Campus safety officers are authorized to give oral and written notices of trespass warnings to individuals based on their authority granted by the Trustees of the College and Massachusetts

General Laws, Chapter 266, Section 120 to control the security and safety of students, faculty/staff, and visitors upon the property owned by or under the control of Hampshire College. Violation of this order will result in criminal prosecution up to and including arrest.

Campus safety officers or other College employees may ask community members or visitors for identification. Failure to comply with such a request may result in removal from the Hampshire College campus and/or trespass for non-students. Students are required to carry their Hampshire College ID cards with them at all times.

## Alcohol and Other Drugs

In Massachusetts the drinking and marijuana use age is 21. Though marijuana has been legalized, marijuana is not permitted at any educational institution that receives federal funding, including Hampshire College. Hampshire is committed to providing support and assistance to students struggling with issues related to alcohol or other drug use. Students who come forward to actively seek help when they are concerned about their own use or that of their friends and/or acquaintances may qualify to earn [Alcohol & Other Drug Amnesty](#) [115] or educational and restorative [sanctions](#) [116] if found responsible for a violation. Students will still be expected to work with the College to develop a plan to address these issues, and to take responsibility for any negative impact their behaviors have had on others or the environment (e.g., property damage, noise complaints, medical transports). Students are not absolved of responsibility for violations of the Code of Conduct committed under the influence of alcohol or other drugs. Both on- and off-campus support and informational resources are available for students seeking help for substance use issues, and a listing of these resources can be found at [www.hampshire.edu/slresources](http://www.hampshire.edu/slresources) [117].

Within the Alcohol and the Other Drug Policy, you will find guiding information about violations of policies as well as the range of outcomes for single and recurrent violations.

## Alcohol Policy

Hampshire College's alcohol policy is guided by and abides by laws regarding such matters in the Commonwealth of Massachusetts and the town of Amherst. The acquisition, possession, transportation, consumption, and distribution of alcoholic beverages is governed by statute and regulation. For the full text of the law, please see [chapter 138 of the Massachusetts General Laws](#) [118].

The following outlines the policy including application of the policy for students who are of a legal drinking age:

- A person must be 21 years of age or older to purchase, possess, consume, and transport alcoholic beverages.
  - Any alcoholic beverage found in the possession of someone under 21 years of age may be confiscated.



- For students residing in College housing, alcohol may be stored only in the private rooms of those who are of legal age to drink alcohol, and those individuals may store only their own alcohol for private use.
- Alcoholic beverages may not be stored in common spaces in College housing, except for those common spaces of campus apartments where all residents are 21 years of age or older.
- Students transported to the hospital or assessed medical attention for over consumption of alcohol, whether of legal age or not, may be in violation of the alcohol policy and may qualify for [Alcohol and Other Drug Amnesty](#) [116].
- Purchasing or delivering a drink to anyone under the legal drinking age is a violation of law and of Hampshire policy.
- The possession of open containers of alcoholic beverages in public violates Hampshire College policy and Amherst town law. Possession of open containers of alcoholic beverages outdoors and in common areas of the College is prohibited in the absence of a registered social event. The private rooms and offices of community members 21 years of age or older and the residence common spaces of campus apartments where all residents are 21 years of age or older are the only exceptions to this.
- It is a violation of Hampshire policy and Massachusetts law to willfully misrepresent one's age or the age of another person in order to purchase or receive alcoholic beverages.
- No person may serve an alcoholic beverage to a person who is obviously intoxicated.
- No alcohol may be served at a social event after 1:00 a.m.
- Possession of kegs of alcohol is permitted only with a permit from the town of Amherst. A town permit must be applied for from the Amherst police chief at least one week prior to the event.
  - Beer kegs are not permitted on campus without the prior approval of the area coordinator for the area for parties in student residences and the appropriate student life professional for all campus events. In all cases, a copy of the completed permit must be provided to [campus safety](#) [112] prior to the event.

### **Events with Alcohol**

A person, group, or organization may not sell alcoholic beverages, or charge admission to an event where alcoholic beverages are served, unless a license is obtained from the local licensing authority, the [Amherst Board of Selectmen](#) [119].

- A social event on the Hampshire College campus is considered to be any gathering at which more than 15 people are in attendance.
- The availability of alcohol may not be contained in the off-campus advertising, including postings online, of any event. On-campus advertising may indicate alcohol may be served to persons over the age of 21, but amounts of alcohol may not be publicized. Alcohol should not, in any context, be the central focus of any event, and may not be advertised as such. No advertisement may contain the offering of free alcohol at any time.
- At all social events where alcohol is served, nonalcoholic beverages and food must be provided by the sponsor of the event in adequate proportion to the alcoholic beverages on hand, and must be available for as long as alcohol is served.

For more information on sponsoring an event with alcohol on campus please visit [campus leadership and activities \(CLA\)](#) [120] or speak with an area coordinator to discuss [registering an event with alcohol in a student residence](#) [121].

## Alcohol and Other Drug Amnesty

Students who seek and/or receive medical assistance for themselves or someone else for alcohol and other drug use will neither be subject to [conduct outcomes](#) [122] nor notation on their educational record for the sole violation of using or possessing a substance. Alcohol and other drug amnesty is not automatic; the criteria that must be met to receive amnesty are outlined below.

The dean of student's office is committed to providing support and assistance to students who experience negative consequences related to substance use. In cases of alcohol and other drug overuse, the primary concern is for the health and safety of the individual(s) involved.

The goal of the alcohol and other drug amnesty policy, which encompasses both medical amnesty and bystander amnesty, is to decrease the risk that a student will hesitate to seek help in an alcohol and other drug-related emergency. Alcohol and other drug amnesty policies are common on college campuses and are intended to encourage safety and responsibility throughout the community. These policies promote education and/or treatment instead of punishment for individuals who receive emergency medical attention or seek medical attention for others in order to reduce the risk of future occurrences.

Individuals who need medical assistance for themselves or others are strongly encouraged to call emergency services (x5424 from an on campus phone or 413.559.5424 from a cell phone).

Please note that students granted alcohol and other drug amnesty will not be exempt from sanctions resulting from other policy violations committed while under the influence of alcohol or other drugs. Students will be expected to take responsibility for any negative impact their behaviors had on others or the environment (e.g., property damage).

### **How to Receive Medical Amnesty**

Medical amnesty is not automatic and is earned only once a student has completed the following:

- Met with a member of the professional residence life staff and/or dean of student's office upon request by the staff member for a brief intervention meeting.
- Completed the BASICS program as assigned by a member of the professional residence life staff or dean of student's office.
- Successfully completed any additional educational/wellness activities discussed in either of the above meetings

**Failure to complete any of the steps listed above will be grounds for referral to the [Formal Conduct Process](#) [123].**

Students **may be granted medical amnesty only once during their enrollment as a Hampshire College student**, because repeated violations compromise not only one's personal health and safety, but also that of the community. Students who require medical assistance due to alcohol or other drug overuse more than once may be subject to sanctions, such as, but not limited to deferred sanction statuses, probation and/or additional educational/wellness requirements.

### **How to Receive Bystander Amnesty**

Bystanders who seek medical assistance on behalf of others will neither be subject to [conduct sanctions](#) [122] nor notation on their educational record for the sole violation of using or possessing a substance themselves, including bystanders who are also assisting the person in need of medical attention, not solely the person placing the call for help. Bystander amnesty is not automatic and is earned only once a student has completed the following:

- Met with a professional staff member in student life upon request by that staff member.\*
- Successfully completed any educational/wellness activities discussed in their meeting.

**\*This is not a administrative hearing; however, failure to attend and participate in the meeting will be grounds for referral to the [Formal Conduct Process](#) [123].**

**There is no limit to the number of times a student can receive bystander amnesty**, because Hampshire College strives to create a community in which students are willing and expected to seek help for others in need.

## **Drug Policy**

The unlawful manufacture, dispensing, possession, or use of a controlled substance on the Hampshire College campus or as part of any College activity or business off the College premises is prohibited. This includes the unlawful or unauthorized use of prescription and over-the-counter drugs. If a student is found responsible for violation of this policy sanctions up to and including expulsion and referral for prosecution may result as deemed appropriate by the dean of students office/office of student rights and responsibilities following review through the [Formal Conduct Process](#). [9] Minor violations of policy are likely to follow these [sanction guidelines](#) [124].

Local, state, and federal laws make illegal use of drugs and alcohol a serious crime. Conviction can lead to imprisonment, fines, assigned community service, and loss of federal financial aid funds. A felony conviction for such an offense can prevent you from entering many fields of employment or professions. Massachusetts has criminal penalties for use of controlled substances, or drugs, with penalties varying with the type of drug. In general, narcotics, addictive drugs, and drugs with high potential for abuse have heavier penalties.

In addition, it is illegal under Massachusetts State law to be in a place where heroin is kept and to be in the company of a person known to possess heroin.

The College is subject to federal laws, including the Drug Free Schools and Communities Act and the Drug Free Workplace Act, that require recipients of federal funds to prohibit the use, possession and cultivation of marijuana at educational institutions, regardless of state law. These regulations apply to all members of the campus community.

- The use, possession, or growing of marijuana is not permitted at Hampshire College, on any other College property, or at College sponsored events on or off campus.
- Possession of marijuana paraphernalia is not permitted at Hampshire College, on any other College property, or at College sponsored events on or off campus.

Drug paraphernalia is defined under [Massachusetts State Law](#) [125] as, items “one reasonably should know, that it will be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, conceal, ingest, inhale, or otherwise introduce into the human body a controlled substance.”

Persons convicted of drug possession under state or federal laws are ineligible for federal student grants and loans for up to one year after the first conviction, five years after the second; the penalty for distributing drugs is loss of benefits for five years after the first conviction, ten years after the second, and permanently after the third.

### **Statement on Medical and Adult use Marijuana**

Hampshire College receives federal funding through Title IV in the form of student financial aid (grants, loans, and work-study programs) and through federal research grants. As a condition of accepting this money, Hampshire is required to certify that it complies with the Drug-Free Schools and Communities Act (DFSCA) (20 U.S.C. 1011i; 34 C.F.R. part 86). The federal government regulates drugs through the Controlled Substances Act (CSA), which does not recognize the difference between medical and adult use of marijuana. Thus, to comply with the Federal Drug Free School and Communities Act and avoid losing federal funding, Hampshire College prohibits all marijuana use, including medical marijuana, and students may be sanctioned for its use.

Therefore, marijuana prescribed for medical purposes or obtained legally is prohibited at Hampshire College even though Massachusetts state law permits its use. Students who have a documented disability may apply for accommodations, including a waiver of the campus residency requirement, through the housing-based accommodation request process. As with any housing accommodation request, the College will engage in an interactive process to determine reasonable accommodations for the disability. Accommodations may be given that support a student's on-campus residency requirement or waive the residency requirement. Please consult with the [Accessibility Resources and Services](#) [94] office for accommodation request processes.

## **Sanctions for Alcohol & Other Drug Violations**

In determining appropriate sanctions, the College is committed to providing consistency to students in violation of similar policies, while recognizing the circumstance and impact varies greatly for individual students. All outcomes and sanctions are guided by principles found in our Norms for Community Living:

1. Providing students with the tools to live and learn in a healthy and safe community
2. Promoting individual growth, accountability for behavior, and informed decision making

Students that violate policy, such as possession of alcohol underage, possession of drug paraphernalia, or possessing an open container in a public space will be expected to meet with an administrator, typically an area coordinator in residence life, and if found responsible will likely be referred to an alcohol and other drug discussion circle or other individualized educational sanction.

Students who have more severe violations, repeat violations, and/or those with a greater impact on the community will also be eligible for alcohol and other drug circles, additional individualized educational sanctions, participation in our BASICS program, and may also receive a [Deferred Status Sanction](#) [126].

Students transported to the hospital for alcohol and other drug overuse/abuse may qualify for alcohol and other drug amnesty. In order to earn amnesty, the student must meet with an administrator, as requested by the administrator, for a brief Intervention meeting and successfully complete the BASICS program. Students who are of legal age to consume alcohol and are transported for overuse/abuse may also qualify for alcohol and other drug amnesty.

Continued violations of policy including those that cause significant concern for community members will require additional meetings with College administrators, and if found responsible will result in additional [General Sanctions](#) [127], [Housing Sanctions](#) [128] and/or [Disciplinary Status Sanctions](#) [60].

Administrative hearing officers have the right to deviate from these sanctioning guidelines if after meeting with a student a different path would be more beneficial to the student's growth and success. Sanction definitions specific to alcohol and other drugs can be found [here](#) [116].

## **Bullying**

Bullying is the repeated use by one or more people of a written, verbal or electronic (cyber bullying) expression or a physical act or gesture or any combination thereof, directed at a another person that: (i) causes physical or emotional harm to another person or damage to the person's property; (ii) places the person in reasonable fear of harm to self or of damage to personal property; (iii) creates a hostile environment at the College for the person; (iv) infringes on the rights of the person at the College; or (v) materially and substantially disrupts the education process or the orderly operation of the College.

Any bullying and/or cyber-bullying related to sex and/or gender will be reviewed in accordance with the procedures set forth in the [sexual misconduct, relationship violence, and stalking policy](#) [129].

## Civil Behavior & Disruption

All students have the right to an educational environment that is supportive of the learning process. Behavior that causes substantial disruption of College operations including obstruction of teaching, research, administration, events, activities, or other authorized non-College activities which occur on campus is prohibited. Reported disruptive incidents are subject to referral for review under the formal conduct process. Behaviors that may be a violation of the Code of Conduct include, but are not limited to:

- exhibiting little or no control in adhering to College policies
- inability to carry out the normal routine of campus life
- threatening to harm[1]
- rioting and/or disrupting the living and/or learning environment on campus
- placing consistent unrealistic expectations on the time and energy of other students, faculty, and/or staff

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[1]Hampshire College recognizes that certain life threatening behavior (e.g. suicide threats, gestures or attempts; eating disorders; substance abuse; threats, gestures or attempts to harm others) are signs of personal distress. The College is committed to helping students reduce whatever stress factors are precipitating life-threatening behavior by providing support and/or referral through use of appropriate resources. However, since it is critically important to maintain civility and respect for all members of the College community, it is recognized that referral to the Formal Conduct Process must occur when such behavior is considered by the College to be disruptive and unacceptable in the academic and/or social/ living environments. Students will always be afforded the opportunity to engage with resources and work with the Dean of Students Office to establish clear expectations for future behavior.

## Discrimination, Harassment, and Retaliation Policy

Hampshire College prohibits discrimination on the basis of race, color, religion, creed, sex, age, marital status, national origin, mental or physical disability, political belief or affiliation, veteran status, sexual orientation, gender, gender identity, gender expression, genetic information and any other class of individuals protected from discrimination under state or federal law in any of its educational programs and activities, in employment and application for employment, and in

admission and application of admission as required by Title IX of the Education Amendments of 1972 and its implementing regulations (34 C.F.R. Part 106.9), the Americans with Disabilities Act of 1990, as amended, Section 504 of the Rehabilitation Act of 1973, Title VI and VII of the Civil Rights Act of 1964, the Age Discrimination Act of 1975, and Executive Order 11246 of 1965, as amended by Executive Order 11357 of 1967, and other federal and state laws that prohibit discrimination. Hampshire College prohibits harassment of students, employees and third parties, including racial harassment, sexual harassment, and gender-based harassment. Hampshire College also prohibits retaliation for filing good faith complaints of discrimination or harassment.

Hampshire College has designated a Title IX coordinator for purposes of Title IX compliance: Zauyah Waite, Title IX coordinator, Merrill Student Life, 2nd floor, 413.559.5412, [zwSA@hampshire.edu](mailto:zwSA@hampshire.edu) [130]. Inquiries about Title IX or the College's sexual misconduct, relationship violence, and stalking policy can be directed to the Title IX coordinator or to the U.S. Department of Education, Office for Civil Rights.

Complaints and inquiries regarding all other forms of discrimination and harassment involving students can be directed to:

Roosbelinda Cardenas, Co-Dean of Institutional Diversity and Inclusion, Cole Science Center room 115, 413.559.5378, [rcCSI@hampshire.edu](mailto:rcCSI@hampshire.edu) [131].

Amy Jordan, Co-Dean of Institutional Diversity and Inclusion, Cole Science Center room 115, 413.559.5378, [akjSS@hampshire.edu](mailto:akjSS@hampshire.edu) [132].

Complaints and inquiries regarding all other forms of discrimination and harassment involving employees or third party vendors can be directed to: Jake Toomey, director of human resources, Blair Hall, 413.559.5605, [jtHR@hampshire.edu](mailto:jtHR@hampshire.edu) [133].

Complaints and inquiries of discrimination, harassment, and retaliation regarding federal laws may be directed to:

U.S. Department of Education  
Office for Civil Rights  
5 Post Office Square, 8th floor  
Boston, MA 02109-3921  
617.289.0111  
TTY: 800.877.8339

U.S. Equal Employment Opportunity  
John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203  
800.669.4000  
TTY: 800.669.6820

Complaints and inquiries of discrimination, harassment, and retaliation regarding state laws may be directed to:

Massachusetts Commission Against Discrimination  
436 Dwight Street  
Room 220  
Springfield, MA 01103  
413.739.2145

It is a violation of College policy to retaliate in any way against an individual or a group because the individual or group made a good faith report concerning a violation of this policy, was the subject of a report, or otherwise participated in the College's investigation of such a report. Retaliation includes threatening, intimidating, harassing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Any individual who believes they have been the subject of retaliation should immediately report their concerns to the chief diversity officer. The College will take immediate and appropriate action to any report of retaliation and may pursue disciplinary action as appropriate.

### **Harassment, Other Forms of Discrimination, and Retaliation**

#### **Discrimination**

Discrimination is adverse treatment of any individual based on the protected class or category to whom they belong, rather than on the basis of their individual merit. The protected categories include race, color, age, sex, sexual orientation, gender, gender identity and gender expression, transgender identity, genetic information, religion, national origin, disability, veteran/military status or any other characteristic under applicable federal or state law.

In employment, discrimination or harassment may begin with adverse actions that may include using different standards of evaluation for employment, promotion or job performance on the basis of protected categories; denying an employee's request for reasonable accommodations; denying employment opportunity or terminating on the basis of protected categories; retaliation against an employee participating in an investigation of discrimination and harassment.

For students discrimination and harassment may begin with differential treatment in their education program or activity on the basis of their protected category. This may include using different standards to evaluate academic performance on the basis of the protected category; denying academic, social, recreational, health services and housing on the basis of the protected category; retaliation against a student participating in an investigation of discrimination and harassment.

**Harassment** is unwelcome conduct directed toward a person based on one or more protected categories or statuses of that person, when either of these conditions are met:

(1) Submission to or rejection of such conduct is either an explicit or implicit term or condition of an individual's academic standing, evaluation of academic work or advancement in an academic program, or employment, is used as the basis for College



decisions affecting the individual (often referred to as “quid pro quo” or “this for that” harassment—this type of harassment is governed by the sexual misconduct, relationship violence, and stalking policy).

(2) The conduct is severe, persistent or pervasive that it interferes with an individual’s academic performance, participation in College programs or activities, employment and creates a working, learning, program or activity environment that a reasonable person would find intimidating, hostile or offensive.

Examples of such conduct include:

- Offensive or degrading remarks, verbal abuse, or other hostile behavior such as insulting, teasing, mocking, degrading or ridiculing another person or group;
- Racial slurs, derogatory remarks about a person’s accent, or display of racially offensive symbols;
- Unwelcome or inappropriate physical contact, comments, questions, advances, jokes, epithets or demands;
- Physical assault or stalking;
- Displays or electronic transmission of derogatory, demeaning or hostile materials; and
- Unwillingness to train, evaluate, assist, or work with an employee.

### **Retaliation**

It is a violation of College policy to retaliate in any way against an individual or a group because the individual or group made a good faith report concerning a violation of this policy, was the subject of a report, or otherwise participated in the College’s investigation of such a report. Retaliation includes threatening, intimidating, harassing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Any individual who believes they have been the subject of retaliation should immediately report their concerns to the chief diversity officer. The College will take immediate and appropriate action to any report of retaliation and may pursue disciplinary action as appropriate.

Please refer to the grievance policy in this handbook for guidance on how to report allegations of discrimination or harassment. Please note that the grievance policy in this manual does not address sexual assault, sexual exploitation, relationship violence, stalking, or sexual or gender-based harassment. Those categories of prohibited conduct are governed by the College’s [Title IX grievance policy \[134\]](#) or sexual misconduct, relationship violence and stalking policy, which also establishes separate procedures that outline how the College assesses, investigates and resolves reports of such prohibited conduct against student respondents ([Appendix A](#)) and [employee respondents \(Appendix B\) \[129\]](#). See <https://www.hampshire.edu/offices/title-ix> [135]

## **Resources**

For student-on-student discrimination or harassment allegations, students should contact any of the following resources:

## Reporting Resources

Resource	Phone/Location	Types of Support
<a href="#">Dean of students office</a> [136]	413.559.5412/Merrill Student Life	<p>The dean of students office and the division of student life provide programming, resources, and an array of services to help facilitate student development and student success; support and cultivate a rich learning environment; and encourage community building at Hampshire College.</p> <p>The staff in the dean of students office is available to meet with students to provide individual guidance or support, as well.</p>
TBD, chief diversity officer		<p>The chief diversity officer provides leadership and advocacy in developing partnerships across divisions to promote inclusion, equity and diversity as central themes to the mission of the College. The chief diversity officer is responsible for coordinating and guiding all efforts to define, understand, assess, foster, and cultivate diversity as a fundamental institutional and educational resource. The chief diversity officer ensures that the College community understands and is in compliance with both federal and state laws and College policies with respect to equal opportunity, accessibility, and educational programs. The chief diversity officer can also provide support and guidance on either an informal or formal procedure.</p>
<a href="#">Office for diversity and multicultural education</a> [137]		<p>The office for diversity and multicultural education is responsible for the general advancement of</p>

<p><a href="#">Natalie Sowell</a> [138], dean of multicultural education and inclusion</p> <p><a href="#">Jacquelyn Jeffery</a> [139], administrative assistant for diversity and multicultural education</p>	<p>413.559.6099/Cole Science Center, 107</p> <p>413.559.5379/Cole Science Center, 115</p>	<p>diversity in the life of the College. This includes racial, ethnic, gender, disability, and class diversity, as well as diversity based on sexual orientation. The primary mission is to safeguard campus wellbeing as it relates to diversity issues. Responsibilities include serving as an information clearinghouse for the whole community with regards to resources and opportunities related to diversity; sponsoring and organizing academic and cultural activities around these same topics; and supporting the work of the faculty in curricular and pedagogical innovations that advance the representation of traditionally marginalized or underrepresented groups in the academic program.</p>
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**Confidential Reporting and Counseling**

Resource	Phone/Location	Types of Support
<p><a href="#">Health and counseling services</a> [93]</p>	<p>413.559.5458. Located near the Red Barn.</p>	<p>For medical attention MWF 8:30 a.m.-5:00 p.m. and TTh 8:30 a.m.-5:30 p.m. when classes are in session. For mental health counseling appointments MWF 8:30 a.m.-5:00 p.m. and TTh 8:30 a.m.-5:30 p.m. when classes are in session.</p>
<p><a href="#">Spiritual life office</a> [140] (ordained clergy only)</p>	<p>413.559.5282. Dakin Student Life.</p>	<p>For spiritually-based counseling and support.</p>

For allegations related to the College’s sexual misconduct, relationship violence and stalking policy you may contact the resources and support for students:  
<https://www.hampshire.edu/student-life/sexual-respect-and-title-ix> [141]

# Grievance Procedure

In any organization, occasionally there will be conflicts and misunderstandings that require clarification or resolution. Hampshire College believes that the best way to resolve problems is to address them fully and fairly. To that end, students are encouraged to immediately discuss any problem or perceived unfair treatment with a representative of the dean of students office. However, if such informal methods do not resolve the problem, the grievance procedure below is available. The College is committed to working with students to resolve disputes or grievances.

#### **A. Applicability of this Policy**

The issues which may be addressed through this grievance procedure are the interpretation and application of this policy provisions. More specifically, this procedure does not address sexual assault, sexual exploitation, relationship violence, stalking, or sexual or gender-based harassment. Those categories of prohibited conduct are governed by the College's sexual misconduct, relationship violence and stalking policy, which establishes separate procedures that outline how the College assesses, investigates and resolves reports of such prohibited conduct against student respondents (Appendix A) and employee respondents (Appendix B). See <https://www.hampshire.edu/offices/title-ix> [135]

Grievances related to academic freedom and faculty reappointment and promotions are not subject to this grievance procedure. They are governed by the [Faculty Handbook](#) [142].

#### **B. Procedures**

Submitting a written grievance:

If after speaking with a representative from the dean of students office, you believe your complaint or concern was not adequately addressed, you may begin the grievance procedure by submitting a written statement of grievance to the chief diversity officer. Such submissions should be undertaken in a reasonable timeframe, generally no later than thirty (30) days following the circumstance giving rise to your grievance. The chief diversity officer may participate in the investigation.

If the grievance includes allegations of sexual assault, sexual exploitation, relationship violence, stalking, or sexual or gender-based harassment, it will be referred to the Title IX coordinator, pursuant to the sexual misconduct, relationship violence and stalking policy. See <https://www.hampshire.edu/offices/title-ix> [135]

Any grievances submitted after thirty (30) days should contain an explanation for the delay in filing, and will be reviewed to determine whether they are timely.

The grievance statement should include your name and contact information, the nature of the grievance including a detailed account of the grievance, information about whom you discussed the issue with, why you do not believe that is an appropriate response, and a suggested resolution.

If upon review of this written grievance, the chief diversity officer believes there is a way to resolve the problem, they will reach out to you and attempt to resolve the matter.

The chief diversity officer will review the grievance statement and endeavor to provide a written response within a reasonable amount of time. If necessary, the chief diversity officer may assign another administrator or external party to conduct an investigation into the matter and may discuss the problem with you and all parties involved including witnesses. The chief diversity officer has the discretion to refer these matters to a student conduct process for instances where a grievance is filed against another student. The student conduct process is detailed in the [conduct meeting and hearing](#) [123] section in the Student Handbook. (For employee respondents, the procedures outlined in the employee handbook will be applied).

If you wish to appeal the outcome of the grievance procedure, you may ask that the statement be sent to a vice president, or their designee, for review and response. For purposes of this provision, the vice presidents of the College are the vice president for academic affairs and dean of faculty, the vice president for finance and administration, and the vice president for student affairs and dean of students.

The vice president or their designee will review the grievance and attempt to resolve the situation. The vice president or their designee may conduct a further investigation and schedule a meeting between you and any relevant individuals. The decision of the vice president or their designee is final and not subject to appeal.

### **C. Sanctions**

If a student is found responsible for a violation of College policy through this grievance process the College will take such action as is appropriate under the circumstances. Information about student sanctions can be found in the Student Handbook [sanctions](#) [122] section. This list is not an exhaustive list and any sanction or combination of sanctions may be imposed.

If an employee is found responsible for a violation of College policy through this grievance process, the College will take such action as is appropriate under the circumstances. Information about employee sanctions can be found in the employee handbook section. This list is not an exhaustive list and any sanction or combination of sanctions may be imposed.

### **D. Additional Information**

This policy does not limit the College's authority to discipline or take remedial action for conduct that is unacceptable, regardless of whether that conduct satisfies the definitions of discrimination and harassment above.

This is an internal process, and while a student may seek legal advice, their counsel may not actively participate in the process.

The College understands that these matters can be extremely sensitive and will protect privacy but reserves the right to share information with individuals who may have a need to know in order to ensure compliance with this policy.

Hampshire College will not tolerate retaliation against any individual who seeks assistance with a problem or avails themselves of this process.

# Failure to Comply

Students are required to comply with all requests or instructions by a College employee who is carrying out the assigned duties of their position. This includes but is not limited to:

- Responding to email in the amount of time specified.
- Discontinuing a particular behavior.
- Completing a sanction within the time specified in an outcome letter.
- Complying with terms of a no contact directive.
- Providing false or no identification when asked by College officials.
- Not following published instructions and policies in print or online.

## Fire Safety Policies

### Fire Alarms

When a building fire alarm activates on campus, residents must leave the building immediately and remain at the designated gathering point until their presence is recorded. Both [campus safety](#) [112] officers and the [Amherst Fire Department](#) [143] respond. Students who are found responsible for failure to leave a campus building when a fire alarm is activated is a violation of policy. No one may enter the building until the fire department determines that it is safe to return. [Campus safety](#) [112] may open and enter locked rooms to ensure that no one is inside and to check for the source or cause of the fire alarm.

Campus safety and residence life staff conduct fire drills at least one time per semester in each residence area. All occupants of a residence hall must leave the building immediately any time the alarm sounds. These drills are not announced and staff may enter each apartment, hallway, and room to ensure compliance with proper evacuation procedures. If staff discover fire safety or other violations, students will be contacted by an administrator regarding the violation(s) and any prohibited items will be confiscated.

If a fire alarm activates and an individual knows the cause, this individual is required to call [campus safety](#) [112] from a safe location and explain what happened. If the fire alarm is activated inadvertently (cooking smoke, shower steam, etc.), the individual responsible must be available to talk to [campus safety](#) [112] and the [fire department](#) [143].

### Tampering with Fire Safety Equipment

Fire extinguishers and fire detection and alarm systems are in place to protect the community. Tampering with fire safety devices is a serious violation and is prohibited. This includes, but is not limited to:

- disabling smoke detectors
- covering smoke detectors with any materials whatsoever
- activating an alarm when no hazard is present
- hanging items from sprinkler pipes

- discharging, tampering with or moving fire extinguishers

Tampering with fire safety equipment will result in the following sanctions:

- First violation: community service (includes time devoted to educational project designed to inform community of pertinent fire safety issues); reflection paper; deferred probation
- Second violation: probation and permanent removal from campus housing

When responsible individuals cannot be identified, all residents of that particular area may be found responsible.

### **Open Fires**

Open fires (inside or outside) are prohibited anywhere on campus or College property, including fire pits, woods, and fields unless prior written approval is granted by the director of [campus safety](#) [112] and the [town fire department](#) [143]. Please contact the greenwich/enfield area coordinator for safety information and expectations for registering to use the enfield fire pit at 413.559.5314.

Use of grills (charcoal and gas) is not permitted inside, on balconies, or exterior stairwells. Charcoal and gas barbecues are permitted on the grounds, but must take place at least 25 feet (7.62 meters) from buildings. Propane gas containers must be stored outside, at least 3 feet (0.915 meters) away from building openings such as doors, windows, dryer vents and air intakes. Barbecue grills must not be left unattended and must be totally extinguished before leaving. The College may confiscate any barbecue grill that is used inappropriately and any container of propane gas or other flammable liquid without notice.

Other open burning, including sage and other cleansing rituals, are not permitted in residence halls without the explicit written permission of the dean of students.

### **Additional Fire Safety Regulations**

The College may confiscate any fire safety hazard, including but not limited to prohibited items listed below, from any place, including student rooms and lockers, at any time, with or without notice. The College has no obligation to identify the owner of confiscated property, notify the owner of any confiscation, or reimburse the owner of confiscated property for any loss or damage to said property.

- Halls, entrances, and egresses, including egress routes through common spaces, must be kept clear of all items at all times. This includes entryways to buildings, center rooms in greenwich area, and all stairwells. Bicycles, skateboards, or other items, may not be stored in hallways or entryways.
- No more than 40 percent of wall space may be covered by combustibles, such as tapestries or posters. Nothing can be hung from ceilings. No combustible holiday decorations such as trees or wreaths are allowed.
- Student door postings are limited to the existing bulletin board or a 2' x 2' area (60.96 cm x 60.96 cm).



- Light fixtures may not be covered by any materials (such as bedspreads, scarves, paper shades) nor may they be painted or darkened.
- Combustibles, such as furniture, recycling, clothing, curtains, and garbage, must be kept at least 12 inches (30.48 cm) away from heaters.
- No combustibles are permitted in hallways, stairwells, or egresses.
- All gas-powered vehicles must be parked in student parking lots.
- Other activities or items that pose an increased risk of fire or impede fire response will be prohibited upon discovery.

### **Prohibited Items**

(Visit the [prohibited items](#) [144] section for a full list of items prohibited in addition to fire safety prohibited items.)

- Candles and incense are not permitted anywhere inside residential buildings.
- Space heaters are not permitted in student rooms, with the exception of those provided by the College in response to a problem with the heating system.
- Use of non-College alarm systems or other than College-issued locks, including locks on storage closets.
- The storage and use of flammable liquids (e.g. gasoline, paint thinner, spray paint, air brushes) and flammable gases (e.g. propane, acetylene), fireworks or other materials that pose an increased fire hazard.
- Halogen lamps are a significant fire safety hazard if there are combustibles too close to the bulb. The use of these lamps is prohibited. Lamps with plastic shades must use compact fluorescent or 40 watt or less bulbs.
- Extension cords are not permitted unless UL-approved with surge protectors. Electrical cords should be kept at least 12 inches (30.48 cm) away from heaters.

Toaster ovens may be used only in kitchens or lounges. Microwaves and hot pots are permitted in student rooms. Appliances must be kept clean at all times and unplugged when not in use.

## **Hazing**

Pursuant with Massachusetts General Law, Chapter 269, Sections 17, 18, and 19 (below), the College prohibits hazing. Hazing is defined as any action or situation that recklessly or intentionally endangers the mental or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating under sanction of a college. Hazing shall include, but not be limited to, any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of food, liquor, drugs, or other substance, or any other forced physical activity, that could adversely affect the physical health or safety of the individual. Hazing shall also include any activity that could subject the individual to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct that could result in extreme embarrassment, or any other forced activity that adversely affects the mental health or dignity of the individual. Any of these activities upon which the initiation or admission into, or affiliation with, a college organization is directly or indirectly conditioned shall be presumed to



be a forced activity, the willingness of an individual to participate in such activity notwithstanding.

Some ways to tell if an activity is hazing:

- A selected group is singled out for ritual
- It results in behavior or pictures that you would not share with your parents, coaches, or professors
- The activity is humiliating, demeaning, intimidating, and exhausting, and/or results in physical or emotional discomfort, involves harassment or ridicule, or which endangers the health or safety of any person whether on or off campus.

Remember: what may seem like harmless "fun" to you may be deeply humiliating to another person.

Any activity organized by a student group or members of a student group that involves a member in practices that are injurious or potentially injurious to an individual's physical, emotional, or psychological wellbeing (as determined at the sole discretion of the College) shall be cause for [disciplinary action](#) [145]. It shall not matter whether such practices were mandatory or voluntarily entered into by any of the student group members in question, including new and initiated members.

### **Massachusetts General Law, Chapter 269, Sections 17, 18, and 19**

*Section 17.* Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than 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 mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity 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 mental 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.* 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.* 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 acknowledgement 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 board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility 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 higher education 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 which fails to make such report.

## **Health and Safety**

All campus space must be used only for its intended purpose unless appropriate permissions are obtained. Any use of a space that creates a hazard is prohibited. Students are required to comply with all health and safety policies, procedures, corrective actions or instructions by college personnel. This includes but is not limited to:

- Dangerous pranks such as, hanging out of or climbing from/on/in windows, balconies, roofs.

- Not following current public health or College health guidelines or policies.
- Possession of hazardous materials or not disposing of biohazard material appropriately

## Improper Upkeep

All community members shall maintain their areas (including residences and common spaces) in a clean and orderly condition in consideration of others' use of the space and in accordance with health and fire codes. Rooms, lounges, and offices must be cared for in a manner that maintains their condition for future use.

Specific information on [fire safety policies](#) [146] and [upkeep of residence hall rooms](#) [147] can be found by clicking the associated links.

## Pets, Service, and Support Animals on Campus

### Pet Policy

Pets and other animals, with the exception of [service animals and emotional support animals](#) [148] approved in accordance with the [College's policy for disability disclosure and accommodation](#) [149], are prohibited in all residence buildings. Residents are also prohibited from keeping or providing for animals on College property. Visiting animals are not permitted in any campus facility and must be under the control of the owner (i.e. on a leash or harness) at all times. Hosts are responsible for cleaning up after any visiting animals. Visiting is defined as temporary, short term (less than one (1) day), and occasional (no more than three (3) times per semester) and not overnight. This differs from the [policy for human guests](#) [150].

Violation of the pet policy or any relevant animal policies will result in immediate removal of the animal from campus. Students will bear any associated cost to the College or any of its employees or agents, whether because of [damage to property owned by the College](#) [151] or others, or because of any claim brought against the College by any person because of injury, illness, or other reason as a result of the student having brought an animal onto campus, regardless of whether the animal is in violation of policy.

### DEFINITIONS

**Pet:** A pet is an animal kept for ordinary use and companionship. A pet is not considered a service or emotional support animal and is not allowed in campus residences, buildings, and other facilities.

Hampshire College is committed to creating a welcoming environment through the use of commonly accepted guidelines and procedures that allow animals to be on-campus for specific purposes. These purposes include reasonable accommodations for employees, students, and visitors with disabilities in compliance with applicable Massachusetts state and federal laws. In accordance with the [Americans with Disabilities Act of 1990, as amended](#) [103] and related

laws, rules and regulations, including the [Fair Housing Act](#) [104], Hampshire College will reasonably accommodate requests for service animals and emotional support animals to reside with their owner/handler in College provided housing.

**Disability:** Defined as a physical or mental condition or impairment that is medically recognizable and diagnosable, and substantially limits one or more of an individual's major life activities. These limitations may include performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning. An individual is substantially limited in major life activities if they are unable to perform the activity, or is significantly restricted as to the manner in which they can perform that activity when compared to the average person. Acceptable documentation of a disability will be from either a licensed medical or mental health provider and must verify the disability and describe the need for a service or emotional support animal.

### **Service Animal Access**

**Service Animal:** Any dog\* that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition, however the College will consider other animal species on a case-by-case basis in accordance with Federal regulations. The tasks performed by a service animal must be directly related to the individual's disability.

\*Dogs are specified due to the unreasonable nature of providing any larger animals (such as miniature ponies) access, care, and use on a college campus. Therefore we focus on dogs in the context of service animals at Hampshire College and commensurate language is used throughout our materials. Any need for consideration of exceptions will be made on a case-by-case basis.

Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors.

Students requiring use of a service animal as a means of access may utilize their service animal as needed throughout campus. It is important that, if a student resides on campus that they connect with the [office of accessibility resources and services \(OARS\)](#) [95] to ensure they are placed in a residence which does not conflict with their disability. In order to maintain equal access for other residents, it is also important the the presence of an animal does not [conflict with the disabilities of others](#). [152] If this is the case, either or both parties should engage the [grievance process for disability-related access](#) [84].

**Service Dogs in Training:** These animals are considered to have the same public accommodation rights as service animals. However, service dogs in training are expected to

behave to the same level of expectation as a trained service animal and must abide by the [expectations for animals on campus](#) [153]

It is highly recommended that students partner with a reputable training organization to facilitate animal training and ensure that an animal is ready to meet behavioral expectations.

**Emotional Support Animals (ESA):** Animals that provide assistance and/or emotional support to its owner by its very presence but is not trained to perform specific tasks in response to the disability. These animals (not limited to dogs) do not meet the ADA definition of a Service Animal, but may qualify under the [Fair Housing Act](#) [104] and Hampshire College's Policy on emotional support animals.

Because emotional support animals are not required to perform a specific task for a student and do not need to be with the student at all times, they are only permitted in the student's residence. As such they are considered a housing-based accommodation and requests for emotional support animals are handled as any other request for [housing-based accommodation](#) [94].

Students with a disability may apply to have an emotional support animal as a reasonable accommodation in housing facilities that otherwise impose restrictions or prohibitions on animals. Students requesting an emotional support animal as a reasonable accommodation must register with the [office of accessibility resources and services](#) [154] (OARS) and pursue the [disability disclosure and accommodation request process](#) [91].

Students may submit a request for accommodation at any time. However, if approved for an emotional support animal, students will not be permitted to bring the animal to campus until the beginning of the following academic semester.

In order to qualify for such an accommodation, the emotional support animal must be necessary to afford the individual an equal opportunity to use and enjoy a dwelling or to participate in the housing service or program and there must be a relationship between the individual's disability and the assistance the animal provides, documented by a medical professional competent to address the need for the accommodation and the requirement of the specific accommodation requested.

Students going through the request process should note that all emotional support animals must be spayed or neutered. In addition, all animals must be housebroken or live within a contained habitat, and may not weight more than 35 pounds. Exceptions will be considered on a case-by-case basis.

Students whose requests are approved will be permitted to have one emotional support animal.

It is highly recommended that emotional support animal handlers pursue relevant training, such as "good citizen training" for dogs, to ensure their animal meets behavioral expectations.

## RESOURCES

- U.S. Department of Justice, Information about the [Americans with Disabilities Act](#) [155]
- Town of Amherst [bylaws for dog licensing](#) [156]
- [Guidance on Service Animals in Public Places](#) [157]

## Expectations for Animals on Campus

This policy provides the guidelines and requirements with respect to use of emotional support animals (ESA) and service animals, and applies to any emotional support animal, service animal, or service animal in training whose user or handler is a Hampshire College student residing in College-owned housing and/or attending classes and other campus facilities. It also applies to any handler of a service animal or therapy animal (specifically trained for use by a mental health professional) participating in a College program or who is on the College's campus (including students, employees and third parties) for any amount of time for any reason (please refer to expectations for visiting on the "[Animals on Campus](#)" [section of the handbook](#) [105]).

Emotional support animals and service animals that are approved and/or verified through the College's [housing accommodations process](#) [94] will be permitted to reside with their owner in the student's private room. These animals are also permitted in other areas of the student's residence as long as the animal is under the direct physical control of the student at all times. "Residence" is defined as the specific apartment unit ("mod") or residence hall to which the student is assigned.

**Emotional support animals are not permitted in any other indoor, College-owned spaces or facilities.** Any animal shall have a harness, leash, or other tether at all times while outside of the student's private room.

Service animals are permitted to accompany their handler in any environment the handler needs to access to perform the necessary tasks for which they are trained, relative to the handler's disability.

### Behavioral Expectations for Animals on Campus

Please refer to the section titled "[Resolution of Conflict and Appeals for Service or Emotional Support Animals](#) [152]" for more information about unacceptable animal behaviors and consequences.

### Public Etiquette for Other Students/Staff/Faculty/Administrators on Campus

Service animals and emotional support animals are not pets. Accordingly, the College asks that students and their visitors adhere to the following good practices when interacting with service animals and emotional support animals.

Individuals should NOT:

- Assume that the animal is a pet.
- Pet/touch an emotional support animal or service animal without asking the handler's permission. Petting distracts them from their responsibilities.
- Make assumptions about the necessity of the emotional support animal or service animal.
- Ask the handler about their specific condition.
- Prioritize the needs of another individual over the needs of an individual with an emotional support animal or service animal. For example, we cannot restrict the access of a service animal fearing another member of the community may have an allergy. If such a conflict arises, the animal's handler and the effected party should seek immediate remediation through the [conflict resolution process](#).<sup>[152]</sup>.
- Feed an emotional support animal or service animal.
- Deliberately startle, tease or taunt an emotional support animal or service animal.
- Separate or attempt to separate an animal from their handler.
- Hesitate to ask the handler if they would like assistance if the animal and/or handler seem confused about a direction in which to turn, an accessible entrance, the location of an elevator, etc.

### **Emergency Situations**

Appropriate facilities and campus police staff are notified of residences with animal inhabitants in case of need for entry for repair or emergency. In the event of an emergency, on campus personnel designated to respond is expected to recognize assistance animals and their role in communicating their partners' need for assistance.

The handler and/or animal may be confused or disoriented in a stressful situation due to smoke, sirens, wind noise or by shaking and moving ground. The response personnel should be aware that animals may be protective in their confusion and should not be considered harmful. The responders should make every effort to keep the animal with its partner.

The handler should make every effort to control the animal during an emergency situation and be prepared to muzzle or restrain the animal as needed. Students who are with emotional support animals or service animals regularly on campus are encouraged to develop an individual evacuation plan with the College. Students interested in creating such a plan should contact the housing operations office and office of accessibility resources and services.

## **Student Responsibilities for Service and Emotional Support Animals**

**An animal's handler is solely responsible for ensuring the safety and proper care of their animal at all times.**

### **Disclosure Requirements and Expectations**

**Proactive Disclosure:** Students are required to provide relevant documentation and communicate the presence of an animal to the housing operations office and office of



accessibility resources and services before the start of a given semester in accord with the deadlines indicated on the [timelines for housing accommodations](#). [94]

In order to avoid conflict with others' disabilities, animal handlers must disclose the intended presence of an animal in classrooms and offices, in a timely and reasonable manner, to any potentially affected parties, including faculty, advisors, any other staff or Hampshire Community member whose space they may need to access with the animal. If such a conflict arises, both parties should pursue the process for [conflict and appeals for service or emotional support animals](#). [152]

The housing operations office will notify mod or floor-mates of the expected presence of an animal in the living space in the up-coming semester and will work with any individuals who are affected to accommodate their needs separately from those of the animal handler.

**Service Animals:** We encourage, but do not require, students to make their own disabilities known to the College should they require a service animal accompany them in academic classes, activities, or services on campus.

However, if a student plans to have their service animal live with them in residence, we require that they provide adequate and reasonable notice to the College. Notice to the College is used to ensure the appropriate housing placement is made and that the animal meets the documentation requirements listed below. Students should provide notice to the College by contacting the [office of accessibility resources and services](#) [95] (OARS).

**Emotional Support Animals (ESA):** Any student requesting to have an emotional support animal as a formal accommodation, must pursue the [disability disclosure and accommodation request process](#) [91] and be approved for an emotional support animal as a reasonable accommodation.

All persons with service animals or emotional support animals are expected to adhere to the [expectations for animals on campus](#) [153] and ensure that their animals act and respond appropriately at all times while in public.

### **Documentation Requirements**

The student must provide the following documentation to the office of accessibility resources and services prior to the approval of accommodation request and prior to the arrival of the animal on campus, and then annually or as requested by a College official:

- **A Picture of the Animal:** To allow College personnel to be able to identify an animal appropriately in the case of emergency, animals left unattended or who are lost, and during other routine administrative and housing-related work.
- **Proof of Licensure:** If the animal resides on campus it must meet the town of Amherst and/or Massachusetts licensing requirements, and wear tags designating this license.
  - If the animal resides off campus, the animal must meet the licensing requirements of the service animal user/handlers' resident town and wear tags indicating this licensing when on campus.



- **Proof of Vaccinations:** All dogs must wear a rabies vaccination tag. All animals residing or coming onto campus on a regular basis must be up to date with vaccinations in accordance with state and local laws and regulations.
- **Proof of Annual Veterinary Care:** The student must provide evidence that the animal is receiving annual, routine veterinary care.
- **Proof of Service-Animal-in-Training Status (where applicable):** Service animal user/handlers will provide upon request the College with evidence that the animal is a service dog candidate and/or being trained in collaboration with a bona-fide service animal training organization.
- **Insurance:** It is recommended that the student have, and provide evidence of, current insurance coverage for damages and/or any injuries the animal may cause to a third party. The College does not take legal or financial responsibility for the impact of any animals on campus.

## **Animal Identification**

**Designation:** Service animals (including trainees) shall be reasonably identified to the community by harness or service animal vest or other gear when not in a private or student residence. If there is no identification, College staff may ask if the animal is a working service animal. It is strongly encouraged that all emotional support animals also be identified as such in a reasonable manner by use of vest or other clear signage and gear when outside of the handler's residence. Again, emotional support animals are not permitted to enter any buildings or facilities other than the student's residence.

**Hampshire ID Card:** Once an animal has been verified by the above means and the student has met their obligation and responsibility, the animal will be issued a [Hampshire identification card](#) [158]. As with the student ID card, animal handlers may be asked to produce identification to verify that the animal has been properly identified to the College and is a registered member of the community. An animal's handler should have the animal's ID with them whenever outside of their residence.

## **Control Requirements**

The animal may not pose a risk of health or safety to others and may not create unreasonable interference for others.

An emotional support or service animal shall have a harness, leash, or other tether at all times while outside of the student's private room. If the student is unable to use a harness, leash, or other tether because of a disability, or because the use of such a restraint would interfere with the animal's safe, effective performance of work or tasks (service animals only), the animal must be under the handler's control (e.g., voice control, signals, or other effective means).

## **Animal Waste**

Animal user/handlers are responsible for cleaning up their animal's waste. Waste must be properly disposed of. Persons with disabilities who physically cannot clean up after their own animal will not be required to do so; however these individuals should take their animal to designated relief areas. Relief areas are not designated publicly and will be designated on an

individual basis with the collaboration of the housing operations office (HOO) and the College grounds personnel. If an animal relieves itself in non-designated areas, these individuals should request assistance with cleaning up.

### **Care of Animal**

Students are expected to maintain flea, tick, and odor control. Animals must be regularly groomed as appropriate. All animals are expected to be up to date with required vaccinations, licenses, and maintain a regular schedule of veterinary care.

### **Financial Responsibility**

Students who have an animal on campus are [financially responsible for property damage](#) [151] caused by the animal including, but not limited to, cost of repairs, replacement or cleaning of facilities or furnishings and any bodily injury or personal injury caused to other persons by the animal.

### **Restricted Areas**

The College may restrict the use of emotional support animal in certain residential locations.

The College may prohibit the use of service animals in certain locations due to health or safety hazards, where service animals may be endangered, or where their use may compromise the integrity of research or fundamentally alter the nature of a program or activity. The safety of locations will be individually considered by the director of the office of accessibility resources and services (OARS), the laboratory director or professor, and the College risk management team. If a location is determined to be unsafe, reasonable accommodations will be provided to ensure the individual equal access to the activity.

Exceptions to restricted areas may be granted on a case-by-case basis by contacting OARS. In making its decision, OARS will consult with the appropriate department and/or laboratory representative regarding the nature of the restricted area and any ongoing research.

## **Resolution of Conflict and Appeals for Service or Emotional Support Animals**

### **Conflicting Disabilities**

Students who have asthma, allergies, or other medical conditions affected by the presence of animals are asked to contact the [office of accessibility resources and services](#) [95] (OARS) to pursue the [formal disclosure process](#) [91] for equitable consideration of individual need for accommodation and resolution of any conflict that may arise. Faculty and staff should pursue the [HR disclosure process](#) [159]. The person impacted by the presence of the animal must provide verifiable medical documentation to support their claim. The needs of both persons will be considered in resolving the issue in the most equitable way possible, given the timeframe and other extenuating circumstances of the individual case.

Animal handlers are strongly encouraged to be proactive in disclosing their need for the presence of an animal in line with expectations outlined in the [student responsibility policy for animal handlers](#) [106].

### **Removal of an Emotional Support or Service Animal from College Facilities or Programs**

An animal that is determined to be out of control may be excluded from a College program or facility. This may include, but is not limited to:

- Vicious behavior
- Disruptions (e.g., barking, running around, nipping, bringing attention to itself)
- Not being housebroken
- Not cleaning up after or properly disposing of animal's waste
- Being insufficiently cleaned or groomed (e.g., the animal smells or has fleas or ticks)
- Not being appropriately restrained

Reported behavior will be treated on an individual basis through the [office of student rights and responsibilities](#) [160] with support or input as appropriate from the housing operations office, dean of students office, campus police, office of accessibility resources and services or other offices. If the animal poses a threat to the safety of others, campus police will be part of a collaborative team to determine the outcome of the behavior. Consequences may include, but are not limited to, muzzling a barking dog, required training for the animal and student, or exclusion of the animal from College facilities entirely.

If the student or any other person brings an animal to areas of campus where the animal is not permitted\* (see [student responsibilities](#) [106] policy), the College/any employee may require that the animal be removed from the facility or area and returned to the student's room. Failure to comply with this request may result in permanent removal of the animal from the College.

\*It is strongly encouraged that any student with a service animal designate that animal as such when in any public setting to avoid confusion or misunderstanding on the part of other community members. Even with such designation, service animals may be asked to be removed from an facility if they do not adhere to behavioral expectations outlined below.

In the event that an animal is excluded from College facilities or programs in accordance with applicable FHA regulations and the student wishes to bring a new animal to campus, the student must comply with all documentation requirements for the new animal.

If an animal handler exhibits irresponsible behavior and does not abide expectations for [student responsibility](#) [106], they may not be allowed to have another animal for a determined time and/or may be expected to demonstrate completion of handler training. If such an occasion arises, the student is encouraged to work with relevant support service on campus to seek alternative means of accessibility and/or accommodation support in the absence of an animal.

### **Grievance and Appeals**

Prior to filing a grievance, a complaint may be brought to the director of Accessibility Resources and Services/Section 504 Coordinator for informal resolution.

Any student dissatisfied with a decision concerning the use of an animal on campus shall be entitled to bring a grievance under the [grievance procedures](#) [161] for students. Any claims of discrimination on the basis of a disability or failure to provide reasonable accommodations regarding the use of a service animal on campus may be brought pursuant to the College's [grievance policies](#) [84].

## Physically Endangering Behavior

Physically endangering behavior is acting in a manner that exerts control over another person through the use of physical force and/or puts the greater community in physical danger.

Actions that endanger any person's physical well-being are unacceptable. These actions include but are not limited to:

- physical violence include hitting, punching, slapping, kicking, pushing, restraining, choking, and brandishing
- use of fireworks or weapons (see [Weapons, Firearms, & Explosives policy](#) [162]) on campus
- the malicious setting of fires
- the sale of illegal drugs (see [Drug policy](#) [163])
- reckless driving or speeding on campus
- the throwing of objects out of windows, off roofs, or in any other dangerous manner

All campus spaces must be used only for their intended purpose unless appropriate permissions are obtained. Any use of a space that creates a hazard for the user or other occupants of the building is prohibited. No student is allowed on the roof of any building on campus, except in those instances when it is a secondary egress route in the event of a fire. No student is allowed to scale the exterior of any building on campus.

[Campus safety](#) [112] should be contacted regarding any physically endangering behavior.

Physically endangering behavior may result in immediate suspension and other sanctions up to and including removal from the College.

## Political & Civic Rights

### Political and Campaign Activities Policy

Hampshire College has a longstanding tradition of free and open inquiry, and values and protects the freedom of students, faculty, and staff to express political views, to exercise their right to vote, and to participate in the electoral process. At the same time, to retain our status as a tax-exempt organization under Section 501(c)(3) of the federal Internal Revenue Code, the College must not directly or indirectly participate or intervene in any political campaign on behalf of or in opposition to any candidate for public office. The prohibition applies to all

campaigns including campaigns at the federal, state and local level. Violation of this prohibition may result in denial or revocation of tax-exempt status and the imposition of certain excise taxes.

Faculty, students, and staff taking political positions for themselves or groups with which they are associated should clearly indicate, by words and actions, that their positions are not those of the College and are not being taken in an official capacity on the College's behalf. Because this may restrict certain uses of institutional resources as well as prohibit certain types of statements made on behalf of the College, here is a set of guidelines for Hampshire College community members. This is not intended to be an exhaustive description of every possible scenario in which the political campaign intervention issue may arise, so if you have any questions about these or other situations, please contact the President's Office. In addition, students and student groups planning political or campaign activities should discuss their plans with the Office of Campus Leadership and Activities and the Dean of Students Office.

Members of the Hampshire College community may not:

- Hold fundraisers for political candidates on College property.
- Provide a candidate for public office an opportunity to speak on campus or use College-owned facilities unless authorized by the President or designee. In most cases, all legally qualified candidates for that office must be offered equal access and opportunity to speak.
- Allow a candidate or political party to conduct a rally or other political event on campus unless authorized by the President or designee. Candidates running for office and/or members of a campaign staff wishing to use college facilities for appearances must comply with established college policies and rental fees, and must go through the event services office for further information and reservations. No political fundraising is allowed at such an event.
- Cause the College to make, or to appear to make, an endorsement of, comment on, contribution to, or expenditure for a political candidate or party.
- Use message boards and forums affiliated with the College's website to support particular candidates, if the statements can be reasonably attributed to the College, or provide links on Hampshire College websites to the web pages of a political candidate or party.
- Conduct voter registration or education activities in a partisan manner that favors or opposes certain candidates.
- Use the Hampshire College letterhead, logo, or seal on materials intended for partisan political purposes.
- Use College-owned telephones for phone banking on behalf of a candidate or for other similarly significant partisan political uses. (However, campus residential telephone services, such as in student residence hall rooms, may be used for these purposes.)
- Use College resources or services, such as interdepartmental mail, e-mail, mailing lists, and equipment such as photocopy machines, computers, and fax machines, or supplies for partisan political purposes.
- Request that a College employee, as part of their job, perform tasks in any way related to partisan political purposes.

- Lobby or attempt to influence federal, state, or local legislative action or a legislative or administrative official or staff member on behalf of the College unless authorized by the President or designee.
- Use federal funds, including contract or grant money, received by the College for lobbying activities.

### **Notification of Jury Duty Law**

According to the [Office of the Jury Commissioner of the Commonwealth](#) [164] of Massachusetts [164], “Every U.S. Citizen 18 years of age or older who is a Massachusetts resident or an inhabitant for more than 50% of the time is eligible to serve as a juror. If you are a resident of another state but a student at a Massachusetts college, you are an inhabitant for more than 50% of the year and, therefore, eligible to serve as a juror in Massachusetts.” There are no student exemptions from jury duty.

Students should read carefully 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 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 work.

If you have any questions about jury duty, including confirming, postponing, rescheduling, or limiting your service, contact the [Office](#) [164] [of the Jury Commissioner](#) [164] (1.800.THE.JURY/1.800.843.5879).

### **Voter Registration**

As a part of the Higher Education Amendment, Hampshire College must provide you with the opportunity to register to vote. You may [request a](#) [165] [mail-in voter registration form](#) [165] online. The Massachusetts form can be used only to register to vote in Massachusetts.

Out-of-state students who want to vote in their home state must use either a mail-in form supplied by an election official in the home state or the federal mail-in affidavit of voter registration. Affidavits may be obtained by writing or calling the [Massachusetts Elections Division](#) [166], Room 1705, McCormack Building, One Ashburton Place, Boston, MA 02108; 617.727.2828 or 800.462.8683.

## **Prohibited Items**

A number of items are prohibited in the Hampshire College buildings. These prohibitions are in place to support the health and safety needs of all community members. Some of the prohibited items are specific to students living the residences. This listing is not all-inclusive of specific items, but gives a comprehensive description of types of items not permitted and does include some specifics to guide student understanding of prohibited items.

An additional list of fire safety prohibited items can be found at the end of the [fire safety policy](#) [167].

## Items Prohibited in the Residences

- The building or installation of “lofts,” furniture, or other structures of any kind or size, including, but not limited to, cinder-block or wooden platforms, is prohibited.
- Waterbeds are prohibited.
- Cooking devices are prohibited with the exception of hotpots and small microwave ovens. For a comprehensive description of additional fire safety regulations and other prohibited items, please see the [fire safety policy](#) [167].
- Additions to, modifications of, and unauthorized connections to existing wiring systems (electrical, telephone, data, television, radio, cable/dish) or other utilities are prohibited.
- The installation of air conditioners or other objects in windows is prohibited.
- Pets, with the exception of approved service and emotional support animals, are prohibited in the residences. You can view the full policy on [pets, service, and support animals on campus](#) [105].
- Weapons, whether real or replica, are prohibited, please see the full [weapons, firearms, & explosives policy](#) [162] for details.

## Weapons, Firearms, and Explosives

Students are prohibited from introducing, possessing, using, buying, selling, carrying, or displaying any weapon or replica. Weapons are defined as any device or substance that is designed, used, or likely to be used to cause bodily harm, or property damage.

Firearms are prohibited and defined as any gun, rifle, pistol, handgun or device designed to fire bullets, BBs, pellets, or shots (including paint balls), or other projectiles, regardless of the propellant used.

Other weapons include but are not limited to, mace, pepper spray, taser, stun guns, knives with fixed blades, switchblades, spring-loaded knives, pocket knives with blades longer than 4 inches, kitchen utensils not used for their intended purpose, martial arts weapons, bow and arrows of any type, swords, brass knuckles, sling shots, explosives, or incendiary devices such as firecrackers are strictly prohibited on campus.

All “prop” weapons used in plays, the theater, etc., must be registered and stored at campus safety. The policy also covers any other items deemed by [campus safety and security](#) [112] to be dangerous, including hazardous chemical or biological material of any sort. Also included are displays/collections of the above-named items, ornamental weapons and ornamental ammunition. Any prohibited items are subject to confiscation and permanent forfeiture without any expectation of return or reimbursement. Violators will be subject to criminal prosecution and sanctions up to and including removal from the College.



# Quiet Hours and Noise

## Quiet Hours

Campus-wide quiet hours begin at 11:00 p.m. Sunday to Thursday and at 2:00 a.m. Friday and Saturday and are in effect until 7:30 a.m. each day. Noise that infringes on a person's working environment at any time cannot be tolerated.

## Noise

Members of the Hampshire community have the right to a quiet environment. Unlike areas surrounding other buildings, noise made outside of residence halls can interfere with the ability to sleep, study, or socialize. The same expectations regarding courtesy that apply inside residence halls also apply to the area surrounding them. The use of amplified instruments, DJ equipment, and drums in the residences, indoor or outdoors, and the placing of stereo speakers in windows facing outward are prohibited.

# Residence Life and Housing

Since our founding, Hampshire College has been envisioned as a residential learning community. This has meant that not only does Hampshire strive to provide safe, secure, and comfortable living areas for students, but we also strive to provide a dynamic, intellectual environment outside the classroom. The residence life system encourages students to assume community responsibility and to respect the diverse backgrounds and lifestyles of our community members by providing opportunities for residents to learn about differences and to intentionally create a community that embraces those differences.

For more information about the student and professional staff who work and live in the residence halls, visit the [residence life and housing website](#). [168]

The following policies and associated subsections outline residence life and housing policies. If you have additional questions about these policies, please [contact your area coordinator or another member of the residence life and housing staff](#) [169].

## Health & Safety

Residence life staff and/or health and safety staff may enter common spaces and rooms as needed, and at least once during each term, to conduct fire, health, and safety inspections. Residence life staff also enter each room, as part of the December shut-down process, to check the heat and make certain windows and doors are secure. Students are required to comply with the required corrective action of all fire, health and safety inspections carried out by college personnel.

All campus spaces must be used only for their intended purpose unless appropriate permissions are obtained. Any use of a space that creates a hazard for the user or other occupants of the building is prohibited. No resident is allowed on the roof of any building on campus, except in



those instances when it is a secondary egress route in the event of a fire. Additionally, no resident is allowed to scale the exterior of any building on campus.

### **Liability**

Hampshire College assumes no responsibility or liability, directly or indirectly, for damage, loss, or destruction of any personal property by fire, water, theft, etc. Students are strongly encouraged to carry personal insurance to cover their belongings (see [student insurance](#) [170]). It is the responsibility of each student to safeguard their personal belongings and keep bedroom and apartment doors locked. Most property crimes on campus are crimes of opportunity. The simple step of keeping doors locked provides enormous protection. [Campus police](#) [112] has electric engravers available for loan. It is a good practice to engrave valuable items with some identifying marks. Marking of personal property will help in identifying the rightful owner of recovered property.

### **Room Changes**

Although students are expected to live in the same room for an entire academic year, there are sometimes extenuating circumstances that may warrant a move. Students who experience difficulties in their residence should consult their resident assistant or area coordinator to discuss how they can improve and tolerate their current environment. Students who feel their current living situation is untenable can meet with their area coordinator to discuss these circumstances. All requests for room changes are received, and ultimately approved or denied, by the residence life and housing professional staff.

An administrative move may be determined as necessary by a member of the residence life staff or the dean of students office. In such cases, these staff reserve the right to move students to any vacancy on campus.

## **Abandoned Property**

Students are expected to remove all personal belongings from their assigned room and associated common areas within 48 hours of notice of a change in room assignment due to relocation to another residential space or leaving the College. The housing operations office will communicate specific moving instructions and timelines in writing via Hampshire College email. All items remaining in student rooms and associated common areas at the end of their contract period or when the student leaves an assigned space will be considered abandoned and will be disposed of or donated to local charitable organizations by the College.

All items in [residential storage rooms](#) [171] must be removed by the posted date each semester. All items remaining in storage spaces after that date will be considered abandoned and will be disposed of or donated to local charitable organizations by the College.

The College assumes no liability for the loss or damage of students' personal property if property has been abandoned.

# Furniture, Furnishings, and Room Damage

## Room Damages

Damage to student rooms and/or damage to or removal of furnishings or equipment, beyond ordinary wear and tear, will be charged to the last known student occupant(s) of that room. This will include, without limitation, material and labor costs for replacing missing furniture, screens, window stops, heater covers, draperies, other safety devices, stoves or any other equipment that is part of the room or mod. Damages to the public areas of a residence hall or mod will be charged to all residents of the smallest applicable area of the hall or mod, the total being divided equally. Group charges may include costs for replacing missing furniture and other furnishings that cannot be attributed to specific individuals. Assessments for damages are made as students move and at the end of the academic year. Disablement or removal of safety devices may result in personal liability for harm that may arise from such acts.

Under no circumstances are students permitted to paint their rooms or common areas. Failure to abide by this rule will result in charges for paint and labor to restore the room or common area to its original condition.

## Furnishings and Furniture

Room decorations are permitted, provided they do not exceed 40 percent of any wall and are not hung on ceilings, sprinkler pipes, over smoke detectors, or near any source of heat. Any method of affixing decorations that puts holes in or mars walls, woodwork, doors, or furnishings is prohibited.

No decorations are allowed in hallways or stairwells with the exception of existing student room bulletin boards.

Students bringing hotpots and/or microwave ovens should keep them unplugged when not in use.

All College furnishings and fixtures must remain in student rooms and common spaces at all times.

Items furnished by the College in public and common areas may not be moved from those spots. If such items are found in student rooms, it will be treated as theft of College property.

Students may supplement College-owned furniture in common spaces with their own additions. However, the College is not responsible for damage or theft of non-College furnishings. It is the student's responsibility to remove all non-College furnishings upon departure and summer shutdown. Furniture that remains in rooms and common spaces at the end of the academic year may be disposed of by the College in accordance with the [abandoned property policy](#) [172].

All screens must be left in place, attached to the windows. Students are billed for detached, missing or damaged screens.

Vandalism of College-provided phones will result in all hall or apartment/mod residents bearing the cost of repairs or replacement.

## Guests

Students are permitted to have overnight guests in their rooms or apartments/mods as long as the host is on campus during that time. Hosts must [register their guests](#) [173], indicating the length of the visit, which may never exceed one (1) week at a time or more than fifteen (15) days cumulatively in a semester, even if the guest has had more than one host. Students are allowed to have a maximum of one overnight guest on campus at a time. Guests' vehicles must be registered with [campus safety](#) [112] as specified in the [parking policy](#) [174].

All guests are expected to abide by Hampshire College's Norms for Community Living. Responsibility for the behavior and safety of guests lies with the host. Any damage caused by a guest, whether or not they have been registered, will be the responsibility of the host. Any guest whose behavior is disruptive will be required to leave campus.

## Off Campus Housing

While Hampshire College is primarily a residential college, some years we are unable to house all students on campus. During those times, all first- and second-year students are guaranteed on-campus housing, if they desire. A process of students voluntarily requesting off-campus will be implemented in an attempt to meet the College's housing needs.

In years when a housing shortage is not predicted, students will be required to live on campus except for those meeting the following criteria:

- Students 25 years of age or older.
- Students who live with an immediate family member or legal guardian within 30 miles of campus.
- Students who are married (non-legal definitions may be considered) must live off-campus, as there are no provisions for dependents to live on campus.
- Students who have legal dependents living with them must live off campus, as there are no provisions for dependents to live on campus.
- Students under 17 years of age as of September 1 of their entering year (or February 1 if a spring entrant) are not eligible to live on campus until they reach the age of 17. It is recommended that these students live off campus with a parent or legal guardian.
- If a student falls into one of the above categories, they must notify the associate director of residence life and housing well before the housing process.

Students who are granted off-campus status will retain that status for the remainder of their time at the College. Students who wish to return to campus housing must contact the Housing Operations Office. The number of vacant rooms and the timing of the request will have an impact on how quickly students may be returned to campus housing. Every effort will be made

to expedite the request. For emergency purposes, all off-campus students are required to provide the College with their current local address and telephone number each semester. This information is made available to Hampshire staff and faculty.

## **Disability-related Accomodation**

Students seeking off campus housing status as an accommodation due to psychological, physical, or learning disabilities, who do not otherwise qualify for release through the general process, may request a release from the on-campus requirement as an accomodation through the [housing-based accommodation request process](#) [94].

Students who wish to return to campus housing and would be in need of an on campus housing based accomodation should also pursue the [housing-based accommodation request process](#) [94] once they have been in contact with the Housing Operations Office to begin the return process.

## **Residence Closing**

- All students must vacate their rooms by the end of Hampshire's advising/progress review period at the end of fall semester. In the spring semester non-graduating students must vacate their rooms at the end of the advising/progress review period; graduating students must vacate their rooms by 10 a.m. on the day after commencement.
- All residence areas are closed during the winter break and occupancy is prohibited. Facilities and grounds and residence life staff will enter each room during this period to turn down heat, monitor [fire safety](#) [146] compliance, and secure all areas.
- Failing to leave by the designated departure time may result in referral to the [formal conduct process](#) [9] and a resulting sanction including but not limited to a significant fine, commensurate with the amount of time a student has been on campus when they should not have been.
- Those students who have exams scheduled at one of the other Five Colleges after Hampshire College's closing date must seek permission from the housing operations staff, by the posted deadline, to remain in Hampshire's College's residences. In those cases in which permission is granted, students must leave on the day their exam is scheduled. In cases of self-scheduled and take-home exams at other institutions, Hampshire students may be required to vacate their rooms before the deadline given by Five College faculty. For exact deadlines, students should consult notices distributed by the [housing operations office](#) [175] as the end of the term approaches.

## **Residence Opening**

- Students are not permitted to move in or to leave luggage in a residence before the official opening date in the fall without obtaining prior approval from the [housing operations office](#) [175]. Approval for early arrival will be determined on a case-by-case basis. The usual exception is 24 hours with a maximum of 48 hours. Students

approved for early arrival will be billed \$100.00 per day they are on campus prior to their official start date.

- Arriving before the designated arrival time may result in referral to the [formal conduct process](#) [9] and a resulting sanction including but not limited to a significant fine, commensurate with the amount of time a student has been on campus when they should not have been.

## Room Condition and Upkeep

### Proper Upkeep—Student Responsibilities

Students are responsible for the cleanliness of their own rooms and for their common spaces. In the residence halls, the common areas are the lounges and bathrooms and in the apartments/mods they are kitchens (including the insides of stoves and refrigerators), living rooms, and bathrooms. Students may not store personal items in residence hall lounges and kitchens.

The cleanliness of all areas must meet the standards of fire and safety codes. Residence hall residents are responsible for bringing trash and recycling from rooms to the large bins in the lounges. Apartment/mod residents are responsible for bringing trash and recycling to the dumpsters. As recycling is the law in Amherst, all members of the community must comply. Recyclable materials must be clean before they are deposited in the recycling bins. Residents are responsible for bringing compost to public collection areas.

Students living in apartments/mods are responsible for providing their own cleaning materials and equipment. Residents in all areas may borrow vacuum cleaners from their area offices. residence life and housing staff conduct full health and safety inspections of each student's room and common areas at least one time during each semester. Violations are cited and students are required to correct them in a timely way. Failure to do so could result in [sanctions](#) [145], up to and including housing relocation and removal from campus housing.

### Room Contracts and Common Area Condition Reports

Room contracts and common area condition reports detail the condition and content of those spaces at the beginning and end of a student's occupancy of the space. These contracts provide mutual protection for residents and the College.

When vacating a space it is strongly suggested the student and a residence life and housing staff member together compare the final condition of the room with the information on the original contract. The staff member will give the student an opportunity to address any inconsistencies in order to avoid a cleaning or damage charge.

When a space is vacated, the room contracts and common area condition reports are used to assess the condition of the facilities and to determine whether or not students are responsible for any damage beyond normal wear and tear. Any appropriate charges, including charges for necessary extra cleaning and/or missing furniture, are assessed. Damages will be billed according to a [rate schedule](#) [176], available from the [housing operations office](#) [175].

Common areas are assessed and billed for damage and cleanliness at the end of both fall and spring semesters. Any student who does not complete their room contract and/or review their common area condition report when moving into their room forfeits the opportunity to challenge the final assessment of the space and is liable for any damages that are charged.

## Social Events Hosted in the Residences

A social event on the Hampshire College campus is considered to be any gathering at which more than 15 people are in attendance. All social events in the residences, regardless of whether or not there are alcoholic beverages being served, must obtain an authorized social event registration form at least 24 hours prior to the event from the area coordinator of the residence. Prior to obtaining the registration form, those hosting the event must meet with the area coordinator to understand their responsibilities and what procedures to follow as event hosts. Hosts may also be required to attend an educational workshop prior to hosting social events. The meeting and workshop ensures that students understand all policies and safety resources that are in place. Students hosting parties without registration or after being denied registration will be in violation of the policy.

Social event registration forms require the signatures of two residents of the hall or mod where the event is taking place. These individuals must be willing to take responsibility for the event by taking part in the discussion with the area coordinator prior to the signing of the event registration form and by ensuring that all [Code of Conduct policies](#) [177] and laws are adhered to during the event. If alcoholic beverages are being served during the event, both signers of the registration form must be 21 years of age or older. Those serving alcohol are required to check identification. Events will not be authorized if excessive alcohol is being served or if there is a lack of adequate alternative nonalcoholic beverage and food offered. For more information about hosting events with alcohol, please see the [alcohol policy](#) [178].

Social Event registration forms will be authorized only for a single hall or mod to host an event. Attendance at events within and around the living areas is limited due to [fire safety](#) [146] concerns. Larger events should take place outside the residences (contact campus leadership and activities for assistance coordinating events outside the residences). Noise generated by the event must not be so loud as to disturb neighboring residents. Only one event registration form will be authorized in each residence area on a single night. Social events in the residences will not be authorized to take place during or around the time of large-scale campus events or during the time of College [quiet hours](#) [179]. Therefore, events in the residences will only be authorized for Friday and Saturday nights unless deemed appropriate by the area coordinator. They will not be authorized to take place during the College's exam period or the exam periods of any of the other Five Colleges, during break periods (October break, Thanksgiving break, or spring break), during any time of the Halloween weekend, during Spring Jam, or during the weekend of graduation. An area coordinator may refuse to authorize events during other large-scale campus events. An area coordinator may also refuse to authorize events at their discretion.

# Sports & Recreation in the Residences

For the safety of other students and the integrity of our facilities, residents may not engage in any sporting and recreation activities within the residence hall and mod rooms, lobbies, lounges, hallways or other common areas. Sporting and recreation related activities include but are not limited to the following: rollerblading, frisbee, hockey, golf, bowling, as well as the use of skateboards, scooters, bicycles, hover boards and other motorized vehicles of any kind.

## Storage

Hampshire College provides very limited space for students to store some items over the summer. However, the College assumes no liability for those items and students use the storage spaces at their own risk for theft, water or fire damage, or any other type of loss. Students are limited to storing three boxes each (a mini-fridge may take the place of one box) and all items (with the exception of mini-fridges) must be in boxes. No furniture, computers or other electronic devices, or bicycles will be allowed in storage areas. Storage is available by application only and on campus storage options will end on the last day of the spring advising/progress review period or if/when the storage spaces are full, whichever comes first.

Students who are moving into merrill or prescott for the coming academic year may store items in their new housing area over the summer. Greenwich and enfield residents must store their items in the basement of either merrill or dakin and are prohibited from storing any items within their apartments/mods.

Storage closets within greenwich and enfield areas are not secure; any items left at the end of the academic year will be discarded and students will be assessed charges for extra cleaning costs. Students who go on [leave](#) [38] or [field study](#) [58] may not leave items in storage during their absence. There is no access to storage over the summer. Students must remove items from storage within the first few weeks of September (dates will be posted in the fall). Items left beyond that time will be considered abandoned and will be discarded or donated in keeping with the [abandoned property policy](#) [172].

Bicycles may not be stored on campus during the summer vacation period. See the [bicycle policy](#) [180] for additional information.

## Student Room Use and Access

### Use of Student Rooms

Only registered Hampshire College students may live on campus. Housing is contingent upon a student's maintaining an active student enrollment status. The only persons who may reside in a room are those assigned by the College. Residents may not invite or permit any other person to reside in their assigned room or in any other area of a residence hall.



Student rooms are to be utilized as bedrooms and/or study space. The use of bedrooms for other purposes is prohibited.

### **Subletting**

Subletting of a student room to any other person not officially assigned to that room is prohibited.

### **Right of Entry**

Students' right to privacy in their bedrooms is respected by the College to the extent practical. In most instances, the College is able to give students advance notice of a need to enter student rooms. A submitted work order acts as permission for facilities and grounds personnel to enter a student's room for the purpose of making the requested repair(s). By requesting maintenance service within a student's assigned room or anywhere in their apartment/mod, a student implicitly authorizes a facilities and grounds worker to enter their room, bedroom or apartment/mod to perform the service that you have requested.

Other appropriate College employees may enter student rooms under the following conditions:

- In an emergency or situations that involve possible harm to persons or property, danger, or criminal activity.
- To conduct fire safety/health inspections.
- At the start of the winter vacation when staff carry out shutdown procedures in the residence halls.
- When a student cannot be found on campus to resolve situations taking place in their room that affect other students, such as when another student is scheduled to move into that room or when loud music or a ringing alarm is left untended.

Access to a student room cannot be given to another student without the explicit permission of the occupant of the room. Students will be granted access to another's room for a finite period of time in order to accomplish a specific task. Permission may be granted in writing via an email from the occupant's Hampshire College email account sent to [housing@hampshire.edu](mailto:housing@hampshire.edu) [181]. Permission may also be given via phone to a member of the housing operations staff.

### **Key-Card Access Policy for the Residences**

All exterior doors to buildings equipped with card readers will be locked at all times. All students living in a building equipped with card access will have 24-hour key-card access to the building in which they live. All Hampshire College students have access to all residences with key-card access during non-[quiet hours](#) [179] (Sunday–Thursday, 7:30 a.m.–11 p.m. and Friday–Saturday, 7:30 a.m.–2 a.m.). Tampering with the operations of doors, windows or card readers may result in referral to the [formal conduct process](#) [9] that could result in sanctions including but not limited to restitution of damages and removal from campus housing.

The College, at the discretion of the dean of students office, has the right to make changes, or to restrict an individual student's access settings on their card. For more information, about your student ID card, visit the [OneCard office website](#) [182] or contact the OneCard office at [onecard@hampshire.edu](mailto:onecard@hampshire.edu) [183].



## Keys and Lockouts

Any duplication of College keys is strictly prohibited. Replacements for lost keys must be obtained from the [housing operations office](#) [175] during working hours. If a key to a student room is lost, the lock on the door is automatically changed and two new keys are made. In the apartments/mods, if an entry key is lost, the lock is changed and replacement keys issued to all residents of that apartment/mod. When a lounge key is lost, a new key to the lounge is issued to the resident.

Students are charged \$5.00 for each key replaced, \$60.00 for each bedroom re-core, and \$100.00 for each apartment/mod entry recore, (this includes key replacements for all apartment/mod residents. Replacements for lost key cards (in applicable residence areas) must be obtained from the [OneCard office](#) [182], located in the basement of the library. Lost cards will be immediately deactivated and a new card issued to the student for a fee.

If a room key is not returned within 48 hours after occupancy is concluded, the lock must be changed. Students will be charged for replacement lock core and keys, as above.

Key cards (in applicable residence areas) will be automatically deactivated immediately after occupancy is concluded, and will be reactivated if and when new occupancy begins.

In the case in which keys and/or a key card are lost, access to a student's room can be obtained by calling [campus safety](#) [112] (x5424 from an on campus phone or 413.559.5424).

# Vacating Student Rooms

## Vacating Student Rooms

It is strongly advised that a student vacating a residence hall or apartment/mod for any reason—including but not limited to withdrawal from the College, moving to a different residence hall or apartment/mod, or vacating their room at the end of a semester—have the room formally checked by a member of the residence life and housing staff. Keys must be returned by the date a student officially changes their enrollment status or becomes less than fully enrolled (NOTE: some deadlines result in specific refunds) or within 48 hours of receiving keys to a new room. For specific information on vacating rooms at the end of the academic year, see the [residence closing policy](#) [184].

Students who go on [medical leave](#) [82] must vacate their on campus rooms within 48 hours after the date on which the leave is granted, as approved by [health and counseling services](#) [76] or [student life](#) [185] personnel. All residential keys must be returned to the [housing operations office](#) [175] upon a student's departure. Failure to comply with this policy may result in additional charges commensurate with the amount of time a student has taken to vacate their room or to make arrangements with the housing operations office to have articles removed.

# Retaliation

Retaliation means any adverse action taken against an individual for making a good faith report of a violation of policy or participating in any investigation or proceeding as a part of the student conduct process. Retaliation includes threatening, intimidating, harassing or any other conduct that would discourage a reasonable person from engaging in activity protected by the Hampshire College Student Handbook. Retaliation may be present even where there is a finding of “no responsibility” on a reported violation of policy. Retaliation does not include good faith actions lawfully pursued in a legal process outside of the formal student conduct process.

## **Sexual Misconduct, Relationship Violence, and Stalking Policy**

The Hampshire College Sexual Misconduct, Relationship Violence, & Stalking Policy applies to all students, employees, and third parties of Hampshire College. Hampshire College remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule. This policy defines certain behavior as a violation of campus policy. To the extent that alleged misconduct falls outside the Title IX Grievance Policy, or misconduct falling outside the Title IX Grievance Policy is discovered in the course of investigating covered Title IX misconduct, the institution retains authority to investigate and adjudicate the allegations under these policies and procedures.

[A visual guide to the formal resolution process.](#) [186]

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Effective: Academic year 2020/2021

### **I. Statement of Policy**

All Hampshire College (“the College”) community members have the right to personal and sexual safety, respect, integrity, and freedom of expression, as long as such expression does not cause harm to others. The College seeks to maintain a safe learning, living, and working environment. To that end, the College and this policy prohibit Sexual Misconduct, an umbrella term that encompasses a broad range of behavior including Sexual Assault, Sexual Exploitation, and Sexual or Gender-Based Harassment; Relationship Violence (also known as Dating Violence, Domestic Violence or Intimate Partner Violence); Stalking; Complicity; and Retaliation against an individual for making a good faith report of conduct prohibited under this policy (collectively, “Sexual Misconduct Violations”). These forms of Sexual Misconduct Violations are unlawful, undermine the character and purpose of the College, and will not be tolerated. These forms of Sexual Misconduct Violations are a subset of the behaviors prohibited for students under the Hampshire College Student Handbook and for employees under the Employee Policy Manual and the Faculty Handbook.

This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and to establish a mechanism for responding when those expectations have been violated. Violations of this policy will be addressed by the accompanying procedures in Appendices A (Resource Guide and Procedures for Reports against Students) and B (Resource Guide and Procedures for Reports Against Employees).

Hampshire College adopts this policy with a commitment to: (1) eliminating, preventing, and addressing the effects of Sexual Misconduct Violations; (2) fostering a community of trust in which Sexual Misconduct Violations are not tolerated; (3) cultivating a climate where all individuals are well-informed and supported in reporting Sexual Misconduct Violations; (4) providing a fair and impartial process for all parties, and (5) identifying the standards by which violations of this policy will be evaluated and disciplinary action may be imposed. This policy defines Sexual Misconduct Violations; outlines available resources and reporting options available to students and employees; and references the applicable investigative and disciplinary procedures (Appendices A and B). Hampshire College will take prompt and equitable action to eliminate Sexual Misconduct Violations, prevent their recurrence and address their effects. The College also conducts prevention, awareness, and training programs for students and employees to facilitate the goals of this policy.

Hampshire College does not discriminate on the basis of race, age, sex, sexual orientation, gender, gender identity, gender expression, genetic information, religion, national origin, disability, previous military service or any other protected category in the admission of students, employment, access or treatment in its programs and activities or the administration of its educational and employment policies. Discrimination or harassment on the basis of these factors is in direct conflict with the mission of the College and strictly prohibited.

This policy is designed to comply with applicable legal requirements including Title IX of the Education Amendments of 1972 (“Title IX”); relevant provisions of the Violence Against Women Reauthorization Act of 2013 (“VAWA”); Title VII of the Civil Rights Act of 1964 (“Title VII”); the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”); and, the laws of the Commonwealth of Massachusetts.

Other forms of discrimination, including discrimination based on race, religion, and disability, as well as any other form of sex-based discrimination not covered by this policy, are addressed by: (1) the Non-Discrimination and Anti-Harassment Policy for Employees, (2) the Faculty Handbook, and (3) the Non-Discrimination and Anti-Harassment Policy for Students. This policy supersedes any conflicting provision contained in those policies. Where Sexual Misconduct Violations violate this policy and also violate any other College policies, the College’s response will be governed by the procedures referenced in this policy and explained in its Appendices A and B, provided that this does not cause undue delay in prompt resolution of a report under this policy. For questions about which policy applies in a specific instance, please contact Hampshire College’s Title IX coordinator, Zauyah Waite at 413.559.5412.

## **II. To Whom This Policy Applies**

This policy applies to Hampshire College students who are enrolled for credit- or non-credit-bearing coursework at Hampshire College (“Students”); Hampshire College employees working at Hampshire College, including all full-time and part-time faculty, staff, and administrators (including adjuncts and casuals) (“Employees”); and contractors, vendors, visitors, guests, or other third parties (“Third Parties”). This policy also applies to Five College Interchange Students (non-Hampshire students taking courses at Hampshire College through the Five College Interchange) and Five College Shared Employees who work at Hampshire College. For the purposes of this policy, reports against Five College Interchange Student Respondents will be resolved by the applicable grievance procedures of the institution where the Respondent is enrolled (the home institution). Five College Shared Employees Respondents are typically treated as Employees, although the nature of their contractual relationship with the College may vary. This policy pertains to Sexual Misconduct Violations committed by Students, Employees, and Third Parties when:

- (1) the conduct occurs on Hampshire College premises or other property owned or controlled by the College;
- (2) the conduct occurs in the context of a Hampshire College employment or education program or activity, regardless of location, including, but not limited to Hampshire-sponsored study abroad, research, on-line or internship programs; or
- (3) the conduct occurs outside the context of a Hampshire employment or education program or activity, but has continuing adverse effects on or creates a hostile environment for Students, Employees, or Third Parties while on College premises or other property owned or controlled by the College, or in any College employment or education program or activity.

This policy applies to conduct committed by a Hampshire College Student or Employee that occurs on the premises or property of a Five Colleges Campus. In addition, the policy and procedures of the Five Colleges Campus where the conduct is reported to have occurred may also apply.

This policy applies to all Sexual Misconduct Violations occurring on or after the effective date of this policy. Where the date of the Sexual Misconduct Violation precedes the effective date of this policy, the definitions of misconduct in existence at the time of the alleged incident(s) will be used. The procedures under this policy, as set forth in Appendices A and B, however, will be used to investigate and resolve all reports made on or after the effective date of this policy, regardless of when the incident(s) occurred.

### **III. Applicable Procedures Under This Policy**

The specific procedures for reporting, investigating and resolving Sexual Misconduct Violations are based upon the nature of the Respondent’s relationship to the College (Student, Employee, or Third Party). Each set of procedures is guided by principles of fairness and respect for a Complainant and a Respondent. “Complainant” means the individual who presents as the victim<sub>1</sub> of any Sexual Misconduct Violation under this policy, regardless of whether that person

makes a report or seeks action under this policy. “Respondent” means the individual who has been accused of violating this policy.

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We recognize that many individuals may choose to self-identify as a survivor rather than a victim or Complainant. The choice of language for any individual is a personal choice and will be respected by the College. In this policy, however, the College uses the terms Complainant and Respondent to assure consistency throughout this policy and with other policies.

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The procedures outlined in [Appendix A](#) [187](for reports against Hampshire College students) and [Appendix B](#) [188] (for reports against Hampshire College employees) provide for prompt and equitable response to reports of Sexual Misconduct Violations. The procedures designate specific timeframes for major stages of the process and provide for thorough and impartial investigations that afford all parties notice, an opportunity to present witnesses and evidence for consideration by the investigator, and the opportunity to view the information that will be used in determining whether a policy violation has occurred. The College applies the preponderance of the evidence standard when determining whether this policy has been violated. “Preponderance of the Evidence” means that it is more likely than not that a policy violation occurred. A Respondent has the right to be presumed not responsible until proven responsible by the preponderance of the evidence.

#### **A. WHERE THE RESPONDENT IS A HAMPSHIRE STUDENT**

The procedures for responding to reports of Sexual Misconduct Violations committed by Students are detailed in “[Appendix A: Resource Guide and Procedures for Reports Against Hampshire College Students](#). [187]”

If the Respondent is a Hampshire Student who is reported to have committed a Sexual Misconduct Violation on another Five Colleges campus, the Respondent will be subject to the procedures set forth in Appendix A. The Respondent may also be subject to the policies and procedures of the Five Colleges Campus where the incident is reported to have occurred.

#### **B. WHERE THE RESPONDENT IS A HAMPSHIRE EMPLOYEE**

The procedures for responding to reports of Sexual Misconduct Violations committed by Employees are detailed in “[Appendix B: Resource Guide and Procedures for Reports Against Hampshire College Employees](#). [188]”

If the Respondent is a Hampshire Employee who is reported to have committed a Sexual Misconduct Violation on another Five Colleges Campus, the Respondent will be subject to the procedures under Appendix B. The Respondent may also be subject to the policies of the Five Colleges Campus where the incident is reported to have occurred and/or the Five Colleges, Incorporated policies or procedures.

### **C. WHERE THE RESPONDENT IS BOTH A HAMPSHIRE STUDENT AND EMPLOYEE**

Where a Respondent is both a Hampshire Student and Employee, the Student-Respondent procedures (Appendix A) will apply if (a) the Student's primary status is an enrolled student, and (b) the Student is not enrolled as a benefit of their own employment at Hampshire College. Where there is a question as to the predominant role of the Respondent, as either a Hampshire Student or Employee, the College's Title IX Coordinator will determine which of the procedures applies based on the facts and circumstances (such as which role predominates in the context of the Sexual Misconduct Violation). Further, where a Respondent is both a Student and an Employee, the Respondent may be subject to any of the sanctions applicable to Students or Employees.

### **D. WHERE THE RESPONDENT IS A FIVE COLLEGE INTERCHANGE STUDENT OR FIVE COLLEGE SHARED EMPLOYEE**

Five College interchange students and shared employees who take classes or work on Hampshire's campus are subject to the provisions of this Policy, as well as the applicable policies of their home institution.

If the Respondent is a Five College interchange student enrolled in a course at Hampshire and the conduct is reported to have occurred at Hampshire College, the grievance procedures of the Respondent's home institution will apply. In addition, the Respondent may also be subject to further action under this policy. While the College's disciplinary authority over a Five College interchange student may be limited, the College may remove the Five College interchange student from the course or prohibit their presence on campus (no trespass).

If the Respondent is a Five College shared employee working at Hampshire College and the conduct is reported to have occurred at Hampshire College, the procedures under [Appendix B](#) [188] will typically apply. Depending on the nature of the contractual relationship the College maintains with the Respondent, the College's ability to impose disciplinary action may be limited. As part of the Initial Assessment, the Title IX Coordinator will determine the appropriate manner of resolution consistent with the College's commitment to a prompt and equitable process consistent with federal and state law, which may include proceeding under Appendix B of this policy or treating the Respondent as a Third Party based on the contractual nature of the relationship between the Five Colleges shared employee and the College. For conduct occurring on another Five Colleges campus, the procedures for investigating and resolving Sexual Misconduct Violations at that campus or the Respondent's home institution (if not Hampshire College) may also apply. The home institution for a Five College shared employee is the institution responsible for processing payroll for the Employee.

A Complainant may report Sexual Misconduct Violations by a Five College interchange student or Five College shared employee to Hampshire's Title IX Coordinator. In response to a report against a Five College interchange student or shared employee for such conduct that reportedly occurred at Hampshire, the Title IX Coordinator will:

1. Conduct an initial assessment (typically within five (5) business days), offer appropriate remedial measures to the Complainant, and consider whether protective measures should be imposed against a Respondent, including removing a Respondent from class, work, or issuing a no trespass order prohibiting their return to Hampshire;
2. Promptly notify the Title IX Coordinator at the Respondent's home institution of the report (typically within five (5) business days). The determination whether to move forward with an investigation and resolution, including disciplinary action will be made by the Respondent's home institution;
3. Provide the Complainant with a copy of the applicable policies and procedures at the Respondent's home institution;
4. Support the Complainant in navigating the policy and resolution procedures of the Respondent's home institution. For example, the College can accompany the Complainant to a meeting with the home institution's Title IX Coordinator or to a court hearing, and can offer resources, support, and remedial or protective measures available on Hampshire College's campus.

While the College does not have the authority to enforce remedial or protective measures or sanctions on another campus, the College will take prompt and effective action to protect the Hampshire community from Sexual Misconduct Violations, remedy their effects, and prevent their recurrence, which may include limiting or prohibiting a Respondent's access to the College's living, learning or working environments.

Information about the Title IX processes and Title IX Coordinators at the other Five College consortium institutions can be found at the following websites:

- [Amherst College, Title IX Coordinator](#) [189]
- [Mount Holyoke College, Title IX Coordinator](#) [190]
- [Smith College, Title IX Coordinator](#) [191]
- [University of Massachusetts Amherst, Title IX Coordinator](#) [192]

## **E. WHERE THE RESPONDENT IS A THIRD PARTY**

The College's ability to take appropriate corrective action against a Third Party will be determined by the nature of the relationship of the Third Party to the College. Based on the role of the Third Party, the College may have limited authority to discipline the Respondent. However, the College will take appropriate steps to investigate and respond to the conduct consistent with the authority granted by the College's jurisdiction over the Respondent.

1. The Title IX Coordinator will evaluate the nature of the Respondent's relationship with the College to determine the extent to which the College has disciplinary authority or control over the Respondent. The Title IX Coordinator will seek to make this determination within five (5) business days.
2. If the College has disciplinary authority over the Respondent, the procedures in Appendix B may apply, although they may be modified as necessary (based on the nature of the contractual relationship) with written notice to the Complainant and Respondent.

3. If the College has no disciplinary authority over the Respondent, the College may take other action under this Policy. For example, the College may take steps to investigate the conduct to inform the appropriate response. Those investigative steps may vary depending on the nature of the conduct, the College's relationship with the Respondent, and the steps necessary to effectively address the conduct. Investigative steps may include interviewing the parties and witnesses, when available, and a review of other relevant information. Where there is a sufficient factual basis, a Third Party who is accused of violating this Policy may be permanently barred from the College or subject to other restrictions for failing to comply with this policy. The College will notify the Complainant about any actions taken by the College. In addition, the College may provide appropriate remedial measures to a Complainant and help to identify external reporting options that may have enforcement authority over the Respondent.

In all cases, the Title IX Coordinator will determine the appropriate manner of resolution consistent with the College's commitment to a prompt and equitable process consistent with federal and state law and this policy. The College will ensure that any process used to respond to a report of misconduct against a Third Party will take appropriate steps to eliminate the conduct, prevent its recurrence, and remedy its effects.

## **IV. Enforcement**

A Student or Employee determined by Hampshire College to have committed a violation of this policy is subject to disciplinary action, up to and including separation from Hampshire College. Five College interchange students and employees and third parties who violate this policy may have their relationship with the College terminated and/or their privilege of being on College premises withdrawn.

## **V. Privacy and Confidentiality**

Hampshire College is committed to protecting the privacy of the parties involved in a report under this policy, and will respect the wishes of the Complainant to the extent possible without impeding its investigation and/or its ability to end harassment and eliminate a hostile environment. The College is also committed to providing assistance to help Complainants make informed choices. All parties have the right to decline to participate in the College's investigation and hearing processes at any time, with the understanding that the College will only be able to take action on the information available through the exercise of reasonable care. It is expected that any materials and information prepared or obtained under the investigation process will be shared with those parties who have a legitimate need to know consistent with law and policy. Disclosure of such information may also be made necessary if permissible by law and the Title IX Coordinator determines in their judgment that disclosure is necessary for the safety and well-being of the Hampshire College community.

### **A. DISTINCTION BETWEEN PRIVACY AND CONFIDENTIALITY**



Privacy and confidentiality have distinct meanings under this policy.

**Privacy:** Privacy generally means that information related to a report of misconduct will be shared with a limited circle of individuals who “need to know” in order to assist in the active review, investigation, resolution of the report, and related issues. All Hampshire College employees who are involved in Hampshire’s Title IX response receive specific training and guidance about safeguarding private information in accordance with applicable laws.

The privacy of Student education records will be protected in accordance with the Family Educational Rights and Privacy Act (FERPA). The privacy of an individual’s medical and related records generally are protected in the United States by the Health Insurance Portability and Accountability Act (HIPAA), excepting health records protected by FERPA.

**Confidentiality:** Confidentiality exists in the context of laws that protect certain relationships, including with medical and clinical care providers (and those who provide administrative services related to the provision of medical and clinical care), mental health providers, counselors, and ordained clergy, all of whom may engage in confidential communications under Massachusetts law. The college has designated individuals who have the ability to have privileged communications as “Confidential Employees.” When information is shared by an individual with a Confidential Employee or a community professional with the same legal protections, the Confidential Employee cannot reveal the information to any third party except when an applicable law or a court order requires or permits disclosure of such information. For example, information may be disclosed when: (i) the individual gives written consent for its disclosure; (ii) there is an imminent threat of the individual causing serious harm to self or others; (iii) the information concerns conduct involving [suspected abuse or neglect of a minor under the age of 18](#) [193], which must be reported to the Massachusetts Department of Children and Families’ Child Protection Hotline at 1-800-792-5200 or (iv) as otherwise required or permitted by law or court order, including reporting felony crimes to State Police.

## **B. EMPLOYEE RESPONSIBILITY TO REPORT DISCLOSURES OF INFORMATION ABOUT SEXUAL MISCONDUCT VIOLATIONS**

It is important to understand the different responsibilities of Hampshire College Employees. Every Hampshire College Employee is designated as a “Responsible Employee”, a “Confidential Employee” or a “Private Employee.”

A “**Responsible Employee**” is any Employee who is not a Confidential or Private Employee. A Responsible Employee is required to immediately report to the College’s Title IX Coordinator all relevant details (obtained directly or indirectly) about Sexual Misconduct Violations that involve a College Student or Employee as a Complainant or Respondent, including dates, times, locations, and names of parties and witnesses. Responsible Employees include Resident Advisors, Teaching Assistants, EMTs, and all other student-employees when disclosures are made to any of them in their capacities as employees. If a Complainant requests (a) that personally-identifying information not be shared with the Respondent, (b) that no investigation be pursued, and/or (c) that no disciplinary action be taken, the College will seek to honor this request unless there is a health or safety risk to the Complainant or to any member of the College

community. Section VII.A. of the Policy provides additional information about remedial and protective measures.

Responsible Employees are not required to report information disclosed (1) at public awareness events (e.g., “survivor speak-outs”, candlelight vigils, protests, or other public forums in which students may disclose Sexual Misconduct Violations; collectively “Public Awareness Events”; or (2) during an individual’s participation as a subject in an Institutional Review Board-approved human subjects research protocol (“IRB Research”). The College may provide information about Title IX rights and about available College and community resources and support at Public Awareness Events, however, and Institutional Review Boards may, in appropriate cases, require researchers to provide such information to all subjects of IRB research.

A “**Confidential Employee**” is (1) any Employee who is a licensed medical, clinical, or mental-health professional (e.g. physicians, nurses, physician’s assistants, psychologists, psychiatrists, professional counselors and social workers, and those performing services under their supervision), when acting in that professional role in the provision of services of a patient who is a Student; and (2) any Employee providing administrative, operational and/or related support for such health care providers in their performance of such services. A Confidential Employee will not disclose information about Sexual Misconduct Violations to the College’s Title IX Coordinator without the individual’s permission (subject to the exceptions set forth in the Confidentiality section of this policy).

**Private Employees:** Are a small subsection of Responsible Employees who have the ability to receive reports and share information with the Title IX Coordinator in a manner that preserves the anonymity of the Complainant. These include the Director of Survivor Supports, Director of Wellness Promotion, Director for Queer/Women Services and Peer Chaplains. In order to foster increased reporting, Hampshire has designated these individuals as reporting options. In turn, these resources are permitted to share the report with the Title IX Coordinator in a manner that initially excludes personally identifiable information about the Complainant or witness. In the event that the resource and/or the Title IX Coordinator determine that the reported conduct poses a potential threat to the health or safety of any campus community member, the resource may be required to share personally identifiable information. This manner of reporting may help inform the Title IX Coordinator of the general extent and nature of sexual violence on and off campus so the Coordinator can track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses. Without the sharing of personally-identifiable information, however, the Title IX Coordinator’s ability to respond may be limited. In addition, unlike Confidential Employees, who have statutorily-protected legal confidentiality, records maintained by these resources may be subject to release by court order, search warrant or subpoena.

- Emily Rimmer, director for women's and queer services, Center for Feminisms, 413.559.5320

**Clery Act Reporting:** Pursuant to the Clery Act, Hampshire College includes statistics about certain offenses in its daily crime log and annual security report and provides those statistics to the United States Department of Education, but does so in a manner that does not include any identifying information about persons involved in an incident. The College will also assess a

report of misconduct for the need to issue a timely warning under the Clery Act. If a report of misconduct discloses a serious and continuing threat to the campus community, where timely notice must be given to protect the health or safety of the community, the College is required to issue a timely notification to the community under the Clery Act. The timely warning will not provide any identifying information about the Complainant.

## **VI. Resources and Reporting Options**

The College offers a wide range of resources to provide students and employees with support and guidance in response to Sexual Misconduct Violations. For comprehensive information on accessing College and community resources, including emergency and on-going assistance; health, mental health, and victim-advocacy services, options for reporting Sexual Misconduct Violations to the College and/or law enforcement; and available support with academics, housing, and employment, please refer to [Appendix A](#) [187] or [Appendix B](#) [188], both of which include resources for Students and Employees. A complainant may also speak with the Title IX coordinator for specific assistance in identifying reporting options and resources at the complainant's home institution. In addition, third parties should contact the Title IX coordinator to discuss available College and/or community resources and reasonably available assistance.

### **A. REMEDIAL AND PROTECTIVE MEASURES**

The College will take and/or make available reasonable and appropriate measures to provide support and guidance throughout the initiation, investigation, and resolution of a reported sexual misconduct violation. The College will offer reasonable and appropriate measures to protect a complainant and facilitate the complainant's continued access to College employment or education programs and activities. These measures may be both remedial (designed to address a complainant's safety and well-being and continued access to educational opportunities) or protective (involving action against a respondent). Remedial measures are available regardless of whether a complainant pursues a complaint or investigation under this policy. Hampshire College will maintain the privacy of any remedial or protective measures provided under this policy to the extent practicable and will promptly address any violation of the protective measures. The Title IX coordinator has the discretion to impose and/or modify any interim measure based on all available information, and is available to meet with a complainant or respondent to address any concerns about the provision of interim measures.

The College will assist Five College complainants to the extent reasonably practicable and will coordinate efforts with the Title IX coordinator at the complainant's home institution to assure resources and support are provided to the complainant. For example, the College can accompany the complainant to a meeting with the Title IX coordinator at another Five Colleges campus or to a court hearing, and can offer resources, support, and remedial or protective measures available on Hampshire College's campus. The College does not have the authority or ability to enforce remedial and protective measures or sanctions on other campuses.

For information, support, assistance, and the arrangement of a broad range of remedial and protective measures, contact the Title IX coordinator or deputy Title IX coordinators. Students

may also contact the the dean of students office (“DOSO”) in the Merrill student life center, second floor 413.559.5412, and employees may also contact the office of human resources in Blair Hall 413.559.5411. The Title IX coordinator, deputy Title IX coordinators, and DOSO employees have received training for this purpose and will assist students or employees in determining whether certain forms of support, remedial and/or protective measures may be beneficial and appropriate. DOSO and human resources employees are responsible employees and are therefore required to report information disclosed to them about sexual misconduct violations to the College’s Title IX coordinator.

The availability of remedial and protective measures will be determined by the specific circumstances of each case. The College will consider a number of factors in determining which measures to take, including the needs of the student or employee seeking remedial and/or protective measures; the severity or pervasiveness of the alleged sexual misconduct violation; any continuing effects on the complainant; whether the complainant and the respondent share the same residence hall, academic course(s), job location(s); whether the complainant and/or the respondent are Five College interchange students or shared employees; and whether other judicial measures have been taken to protect the complainant (e.g., protective orders). When implementing such measures, the College will seek to minimize the burden on the complainant. For example, if the complainant and the respondent share the same class or residence hall, the College will not, as a matter of course, remove the complainant from the class or residence hall while allowing the respondent to remain, without carefully considering all options and circumstances.

Remedial and protective measures may be temporary or permanent and may be modified by the College as circumstances change. Examples of such measures include:

- Imposition of a no-contact directive against an employee or student (i.e., an order directing one or both of the parties to refrain from contacting the other, directly or through proxies);
- Arranging access to counseling services and assistance in setting up initial appointments for students, or providing contact information for available counseling services for employees;
- Arranging access to medical services and assistance in setting up initial appointments for students, or providing contact information for available medical services for employees;
- Assistance in seeking academic assistance or modifications;
- Assistance in modifying College housing arrangements, including immediate temporary relocation to safe living quarters and/or permanent reassignment of College residence halls;
- Assistance in modifying College employment arrangements, including changes in work schedules, job assignments, or work locations;
- Changing an employee’s phone number at work;
- Assistance in enforcement of protective orders in an employee’s work environment;
- Arranging a meeting with police to discuss or report a sexual misconduct violation;
- Arranging a meeting with police to discuss safety planning; and

- Any other measures that may be arranged by the College (to the extent reasonably available) to ensure the safety and well-being of a student or employee who has been affected by a sexual misconduct violation.

In some cases, a student may choose to seek a leave of absence or a reduced course load; these actions may, in turn, impact a student's immigration, visa and/or financial aid status. In such cases, the Title IX coordinator, deputy Title IX coordinators, or DOSO staff will connect students with the applicable College department or unit so that they may obtain relevant information and assistance. If informed of a report, the Title IX coordinator or deputy Title IX coordinators will ensure students receive written notification of all their rights and options, regardless of whether a student chooses to report a sexual misconduct violation to the College or to the police.

In some cases, an employee may choose to seek leave to make arrangements or meet other legal obligations. The College will endeavor to approve reasonable leave for employees who have experienced a sexual misconduct violation to seek assistance or make arrangements related to the incident. Employees should direct any such requests for leave to their supervisor or, in the case of faculty, to their school dean. Employees and/or supervisors and deans should direct any questions or concerns related to such requests to human resources.

The College will provide reasonable remedial and protective measures to third parties as appropriate and available, taking into account the role of the third party and the nature of any contractual relationship with the College.

## **B. CONFIDENTIAL RESOURCES**

Consistent with the definition of confidentiality and designation of confidential employees, there are a number of resources within the College and local community where students and employees can obtain confidential, trauma-informed counseling and support:

Students may contact Hampshire College Health and Counseling Services 413.559.5458, Cooley Dickinson Hospital 413.582.2000, the Center for Women and Community at the University of Massachusetts 888.337.0800, and Hampshire College Spiritual Life Professional Staff 413.559.5282. For a complete list of Hampshire College and community-based confidential resources for students, see [Appendix A](#) [194].

Employees may contact Cooley Dickinson Hospital 413.582.2000, the Center for Women and Community at University of Massachusetts 888.337.0800, or the Employee Assistance Program (EAP) offered through E4Health 800.828.6025. For a complete list of Hampshire College and community-based confidential resources for employees, see [Appendix B](#) [195].

## **C. REPORTING**

There are multiple channels for reporting sexual misconduct violations or potential criminal conduct. A complainant may choose to report to the College, to law enforcement, to both, or to neither. Complainants may simultaneously pursue criminal and College disciplinary action.

## Reporting to the College

Anyone who becomes aware of a Sexual Misconduct Violation should immediately report the incident by contacting one of the following Reporting Options:

- Zauyah Waite, Title IX coordinator, [zwsa@hampshire.edu](mailto:zwsa@hampshire.edu) [196], [197] 413.559.5412
- Greg Narleski, deputy Title IX coordinator, [gansa@hampshire.edu](mailto:gansa@hampshire.edu), 413.559.6205 [197]
- Amanda Surgen, deputy Title IX coordinator, [asurgen@hampshire.edu](mailto:asurgen@hampshire.edu) [198], 413.559.5754

There is no time limit on reporting violations of this policy, although the College's ability to respond may diminish over time, as evidence may erode, memories fade, and respondents may no longer be affiliated with the College. If the respondent is no longer a student or employee, the College will provide reasonably appropriate remedial measures, assist the complainant in identifying external reporting options, and take reasonable steps to eliminate sexual misconduct violations, prevent their recurrence, and remedy their effects.

In order to foster increased reporting of sexual misconduct violations, the College will not pursue disciplinary action against complainants or witnesses for personal consumption of alcohol or other drugs in violation of College policy where this information is disclosed in connection with a good faith report or investigation of a sexual misconduct violation and it does not otherwise threaten the health or safety of any individual.

**Obligation to Provide Truthful Information:** All College community members are expected to provide truthful information in any report or proceeding under this policy. Submitting a false report or providing false or misleading information in bad faith or with a view to personal gain is prohibited and subject to disciplinary sanction. This provision does not apply to reports made or information provided in good faith, even if the facts alleged in the report are determined not to be accurate.

## Reporting to Law Enforcement

A complainant has the right to notify or decline to notify law enforcement. A complainant who wishes to pursue criminal action in addition to, or instead of, making a report to the College is strongly encouraged to immediately contact law enforcement directly:

- 911 (for emergencies)
- Town of Amherst Police 413.259.3000 (for non-emergencies)
- Hampshire College Campus Police 413.559.5424 (for non-emergencies)

Police have unique legal authority, including the power to seek and execute search warrants, collect forensic evidence, make arrests, and assist in seeking civil protective orders. The College will offer support and transportation to any Complainant seeking assistance in notifying law enforcement. Under limited circumstances posing a threat to health or safety of any College community member, the College may independently notify law enforcement.

# VII. Consent

Consent is:

- Informed (knowing)
- Voluntary (freely given)
- Active (not passive), meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed-upon sexual activity

Consent cannot be obtained by **Force**. Force includes 1. the use of physical violence, 2. threats, 3. intimidation, and/or 4. coercion.

1. **Physical violence** means that a person is exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, pushing, restraining, choking, and brandishing or using any weapon.
2. **Threats** are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person's reputation or cause a person academic or economic harm.
3. **Intimidation** is an implied threat that menaces or causes reasonable fear in another person. A person's size, alone, does not constitute intimidation; however, a person's size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).
4. **Coercion** is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of Sexual Contact or Sexual Intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the College will consider: (i) the nature of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the frequency and duration of the pressure. To constitute coercion, conduct must result in wrongfully impairing another individual's freedom of will to participate in sexual activity.

Consent cannot be gained by taking advantage of the **incapacitation** of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated. Incapacitation means that a person lacks the ability to make informed, rational judgments about whether or not to engage in sexual activity.

A person who is incapacitated is unable, temporarily or permanently, to give Consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. Mentally helpless means a person is incapable of appraising or controlling one's own conduct. Physically helpless means a person is physically unable to communicate willingness or unwillingness to an act. A person may be incapacitated as a result of the consumption of alcohol or other drugs, even where voluntary, or due to a temporary or permanent physical or mental health condition.

## **The College offers the following guidance on Consent and assessing Incapacitation:**

A person who wants to engage in a specific sexual activity is responsible for obtaining Consent for that activity. Lack of protest, lack of resistance, and silence and/or passivity do not constitute Consent. Relying solely on non-verbal communication before or during sexual activity can lead to misunderstanding and may result in a violation of this policy. It is important to not make assumptions about whether a potential partner is consenting. In order to avoid confusion or ambiguity, participants are encouraged to talk with one another before engaging in sexual activity. If confusion or ambiguity arises during sexual activity, participants should stop and clarify a mutual willingness to continue that activity.

Consent to one form of sexual activity does not, by itself, constitute Consent to another form of sexual activity. In addition, Consent to sexual activity on a prior occasion does not, by itself, constitute Consent to future sexual activity. In cases of prior or ongoing relationships, the manner and nature of prior communications between the parties and the context of the relationship may have a bearing on evaluating the presence of Consent, but any sexual activity must still be mutually agreed-upon.

Consent may be withdrawn at any time. An individual who seeks to withdraw Consent should communicate, through clear words or actions, a decision to cease the sexual activity. Once Consent is withdrawn, the sexual activity must cease immediately.

In evaluating Consent in cases of alleged incapacitation, the Colleges asks two questions:

1. Did the person initiating sexual activity know that the other party was incapacitated? and if not,
2. Should a sober, reasonable person under the same circumstances have known that the other party was incapacitated?

If the answer to either of these questions is “YES,” Consent was absent and the conduct is likely a violation of this policy.

Incapacitation is an extreme form of intoxication. Incapacitation can also be caused by certain medical conditions. A person is not necessarily incapacitated merely as a result of ingesting alcohol or other drugs. The impact of alcohol and other drugs varies from person to person; each individual may have a different level of tolerance or metabolism. One is not expected to be a medical expert in assessing incapacitation. Instead, one must look for the common and obvious warning signs that show that a person may be incapacitated or approaching incapacitation. A person’s level of intoxication can change rapidly, and a person can reach incapacitation within a short time span. Although every individual may manifest signs of incapacitation differently, typical signs include slurred or incomprehensible speech, unsteady gait, combativeness, emotional volatility, vomiting, or incontinence. A person who is incapacitated may not be able to understand some or all of the following questions: “Do you know where you are?” “Do you know how you got here?” “Do you know what is happening?” “Do you know whom you are with?”



The introduction of alcohol or other drugs may create ambiguity for all involved as to whether Consent has been sought or given. If one has doubt about either party's level of intoxication, the safe thing to do is to forego all sexual activity.

**Being impaired by alcohol or other drugs is not a defense to any violation of this policy.**

## **VIII. Sexual Misconduct Violations Under This Policy**

Conduct under this policy is prohibited regardless of the sexual orientation, gender, gender identity, or gender expression of the Complainant or Respondent. Sexual Misconduct Violations include the following specifically defined forms of behavior: Sexual Assault, Sexual Exploitation, Relationship Violence, Stalking, Sexual or Gender-Based Harassment, Complicity, and Retaliation.<sup>2</sup>

<sup>2</sup> These forms of Sexual Misconduct Violations are a subset of the behaviors prohibited for students under the Norms for Community Living in the Student Handbook.

### **A. Sexual Assault <sup>3</sup>**

<sup>3</sup> The College uses the term Sexual Assault to refer to a broad range of behavior. These behaviors may also meet the criteria for statutorily-defined terms in the penal code, including rape.

Sexual assault consists of 1. Sexual Contact and/or, 2. Sexual Intercourse that occurs without, 3. Consent.

#### **1. Sexual contact is:**

- Any intentional sexual touching
- With any object or body part (as described below)
- Performed by a person upon another person.

Sexual Contact includes (a) intentional touching of the breasts, buttocks, groin or genitals, whether clothed or unclothed, or intentionally touching another with any of these body parts; and (b) making another touch you or themselves with or on any of these body parts.

#### **2. Sexual intercourse is:**

- Any penetration
- However slight
- With any object or body part (as described below)
- Performed by a person upon another person.

Sexual Intercourse includes (a) vaginal penetration by a penis, object, tongue, or finger; (b) anal penetration by a penis, object, tongue, or finger; and (c) any contact, no matter how slight, between the mouth of one person and the genitalia of another person.

### 3. Consent is:

- Informed (knowing)
- Voluntary (freely given)
- Active (not passive), meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed-upon sexual activity

Please see [section VIII for the complete definition of Consent](#) [199].

### B. Sexual Exploitation

Sexual Exploitation is purposely or knowingly doing any of the following:

- Causing the incapacitation of another person (through alcohol, drugs, or any other means) for the purpose of compromising that person's ability to give or deny Consent to sexual activity;
- Allowing third parties to observe private sexual activity from a hidden location (e.g., closet) or through electronic means (e.g., Skype or live-streaming of images);
- Engaging in voyeurism (e.g., watching private sexual activity without the consent of the participants or viewing another person's intimate parts (including genitalia, groin, breasts or buttocks) in a place where that person would have a reasonable expectation of privacy);
- Recording or photographing private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- Disseminating or posting images of private sexual activity and/or a person's intimate parts (including genitalia, groin, breasts or buttocks) without consent;
- Prostituting another person; or
- Exposing another person to a sexually transmitted infection or virus without the other's knowledge.
- Non-consensual removal of a condom or other form of birth/disease control by a sex partner, sabotage to a condom or other form of birth/disease control by a sex partner without the other's knowledge or consent, or false representation of the use of a condom or other form of birth/disease control.

### C. Relationship Violence <sup>4</sup>

<sup>4</sup> Relationship Violence includes "dating violence" and "domestic violence" as defined by VAWA.

Relationship Violence, also referred to as Dating Violence, Domestic Violence or Intimate Partner Violence, includes any act of violence or threatened act of violence against a person who is, or has been involved in, a sexual, dating, domestic or other intimate relationship with that person. The College will evaluate the existence of an intimate relationship based upon the Complainant's statement and taking into consideration the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Relationship Violence can encompass a broad range of behavior, including, but not limited to, physical or sexual violence or emotional/psychological abuse and economic abuse in the form of

threats, assault, property damage or other violence. Relationship Violence affects individuals of all genders, gender identities, gender expressions, and sexual orientation and does not discriminate by racial, social, or economic background. Relationship Violence may include any form of Sexual Misconduct Violation under this policy.

Physical violence is the intentional use of physical force with the potential for causing death, disability, injury, or harm. Physical violence includes, but is not limited to, scratching; pushing; shoving; throwing; grabbing; biting; choking; shaking; aggressive hair pulling; slapping; punching; hitting; burning; use of a weapon; and use of restraints or one's body, size or strength against another person. Physical violence also includes coercing other people to commit any of the above acts.

Emotional/Psychological abuse involves a persistent pattern or prolonged climate of dominating or controlling behavior, often involving the use of verbal and non-verbal communication with the intent to harm another person mentally or emotionally, and/or to exert control over another person. Emotional/Psychological abuse can include expressive aggression (e.g., name-calling, humiliating); coercive control (e.g., limiting access to transportation, money, friends, and family; excessive monitoring of whereabouts); threats of physical or sexual violence, control of reproductive or sexual health (e.g., refusal to use birth control; coerced pregnancy termination); exploitation of perpetrator's vulnerability; and presenting false information with intent of making them doubt their own memory or perception (e.g., mind games).

#### **D. Stalking**

Stalking occurs when a person engages in a course of conduct directed at a specific person under circumstances that would cause a reasonable person to fear bodily injury or experience substantial emotional distress.

Course of conduct means two or more acts including but not limited to unwelcome acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish.

Stalking includes "cyber-stalking," a particular form of stalking in which a person uses electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact.

Examples include but are not limited to:

- Following an individual in close proximity
- Repetitive verbal or written communications whether on paper or electronic
- Sending or posting unwelcome messages under another username

#### **E. Sexual or Gender-Based Harassment**

**Sexual Harassment** is any unwelcome sexual advance, request for sexual favors, or other unwanted conduct of a sexual nature, whether verbal, non-verbal, graphic, physical, or otherwise, when one or more of the following conditions outlined in (1) and/or (2), below, are present.

**Gender-Based Harassment** includes harassment based on gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions outlined in (1) and/or (2), below, are present.

(1) Submission to or rejection of such conduct is either an explicit or implicit term or condition of an individual's employment, academic standing, evaluation of academic work or advancement in an academic program, or is used as the basis for College decisions affecting the individual (often referred to as "quid pro quo" or "this for that" harassment);

(2) Such conduct creates a hostile environment. A "hostile environment" exists when the conduct has the purpose or effect of unreasonably interfering with an individual's learning, working, or living environment, or limiting or depriving an individual of the ability to participate in or benefit from the College's educational program and/or activities. Conduct must be deemed severe, pervasive, or persistent as to create an intimidating, threatening, abusive, hostile, humiliating or sexually offensive learning, working, or living environment under both an objective (a reasonable person's view) and subjective (the Complainant's view) standard.

In evaluating whether a hostile environment exists, the College will consider the totality of the known circumstances, including, but not limited to:

- The frequency, nature and severity of the conduct;
- Whether the conduct was physically threatening;
- The effect of the conduct on the Complainant's mental or emotional state;
- Whether the conduct was directed at more than one person;
- Whether the conduct arose in the context of other discriminatory conduct;
- Whether the conduct unreasonably interfered with the Complainant's educational or work performance and/or College programs or activities; and
- Whether the conduct implicates concerns related to academic freedom or protected speech.<sup>5</sup>

<sup>5</sup> In making this evaluation, the College should carefully consider its obligation to protect and uphold academic freedom and freedom of speech. Title IX does not reach curriculum or in any way prohibit or abridge the use of particular textbooks or curricular materials. See 28 C.F.R. § 54.455; 34 C.F.R. § 106.42. Furthermore, OCR's 2001 Guidance stated, "Title IX is intended to protect students from sex discrimination, not to regulate content of speech... [T]he offensiveness of a particular expression as perceived by some students, standing alone, is not a legally sufficient basis to establish a sexually hostile environment under Title IX." Department of Education, Office for Civil Rights, Revised Sexual Harassment Guidance (2001) at 22. See also OCR Dear Colleague Letter on the First Amendment, July 28, 2003 (explaining that "OCR's regulations should not be interpreted in ways that would lead to the suppression of protected speech on public or private campuses.").

In addition, conduct does not have to be directed at a particular person to constitute Sexual or Gender-based Harassment.

Examples of conduct that may constitute Sexual or Gender-Based Harassment include but are not limited to:

- Unwelcome sexual advances, whether they involve physical touching or not;
- Sexual innuendos, jokes, written or verbal references to sexual conduct, gossip regarding one's sex life, comments on an individual's body, discussion or inquiry about an individual's sexual orientation, gender identity, activity, deficiencies, or prowess;
- Displaying or circulating sexually suggestive objects, pictures, videos or cartoons, including via electronic communications;
- Bullying or hazing based on sex or gender:

**Bullying** is the repeated use by one or more people of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a another person that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to self or of damage to personal property; (iii) creates a hostile environment at the College for the victim; (iv) infringes on the rights of the victim at the College; or (v) materially and substantially disrupts the education process or the orderly operation of the College.

**Hazing** is any conduct, including methods of initiation into student organizations, which willfully or recklessly endangers the physical or mental health of any 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 person, or which subjects the person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

## **F. Complicity**

Complicity is any act taken with the purpose of aiding, facilitating, promoting or encouraging the commission of a Sexual Misconduct Violation by another person.

## **G. Retaliation**

It is a violation of College policy to retaliate in any way against an individual or a group because the individual or group made a good faith report concerning a violation of this Policy, was the subject of a report, or otherwise participated in the College's investigation of such a report. Retaliation includes threatening, intimidating, harassing or any other conduct that would discourage a reasonable person from engaging in activity protected under this policy. Any individual who believes they have been the subject of relation should immediately report their concerns to the Title IX Coordinator. The College will take immediate and appropriate action to any report of retaliation and may pursue disciplinary action as appropriate. Retaliation may be present even where there is a finding of "no responsibility" on the allegations of a Sexual Misconduct Violation. Retaliation does not include good faith actions lawfully pursued in response to a report of a Sexual Misconduct Violation.

# **IX. Violations of Law**

Behavior that violates this policy also may violate the laws of the local jurisdiction in which the incident occurred and subject a Respondent to criminal prosecution by the presiding authority.

Massachusetts General Laws describe prohibited Sex Offenses in chapters 265 and 272, and prohibited Stalking Offenses in Ch. 265 § 43 and Ch. 269 § 14A. Students and Employees studying, working, or engaging in other activities at locations outside of Massachusetts are governed by the applicable laws regarding sexual assault and other criminal offenses implicated by this policy. Behavior that violates this policy also may subject a Respondent to civil liability.

## **X. Consensual Relationships**

### **A. Prohibited Sexual or Romantic Relationships between Students and College or Third Parties Employees**

Hampshire College is committed to maintaining a safe, healthy, and supportive campus community that holds the education of students as the highest priority. Amorous, dating, romantic, or sexual relationships between College employees or third-party employees and students, even if consensual, can negatively interfere with the pursuit of learning and the academic environment and the integrity of the institution. Students have a right to an academic, professional, and socially engaging community and such relationships undermine the likelihood of such a community by introducing the possibility or perception of favoritism, abuse of power, and conflict of interest, all of which compromise the ability of employees and third-party employees to carry out their responsibilities to students and risks undermining the College's educational mission.

For these reasons, it is strictly prohibited for any college employee or third-party employee to engage in a romantic or sexual relationship, or in any romantic or sexual conduct, with any student currently enrolled at Hampshire College or taking a class at Hampshire College, including during leave and when the College is not in session.

There may be an instance that there is a pre-existing relationship between an employee and an individual (or student and an individual who becomes an employee), including marriage, and that individual becomes associated with the College as a student (or employee). In such instances, the employee is asked to disclose the consensual relationship to the human resources office. It is the responsibility of the director of human resources, in consultation with the employees supervisor, to take steps to mitigate potential conflicts and protect the educational experience of the student, and other students at the College whom may be affected by the consensual relationship.

If an employee violates this policy, the employee will be subject to disciplinary action up to and including termination of employment.

### **B. Relationships Between Employees**

In cases where a consensual sexual or romantic relationship exists between Employees who hold unequal positions of authority, it is important that the person in the position of greater authority does not exercise any supervisory or evaluative function over the other person in the relationship. Accordingly, if this dynamic exists, the Employees in the relationship shall notify Human Resources to evaluate the situation and ensure that alternate supervisory or evaluative arrangements are put in place. The College will protect Employee privacy but reserves the right to share information with individuals who may have a need to know about the relationship in order to make alternative supervisory arrangements in compliance with this policy.

## **XI. Historical Complaints of Sexual Misconduct**

All Hampshire College (“the College”) community members have the right to personal and sexual safety, respect, integrity, and freedom of expression, as long as such expression does not cause harm or infringe upon the rights of others. The College seeks to maintain a safe learning, living, and working environment. We want to assure that we are treating our entire community with respect. That includes listening and responding to community members who raise concerns about past sexual misconduct connected with the College even if we are limited in our ability to take direct action based on the passage of time or a lack of current authority over the individuals involved.

The College will document concerns and proceed according to the policy outlined below when it receives complaints from alumni or former employees (Complainant) related to incidents that happened while they were at the College, regardless of the length of time since the incident or whether the person whose actions are being reviewed (Respondent) is still affiliated with the College. Any College employee who receives such a complaint is required to immediately report to the College’s Title IX Coordinator all relevant details (obtained directly or indirectly) about Sexual Misconduct Violations that involve a College Student or Employee as a Complainant or Respondent, including dates, times, locations, and names of parties and witnesses, if any. The Title IX Coordinator will respond consistent with the following provisions.

The College will first consult with the Complainant to gather information about the reported conduct and ascertain what, if anything, the Complainant seeks in terms of a resolution. The College will also evaluate the status of the Respondent, if known, to determine whether the Respondent has any current affiliation with the College (e.g., current Employee, alumni, etc.), and if so, the nature of the College’s disciplinary authority over the Respondent, if any. The College will attempt to identify the policy relevant to the behavior that may have been in place at the time of the complaint. In addition, and especially in cases where the policy at the time of the complaint cannot be determined, the College will review the behavior in light of the Sexual Misconduct, Relationship Violence, and Stalking policy currently in effect. Consistent with the procedures set forth in that policy, the College will consider the Complainant’s stated wishes, the current status of the Respondent, and the goals of the policy to eliminate, prevent, and address the effects of Sexual Misconduct Violations, in evaluating how to proceed.

In some instances, the College may be able to move forward with an investigation and seek disciplinary action against a Respondent consistent with the procedures in the current policy. In other instances, where the College does not have disciplinary authority against a Respondent, the College will work with the Complainant to identify reasonably available and appropriate supports and external reporting options (such as local law enforcement or other relevant authorities). It is important to understand that the College's ability to respond and take action may diminish over time, as memories may have faded or evidence may no longer be available. Nonetheless, in all instances, the College will seek to determine if there are alternative actions, consistent with a Complainant's request, which may be necessary or appropriate to eliminate, prevent, address, or redress any continuing conduct or remedy past harms.

The Title IX Coordinator will inform the President and other designated administrators of any such complaints. The Title IX Coordinator and designated administrators will review the details of the complaint, the Complainant's requested resolution, pertinent policies, and any additional facts obtained through a review process. Title IX Coordinator and designated administrators will provide the President with recommendations as to appropriate next steps. The President should then make a decision that takes into consideration each of the factors noted above.

## **XII. Prevention and Awareness Programs**

The College is committed to the prevention of Sexual Misconduct, Relationship Violence, and Stalking through education and awareness programs. Incoming students and new employees receive primary education and prevention training as part of their orientation, and returning employees and students receive ongoing training and related programs.

The College has designated the Title IX coordinator and deputy Title IX coordinators with oversight of providing education, prevention and training programs as required by Title IX, Clery and VAWA.

Resources are also available through [Hampshire College's campus safety](#) [200]. The website offers safety information including: locations of call boxes and 911 telephones, transportation services, programs and workshops offered by campus police on sexual assault prevention, and general safety tips.

Examples of prevention and education programs for students include:

- **Student Success™ Every Choice online bystander intervention program** is a required online training for all new students, orientation leaders, and resident advisors each fall. The program includes information about, and links to, College policies and resources, and focuses on preparing students to intervene in situations involving sexual violence, relationship violence and stalking. In addition, returning students receive a “refresher program” that covers a variety of topics including consent, healthy relationships and bystander intervention. Contact Zauyah Waite at [zwsa@hampshire.edu](mailto:zwsa@hampshire.edu) [196] for more information.



- **Consensual Sensual: Sexual Violence Prevention** is a required orientation program for all incoming students. It is a performance designed to educate and start dialogue about sexual assault, sexual violence prevention, healthy relationships, consent, and communication. The performance contains a series of vignettes with examples of consent conversations, bystander strategies, and stories of support for both survivors and those who have perpetuated violence. The cast and crew consists of sexual violence survivors, allies, consent educators, trauma counselors, and safer sex educators. Small group discussions follow the performance, with professional support available. Contact Zauyah Waite at [zwsa@hampshire.edu](mailto:zwsa@hampshire.edu) [196] for more information.
- **Bystander Intervention Programs at Hampshire College.** Bystander intervention programs are designed to provide knowledge and skills to individuals who observe or witness a situation that could potentially perpetuate violence and teaches them how to intervene safely. This approach gives community members concrete tools to use to intervene including naming and stopping a situation, creating a distraction to disrupt a concerning interaction, calling on others for help when needed and speaking out against behaviors or actions that support rape culture. Student Life staff have been trained in multiple bystander intervention training models including Green Dot and Safe Passage: Say Something. These trainings are offered during orientation, for specific groups of student leaders, and in residence halls. The training is also available to staff and faculty. For more information, to request a training or to become involved, contact Zauyah Waite at [zwsa@hampshire.edu](mailto:zwsa@hampshire.edu) [196]

Employee Training on sexual assault, relationship violence, and harassment, and College policies and procedures, is provided to new employees as part of their orientation and current employees receive ongoing training and related education. The College is committed to maintaining an education and employment environment free from harassment and discrimination and offers regular and ongoing education and awareness programs. Contact Zauyah Waite at [zwsa@hampshire.edu](mailto:zwsa@hampshire.edu) [196] for more information.

## XIII. Related Policies

[Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Students](#) [201] located in the Student Handbook.

[Non-Discrimination and Anti-Harassment Policy and Complaint Procedures for Employees](#) [202] located in the Employee Policy Manual.

[Faculty Handbook](#). [203]

[Student Code of Conduct, Norms, and Policies](#). [107]

# Appendix A: Resource Guide and Procedures for Reports Against Hampshire College Students

## I. Introduction

Hampshire College (the “College”) is committed to maintaining a safe and non-discriminatory learning, living, and working environment for all members of the College community. The College prohibits Sexual Assault, Relationship Violence, Stalking, Sexual or Gender-Based Harassment, Complicity, and Retaliation (“Sexual Misconduct Violations”), as set forth in the Sexual Misconduct, Relationship Violence, and Stalking Policy (the “Policy”). This Appendix provides resources for counseling, support, and reporting (“Resources”) and sets forth the College’s procedures for reporting, investigating, and resolving violations of the Policy where an incident involving a student as a respondent is reported to Hampshire College (“Procedures”). These Resources and Procedures should be read in the context of the Policy and capitalized terms used in this document are defined in the Policy.

## II. College and Community Resources

### A. Emergency Medical, Law Enforcement, and Crisis-Response Resources

- **Medical Assistance:** An individual who experiences sexual assault or any other form of interpersonal violence is strongly encouraged to seek immediate medical attention at one of these locations:
  - Cooley Dickinson Hospital, 30 Locust Street, Northampton, MA 01061  
413.582.2000
  - Baystate Medical Center, 759 Chestnut Street, Springfield, MA 01199  
413.794.0000
  - University Health Services at the University of Massachusetts, 150 Infirmary Way, Amherst, MA 413.577.5000 (Visitors not affiliated with UMass will be seen on a fee for service basis only)

Each of these facilities has access to Sexual Assault Nurse Examiners (also known as “SANE Nurse”). SANE Nurses can assess injuries related to physical trauma; evaluate for sexually-transmitted infections and possible pregnancy; provide medical care (including medications to prevent infections and pregnancy); and can, within the first 72 hours after a sexual assault, administer a “forensic sexual assault examination.” During the forensic exam, the SANE Nurse documents and collects evidence of sexual contact and/or physical trauma (including injuries to the body and genitals), trace evidence, biological fluids, and identifiable DNA. When there is reason to believe that an assault may have been facilitated by the use of drugs or alcohol, the forensic exam may also include the collection of urine and blood samples

for toxicology testing. A patient who requests a SANE exam is not required to report the incident to law enforcement or the College in order to receive medical attention or a forensic exam. Patients may have a support person of their choosing present throughout the forensic exam. Students may access follow-up care at Hampshire College Health Services, or through any appropriate health care provider outside of the College. Employees may access follow-up care through any appropriate health care provider of their choice.

- For medical assistance on campus, contact:
  - Hampshire College Health Services 413.559.5458. Clinic hours are 8:30 a.m. to 5:00 p.m. weekdays. When Health Services is closed during the academic year (nights, weekends, and during vacation periods), students with emergencies may be seen at one of the locations listed above.
  - The College also has a student-run Emergency Medical Service, staffed by student EMTs, that provides emergency medical services to the Hampshire College community, and can direct students to any of the locations above, 413.559.5555.
  
- Law Enforcement: All Hampshire community members have the right to report Sexual Misconduct Violations that may constitute a crime to local law enforcement (“Police”). Police have unique legal authority to seek and execute search warrants, to collect forensic evidence that may have been left at the scene or at other relevant locations, to obtain cell phone and electronic records, and to make an arrest when supported by probable cause to believe a crime has been committed. Police are also able to provide assistance in seeking Emergency Protective Orders (see below).
  - Hampshire College Campus Safety can be reached by dialing 413.559.5424. Students seeking medical attention at Hampshire College Health Services can ask that police be called on their behalf.
  - Town of Amherst Police can be reached by dialing “911” (for emergencies) or 413.259.3000 (for non-emergencies).
  
- Crisis Resources (Support and Counseling): All Hampshire community members are urged to seek immediate emotional support after any Sexual Misconduct Violation. There are a number of resources and “hotlines” for crisis counseling, both at the College and in the local community. Some of these resources are able to maintain legally-protected confidentiality (see Section VI of the Policy). Crisis counselors can provide trauma-informed support and offer information about reporting options.
  - **Confidential** College Crisis Resources
    - These individuals may provide confidential counseling and support without disclosing the reported incident to the Title IX coordinator or other employee of the College:
      - Hampshire College Health and Counseling Services 413.559.5458
      - Hampshire College Spiritual Life Professional Staff 413.559.5282

- University of Massachusetts Health Services 413.577.5000  
(students may receive free transportation provided by Hampshire College Campus Police)
- **Confidential** Community and National Crisis Resources
  - These individuals may provide confidential counseling and support without disclosing the reported incident to the Title IX Coordinator or other employee of the College:
    - Cooley Dickinson Hospital 413.582.2000 (students may receive free transportation provided by Hampshire College Campus Police)
    - Holyoke Medical Center 413.534.2500
    - Baystate Medical Center 413.794.0000
    - Center for Women and Community at UMass 24 hour hotline 413.545.0800
    - Safe Passage Domestic Violence Program 24 hour hotline 413.586.5066 or 888.345.5282 (toll-free).
    - Rape and Incest National Network (RAINN) Hotline (800) 656-4673 <https://rainn.org/> [204]
    - Students and Employees may also visit their own health and counseling providers.
- **Private** College Support Resources: These individuals will disclose the reported incident to the Title IX coordinator, but may be able to maintain the anonymity of the person seeking assistance:
  - Emily Rimmer, director for women's and queer services, center for feminisms 413.559.5320
- Additional College Support Resources: These individuals will disclose the reported incident and all available details of the report to the Title IX coordinator, but will maintain the privacy of any resources provided:
  - Office of the dean of students, Merrill student life center, second floor, 413.559.5412
  - [Resident advisors and community facilitators](#) [205], paraprofessional residence life staff who provide student support and programming.

## B. Legal Resources

There are several resources that may help Students and Employees explore and understand their legal rights and options – both criminal and civil – following a Sexual Misconduct Violation.

- Campus Police Victim/Witness Assistance Center, located at [https://www.mtholyoke.edu/campuspolice/victim\\_assistance](https://www.mtholyoke.edu/campuspolice/victim_assistance) [206]
- Mass Legal Services <http://www.masslegalservices.org/FindLegalAid> [207]

- Mass Legal Help <http://www.masslegalhelp.org/domestic-violence> [208]
- Jane Doe Inc. [http://www.janedoe.org/find\\_help/mass\\_legal\\_help](http://www.janedoe.org/find_help/mass_legal_help) [209]
- Northwestern District Attorney's Office  
<http://northwesternda.org/victim-witness-assistance-unit> [210]

The Northwestern District Attorney's Office Domestic Violence and Sexual Assault Unit works closely with police departments, courts and social service agencies to address the serious problem of domestic violence and sexual assault through prosecution of the offenders and the development of strategies for prevention and intervention for the victims. If you are the victim of abuse and you notify the District Attorney's office, they may file charges against the Respondent. You will be assigned a victim witness advocate to keep you informed of court proceedings. You have the right to be notified of the proceedings and to submit a victim impact statement to the court at sentencing.

Complainants and Respondents may consult with an attorney or use one as a supporter during the College Resolution process. The College does not provide or arrange for attorneys.

### **C. Interim Administrative Actions, Remedial and Protective Measures**

The Title IX coordinator and deputy Title IX coordinators and the dean of students office staff can provide students with information, support, and assistance and can arrange for a broad range of remedial and protective measures. As outlined in the Policy, [interim administrative actions](#) [108], remedial and protective measures, which may be temporary or permanent, may include no contact directives, residence modifications, academic arrangements and support, work schedule or work location modifications, and other reasonable and appropriate measures. Complainants are entitled to receive information, assistance, and a broad range of support and remedial measures regardless of whether they choose to pursue criminal and/or College disciplinary resolution of a sexual misconduct violation. For more information about such measures, please see the Remedial and Protective Measures section of the Sexual Misconduct, Relationship Violence, and Stalking Policy or contact the College's Title IX coordinator.

## **III. Reporting Sexual Misconduct Violations**

The College encourages anyone who experiences or becomes aware of a sexual misconduct violation to make an immediate report. There are multiple channels for reporting sexual misconduct violations. A complainant may choose to report a sexual misconduct violation to the College for resolution under these procedures, to law enforcement for potential criminal prosecution, to both, or to neither. Complainants may simultaneously pursue criminal and College disciplinary action. The College will support complainants in understanding and assessing their reporting options.

### **A. Reporting to the College**

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex

discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX coordinator, or by any other means that results in the Title IX coordinator receiving the person's verbal or written report. Please go to the Interim Title IX Grievance Policy, [Reporting Sexual Harassment page](#) [211] for details.

## **B. Reporting to the Police**

A complainant has the right to notify police or decline to notify police. Anyone may contact the police directly (see Section II.A.2., above). Alternatively, College community members may seek assistance in notifying police from the dean of students. The dean of students office can assist in setting up an initial meeting with police and can accompany students to that meeting. Filing a police report does not obligate an individual to participate in any subsequent criminal proceedings. A complainant who wishes to pursue criminal action in addition to, or instead of, making a report under these procedures should contact law enforcement directly:

- Hampshire College Campus Safety can be reached by dialing “5555” (for emergencies) or 413.559.5424 (for non-emergencies). Students seeking medical attention at Hampshire College Health Services can ask that police be called on their behalf.
- Town of Amherst Police can be reached by dialing “911” (for emergencies) or 413.259.3000 (for non-emergencies).

## **C. Preservation of Evidence**

The College recognizes that making the decision to report a sexual misconduct violation often takes time. Nevertheless, pending the decision to report, a complainant is strongly encouraged to take immediate steps to preserve all evidence that might support a future report of a sexual misconduct violation, a protective order, or an investigation by the police, by the College, or both. Such evidence may include:

- A forensic sexual assault examination (within 72 hours);
- Any clothing, sheets or other materials (items containing bodily fluids should be stored in cardboard boxes or paper bags);
- Electronic exchanges (e.g., text messages, emails, and Facebook, Instagram, Snapchat or other social media posts, to the extent that they can be captured or preserved);
- Photographs (including photographs stored on smartphones and other devices); and
- Voice-mail messages and other physical, documentary and/or electronic data that might be helpful or relevant in an investigation.

Electronic and photographic evidence may be lost through the upgrade or replacement of equipment (including smartphones), software and/or accounts or may simply be lost to the passage of time or damage to devices.

## **D. Seeking a Protective Order**

Where a sexual misconduct violation is reported to the police, it may be possible to obtain a court-ordered [Protective Order](#) [212]. These [Protective Orders](#) [212] may be issued if the judge or magistrate believes that there is an immediate threat to health or safety.

“[Protective Orders](#) [212]” are separate and distinct from “No-Contact Directives” (described in Section VII.A. of the Policy). Protective Orders may be obtained only from a court of law and are enforceable anywhere in the United States; their violation may result in criminal charges.

In contrast, No-Contact Directives may be obtained from the Title IX coordinator and are enforceable through the College. The Title IX coordinator or deputy Title IX coordinators can explain the process for seeking a Protective Order and can escort a complainant to the appropriate office in order to initiate a petition seeking a Protective Order.

## IV. Initial Response and Title IX Assessment

When a complainant or witness reports a sexual misconduct violation, the College will take immediate and appropriate steps to investigate or otherwise determine what happened and work to resolve the matter promptly and equitably. The first step in this process is called an initial assessment.

### A. Initial Assessment

Upon receipt of a report, the Title IX coordinator or deputy Title IX coordinator will conduct an initial assessment. As part of the initial assessment, the Title IX coordinator or deputy Title IX coordinator will:

- Assess the complainant’s safety and well-being and offer the College’s immediate support and assistance;
- Provide the complainant with written information about on-campus and off-campus resources and the range of appropriate and available interim measures based on the status of the complainant;
- Inform the complainant of the right to seek medical treatment, and explain the importance of obtaining and preserving forensic and other evidence;
- Inform the complainant of the right to contact law enforcement, decline to contact law enforcement, and/or seek a protective order;
- Inform the complainant of the right to seek alternative resolution (where available) or formal resolution under these procedures, discuss the complainant’s expressed preference for the manner of resolution and discuss any concerns or barriers to participating in any College investigation and resolution under these procedures;
- Explain the College’s prohibition against retaliation and that the College will take prompt action in response to any act of retaliation;
- Assess the nature and circumstances of the report;
- Ascertain the ages of the complainant and respondent, if known, and, if either of the parties is a minor (under 18), contact the appropriate child protective services agency; and

- Assess whether the report triggers any Clery Act obligations, including entry of the report in the daily crime log and/or issuance of a timely warning, and take steps to meet those obligations.

Typically, the College will seek to complete an initial assessment within five (5) business days. There may be circumstances, however, where the initial assessment takes longer based on the availability of the complainant or other necessary information, a complainant's request to maintain privacy or not seek disciplinary action, or other factors outside of the College's control. The College understands that a complainant may engage in delayed decision-making, which may impact the timing of the conclusion of the initial assessment.

### **B. Requests to Maintain Privacy, Not Seek Disciplinary Action and/or Request Not to Participate in the Investigation**

Where a complainant requests that personally identifying information not be shared with the respondent, that no investigation into a particular incident be conducted and/or that no disciplinary action taken, the College will balance that request against the College's obligation to provide a safe, non-discriminatory learning, living and working environment for all community members, including the complainant. This request may occur at any point after the report is made.

The Title IX coordinator or deputy Title IX coordinator will evaluate the complainant's request. When considering whether to honor a complainant's request that no personally identifying information be shared with the Respondent or that no Investigation or disciplinary action be pursued, the College will consider the totality of the circumstances, including:

- The impact of moving forward on the complainant's well-being; the increased risk that the respondent will commit additional acts of sexual or other violence, taking into consideration, among other matters, any known history of arrests, violence, or other reports of sexual misconduct violation involving the respondent, any threats of future violence made by the respondent, and whether multiple perpetrators were involved in the reported incident;
- Whether the sexual misconduct violation was perpetrated with the use or threat of use of a weapon or involved physical violence or threat of physical violence;
- Whether the report reveals a pattern of sexual misconduct violations;
- Whether the complainant is or at the time was a minor; and
- Whether the sexual misconduct violation occurred while the complainant was unconscious, physically helpless or unaware that the sexual misconduct violations was occurring;
- Whether the sexual misconduct violation was facilitated through the use of a "date rape" or similar drugs or intoxicants;
- Whether the College is able as a practical matter to pursue the investigation without the participation of the complainant (e.g., whether there has been other relevant evidence of the Violation such as admission by the respondent, security cameras, other witnesses, or physical evidence); and/or
- Whether other aggravating circumstances exist.



Where possible based on the facts and circumstances, the College will seek action consistent with the complainant's request to maintain privacy and/or not conduct further Investigation or disciplinary action. If the College is able to honor the request, the College's ability to meaningfully investigate and respond to a report may be limited. The College may only be able to respond in more general ways, such as providing targeted training or prevention programs or offering reasonably available remedial measures to the complainant.

At any time, the complainant who has initially requested to maintain privacy or declined to participate in an Investigation may choose to pursue alternative or formal resolution where available. The College may also reopen and pursue a report where new or additional information becomes available.

There are times when the College may not be able to honor a complainant's request in order to provide a safe, non-discriminatory environment for the College community. Where the balance of factors requires that further investigation be conducted, that disciplinary action be taken, or that the identity of the complainant be disclosed, the College will inform the complainant of its intent to investigate prior to commencing the investigation and/or of its intent to disclose the identity of the complainant. In such cases, the College will make reasonable efforts to protect the privacy of the complainant consistent with the needs of the Investigation and resolution of the matter, and will, to the extent possible, only share information with people responsible for handling the College's response; however an investigation normally involves speaking with the respondent and others who may have relevant information about the incident and disclosing the identity of the complainant may be necessary in those conversations.

The College will take ongoing steps to protect the complainant from retaliation or harm and assist the complainant in accessing support and safety services regardless of their level of participation or engagement with these procedures.

Because the College is under a continuing obligation to address sexual and gender-based harassment and violence campus-wide, reports of sexual misconduct violations (including reports that do not include personally-identifiable information) will also prompt the College to consider broader remedial action, such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

### **C. Determination after Assessment**

These procedures offer two forms of resolution for reports of sexual misconduct violations: (1) formal resolution, which involves investigation, and review and sanction (if applicable) by an adjudicator as described below; and (2) alternative resolution as described below, which includes a variety of informal options for resolving reports.

After the initial assessment, the Title IX coordinator will determine whether the circumstances warrant proceeding to an investigation. The Title IX coordinator may consult with other College administrators or legal counsel. The determination as to how to proceed will be communicated to

the complainant in writing. Depending on the circumstances and requested resolution, the Respondent may or may not be notified of the report or resolution. A respondent will be notified when the College takes action that would impact a Respondent, such as protective measures that restrict the respondent's movement on campus, the initiation of an Investigation, or the decision to seek to involve the respondent in alternative resolution, investigation, or other disciplinary process. Notice to the respondent will include a written explanation of all available resources and options. The respondent will also be offered the opportunity to meet to discuss those resources and options. The College will also provide the respondent an opportunity to respond to such actions.

Following this initial assessment, during an Investigation, or at any point in the disciplinary process, Hampshire College may seek an alternative resolution that, as appropriate, endeavors to prevent future sexual misconduct violations and addresses their effects without conducting or concluding, as applicable, a formal disciplinary process against a respondent. Alternatively, if appropriate, the College may pursue an Investigation and disciplinary process.

## **V. Formal Resolution**

Formal Resolution is commenced when:

- A Complainant reports that a Student has engaged in one or more Sexual Misconduct Violations and requests, at any time, an investigation; or
- Alternative Resolution does not resolve a reported Sexual Misconduct Violation and, in the Title IX Coordinator's discretion, an investigation of the report of the Sexual Misconduct Violation is required; or
- At the conclusion of the assessment process described in Section IV of these Procedures, the Title IX Coordinator has determined, based upon a review of the totality of the circumstances, that investigation of the reported conduct is necessary to ensure the health and safety of the Complainant and/or other members of the College community, notwithstanding the Complainant's request that personally identifying information not be shared with the Respondent, that no investigation be pursued, and/or that no disciplinary action be taken.

### **A. Investigation**

Whenever Formal Resolution is commenced, Investigation will proceed as follows:

1. As a first step, the Title IX Coordinator or Deputy Coordinator will meet with the Complainant and Respondent, separately, to describe the process and resources available. Both the Complainant and the Respondent will be notified in writing (via email) of the nature of the complaint, a summary of the allegations in the complaint and the potential violations at issue. This notice of investigation will typically be provided within five (5) business days after the conclusion of the initial assessment.

2. The Title IX Coordinator or Deputy Coordinator will assign an investigator to conduct a prompt, thorough, fair, and impartial investigation of the report. Any individual designated as an investigator will receive annual training under Title IX and VAWA. The Investigator may consult with the Title IX Coordinator, Deputy Coordinators, or others during the Investigation as necessary. Both parties will be provided with the name of the assigned investigator. The Complainant and Respondent should inform the College of any actual bias or conflicts of interest in the choice of investigator.
3. During the Investigation, the Complainant and Respondent will have an equal opportunity to be heard, to submit information and corroborating evidence, and to identify witnesses who may have relevant information. The investigator will notify and seek to meet with all involved parties separately (e.g., the Complainant, the Respondent, and identified witnesses) and also will gather other evidence and information relevant to the determination as to whether or not a Policy violation has occurred. Witnesses must have information deemed relevant to the Investigation, as determined by the investigator, and cannot be participating solely to speak about an individual's character.
4. Medical and counseling records of a Complainant and Respondent are privileged confidential records that individuals are not required to disclose. However, these records may contain relevant and material information and a party may voluntarily choose to share such records with the investigator. Any records provided by a party become part of the file and are available to review by the other party.
5. Where there is evidence of a pattern of similar conduct by the Respondent or of violent acts or other related conduct, either before or after the conduct in question, regardless of whether there has been a prior finding of a Policy violation, this information may be deemed relevant to the determination of a Policy violation and/or in assigning a sanction. The determination of relevance will be based on an assessment of whether the previous or subsequent incident was substantially similar to the conduct cited in the report, indicates a pattern of behavior and substantial conformity with that pattern, or is otherwise associated with the conduct cited in the report. Prior or subsequent conduct of the Respondent also may be admissible to prove intent, motive, or absence of mistake.
6. A Complainant's prior sexual history will never be considered as evidence of a person's reputation or character. Moreover, evidence related to prior sexual history is generally not relevant to the determination of a Policy violation and will be considered only in limited circumstances. For example, where there is a current or ongoing relationship between the Complainant and the Respondent, and the Respondent alleges that consent was given, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. As noted in the Policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. In addition, prior sexual history may be relevant to explain the presence of a physical injury or to help resolve another questions raised by the report.
7. The investigator has the discretion to determine the relevance of any evidence and may determine that certain types of evidence should be included or excluded in the determination of responsibility. In the absence of good cause, information discoverable through the exercise of due diligence that is not provided to the investigator during the interview stage will not be considered at a hearing. The investigator will communicate to the parties a deadline for submitting evidence.

8. Throughout the process, the Complainant and Respondent have the right to be accompanied by an advisor of their choice (referred to in this policy as a “supporter”). The supporter may be invited by the Complainant or Respondent to attend meetings, investigation interviews, and the hearing, and must follow the guidelines for supporters located in the Student Handbook (see <https://handbook.hampshire.edu/node/208> [213]). The supporter may be any person, including an attorney, who is not otherwise a party or witness to the reported incident(s). While the supporter may be present, the supporter may not speak on behalf of a party, nor be disruptive to the meetings.
9. At the conclusion of the Investigation, the investigator will prepare an investigation report that summarizes the information gathered, outlines the contested and uncontested information, and includes a threshold determination as to whether the allegations, if proven, would provide sufficient information to establish a violation of the Policy by a preponderance of the evidence. A threshold determination does not involve findings of fact or determinations of credibility. This report will include any other related and available documents such as campus police reports, statements, and other relevant materials. The investigator has the discretion to determine the relevance of any evidence and may determine that certain types of evidence should be included or excluded in the investigation report.
10. Both the Complainant and the Respondent will be given the opportunity to review the investigation report, identify any additional information or witnesses, and provide feedback or comment to the report.
11. The Director of Student Rights and Responsibilities (“Director”) will designate a reasonable time for review and response. Upon receipt of any additional information or comments, the investigator will issue a final investigation report.
  1. If the investigator determines that the threshold has been reached (i.e., that the allegations, if proven, would provide sufficient information to establish a violation of the Policy), the report will be submitted to the Director or their designee, who will convene a hearing as described below in Section V.B.
  2. If the investigator determines that the threshold has not been reached (i.e., that the allegations, if proven, would not provide sufficient information to establish a violation of the Policy), a copy of the report will be provided to the Director. The Director will provide the Complainant and the Respondent an opportunity to review the report. The Complainant may request that the Director or their designee (the “Reviewer”) conduct an Administrative Review of the finding by making a written request for review within five (5) business days. The Reviewer may affirm the threshold finding, reverse the finding, or remand the matter for additional investigation as warranted. The Reviewer will render a decision in writing, to both parties, within ten (10) business days of receipt of the request for review. The decision of the Reviewer is final.
12. Typically, the period from notice of an investigation through resolution (finding and sanction, if any) will not exceed sixty (60) calendar days. This time frame may be extended for good cause as necessary to ensure the integrity and completeness of the Investigation, to comply with a request by external law enforcement, to accommodate the availability of witnesses, to account for Hampshire College breaks or vacations, and to account for complexities of a case. Any extension of the time frame for resolution, and the reason for the extension, will be communicated to the parties in writing.

13. At the request of law enforcement, the College may agree to defer its Title IX Investigation until after the initial stages of a criminal investigation. The College will nevertheless communicate with the Complainant regarding the availability of remedial and protective measures and available courses of action under the Policy and these Procedures. Hampshire College will promptly resume its Title IX Investigation as soon as it is notified by law enforcement of the completion of its initial fact-gathering.
14. The College expects all members of the College community to cooperate fully with an Investigation under these Procedures. It is understood that there may be circumstances in which a Complainant or Respondent wishes to limit their participation, and the College will respect the choice of the Complainant or Respondent as to how to engage in proceedings under these procedures. The College may, however, move forward with an Investigation and disciplinary action without the participation of a party or parties. The College will not draw any adverse inference from a party's decision not to participate in the Investigation or any form of resolution under this policy; however, the Complainant or Respondent should be aware that declining to participate in the Investigation may impact the timing and outcome of the case.

## **B. Hearing**

The Hearing and Appeal process consists of: (1) Pre-Hearing Steps; (2) a Hearing; and (3) a Determination of Violation and Sanctions.

### **1. Pre-Hearing Steps**

1. The Director or their designee will receive and review the investigation report. The Director may accept the report as rendered or may request that an investigator (1) conduct additional interviews or (2) seek out other evidence as deemed to be appropriate. The Director may consult with the Title IX Coordinator as needed. Any additional Investigation, and a supplemental report, will be completed within seven (7) business days. This time period may be extended for good cause at the discretion of the Director.
2. Convening of Hearing Panel: The hearing will be adjudicated by a three-person panel of Hampshire College faculty and/or staff selected by the Director, which may include faculty or staff members trained to serve on the Community Review Board ("CRB"). (The three-person panel is referred to here collectively as the "Adjudicator".) All persons serving as an Adjudicator must receive training under Title IX and VAWA and must also be impartial and free from actual bias or conflict of interest. The Complainant and Respondent will be notified of the composition of panelists and must advise the College of any actual bias or conflicts of interest. Panelists may also recuse themselves. The College may make alternative arrangements in Adjudicator assignment as appropriate.
3. Notice of Hearing: The Complainant and Respondent will be notified in writing of the date, time, and location of the hearing as well as the specific charges to be reviewed by the Adjudicator. In general, the hearing will be scheduled within ten (10) business days of the date of the Notice of Hearing. This time frame may be extended for good cause at the discretion of the Director. Good cause may include the availability of the parties, the timing of semester breaks, or any other extenuating circumstances.

4. Pre-Hearing Review of Documents: The Complainant and Respondent will each have the opportunity to review the final Investigation report, including any supplemental report, and any relevant documents that will be provided to the Adjudicator. The Adjudicator will be provided with the same set of materials before the hearing. Either party may also submit to the Adjudicator at least one (1) business day in advance of the hearing a statement outlining the impact it has had on them and what they would like to see in terms of sanctioning outcomes if the Adjudicator finds a violation did occur and sanctions are warranted.
5. Request to Postpone Hearing: Permission to postpone a hearing may be granted provided that the request to do so is based on a compelling emergency and where possible is provided to the Director at least 36 hours prior to the time of the hearing.

## **2. Hearing**

1. Timing: Typically a hearing will be held within fifty-five (55) calendar days from the date of the initiation of the Investigation. This timeframe may be extended for good cause as necessary to ensure the integrity and completeness of the Investigation, to comply with a request by external law enforcement, to accommodate the availability of witnesses during the investigation phase, to account for Hampshire College breaks or vacations, to account for complexities of a case, including the number of witnesses and volume of information provided by the parties, or to address other legitimate reasons. Any extension of this timeframe, and the reason for the extension, will be shared with the parties in writing.
2. Hearing Guidelines: At any hearing under these Procedures, the following guidelines below will apply:
  - Supporters: Both the Complainant and Respondent have the right to be accompanied at the hearing and any meetings by a supporter of their choice who is not otherwise a party or witness involved in the Investigation. While the supporter may be present, the supporter may not speak on behalf of a party, may not address the Adjudicator or pose questions, and must not be disruptive to the hearing.
  - Presence at Hearing: The parties are not required to participate in person at the hearing in order for the hearing to proceed, but are strongly encouraged to participate. A Complainant or Respondent may request alternative options that do not require physical proximity to the other party, including appearing in person at different times at the hearing or appearing via a remote electronic method. This request should be made no less than five (5) business days prior to the hearing. If, despite being notified of the date, time, and location of the hearing, the Respondent or Complainant is not in attendance, the hearing may proceed and the adjudicator may determine outcomes, including sanctions. In doing so, the Adjudicator will consider the available evidence. In the absence of clear evidence that emergency circumstances beyond the control of the Complainant or Respondent prevented such person from being present, the decision of the Adjudicator will stand.

- Questioning: The Complainant and Respondent will not be permitted to directly question one another, but will be allowed to propose questions to the Adjudicator who will screen the questions for appropriateness and relevance, in consultation with the Director.
- Hearing Format: The Hearing is an opportunity for the parties to address the Adjudicator about any information in the Investigation Report and any impact and mitigation statements. Each party has the opportunity to be heard, to identify issues or information for the Adjudicator's consideration, and to respond to any questions of the Adjudicator. A typical hearing may include information presented by the investigator, with follow-up questions by the Adjudicator of the investigator; brief remarks by the Complainant and/or Respondent, with follow-up questions posed by the Adjudicator; and brief concluding remarks by the Complainant and/or Respondent. Absent compelling circumstances, it is not anticipated that witnesses will appear at the Hearing. The Director has the discretion to determine the specific hearing format.

### **3. Determination of Violation and Sanctions; Notice of Outcome**

At the conclusion of the hearing, the Adjudicator will determine whether there is sufficient information, by a preponderance of the evidence, to support a finding of responsibility for a violation of the Policy. After consulting with the Director or their designee, the Adjudicator will (1) determine if there is a violation and (2) if so, the Adjudicator will determine the appropriate sanction(s). Prior to making their decision final the Adjudicator's determinations of responsibility and sanctions may be reviewed by the Title IX Coordinator and/or a Deputy Coordinator to advise the Adjudicator with regard to consistency and proportionality in sanctions and sufficient action to eliminate the Sexual Misconduct Violation, prevent its recurrence and remedy its effects.

In determining the appropriate sanction(s), the Adjudicator will consider a number of factors, including:

- The nature of the conduct at issue, including whether it involved violence;
- The impact of the conduct on the Complainant;
- The impact or implications of the conduct on the Hampshire College community;
- Any previous misconduct by the Respondent, at Hampshire College or elsewhere;
- Whether the Respondent has accepted responsibility for the conduct;
- Maintenance of a safe and respectful environment conducive to learning; and
- Any other mitigating, aggravating, or compelling circumstances to reach a just and appropriate resolution in each case.

The Adjudicator may also consider restorative outcomes that, taking into account the safety of the Hampshire College community as a whole, allow a Respondent to develop insight about their responsibility for the behavior, learn about the impact of the behavior on the Complainant and the community, and may impose a combination of sanctions.

The potential sanctions for a violation of the Policy, as set forth in the Outcomes and Sanctions set forth in Code of Conduct, could include: Deferred Sanction Statuses, Disciplinary Probation, Removal from Campus Housing, Housing Relocation, Housing Lottery Restriction, No Contact Order, Restitution, Suspension, and Expulsion. Any Student found responsible for Sexual Assault involving Sexual Intercourse will face a minimum sanction of suspension or expulsion.

Notification of Outcome: The Complainant and Respondent will be notified simultaneously in writing with an Outcome Letter (which may include email) within five (5) business days following the hearing. The Outcome Letter will set forth the violation(s) of the Policy for which the Respondent was found responsible or not responsible; the rationale for the finding; any sanction(s) imposed against the Respondent; and the rationale for any sanction(s) imposed. The Outcome Letter may also identify protective measures implemented with respect to the Respondent. The Outcome Letter will not disclose any remedial measures provided to the Complainant. In order to protect the privacy of the parties, the College will make reasonable efforts to maintain confidentiality of the Outcome Letter and materials related to the investigation, subject to release by court order, search warrant or subpoena.

### **C. Appeal**

The Complainant or Respondent may appeal the determination by submitting a written appeal within five (5) business days of the date of the Outcome Letter to a senior administrator designated in the Outcome Letter. The designated senior administrator will have appropriate training and experience and will serve as an impartial decision-maker. The written appeal must include the specific grounds for the appeal and any information or argument in support of the appeal. Grounds for an appeal are limited to (1) a material procedural error that substantially impacted the outcome, (2) previously unavailable relevant evidence that could affect the outcome; and/or (3) the sanction being substantially disproportionate to the violation.

The senior administrator will make a determination based on the written record. Appeals are not intended to be a de novo review, i.e., they are not intended to be a review from the beginning. The senior administrator can: 1) affirm the findings, or 2) alter the findings only where there is clear error based on the stated appeal grounds. The senior administrator will make a final decision within ten (10) business days of receiving the appeal. This timeframe may be extended for good cause as necessary to ensure the integrity and completeness of the review. Any extension of the timeframe, and the reason for the extension, will be shared with the parties in writing.

### **D. Effect of a Pending Complaint on a Respondent**

If the Respondent withdraws from Hampshire College after a report of a Sexual Misconduct Violation has been received, the College's Appendix A Procedures will continue to apply to the extent necessary to ensure that the College has taken appropriate steps to eliminate, prevent and address any impacts of the reported conduct. The College will complete the Initial Assessment, and based on the circumstances, the College may move forward with Alternative Resolution or an Investigation and Formal Resolution, regardless of whether the Respondent chooses to participate in the process. In making the determination whether to pursue further action under



these Procedures after a Respondent has withdrawn from the institution, the College will consider whether such action is necessary to eliminate, prevent or address any impacts of the reported conduct, or if those goals can be achieved through individual and community remedies or other College action.

When a Respondent withdraws after notice that a Sexual Misconduct Violation has been reported to the College, the Respondent's transcript may reflect a withdrawal. The College may also withhold a Respondent's Hampshire College degree and transcripts pending conclusion of the Formal Resolution procedures and pending the fulfillment of any deferred sanction statuses or disciplinary sanctions.

## **VI. Alternative Resolution**

A Complainant may seek Alternative Resolution instead of an investigation and Formal Resolution. The Title IX Coordinator, however, has the discretion to determine whether the nature of the reported conduct is appropriate for Alternative Resolution, to determine the type of Alternative Resolution that may be appropriate in a specific case, and, pursuant to Section V of these Procedures, to refer a report for Formal Resolution at any time. Forms of Alternative Resolution that involve face-to-face meetings between the Complainant and the Respondent, such as mediation (even if voluntary), are not available in cases involving Sexual Assault.

Participation in Alternative Resolution (including any specific form of Alternative Resolution) is voluntary. The College will not compel a Complainant or Respondent to engage in Alternative Resolution, will not compel a Complainant to directly confront the Respondent, and will allow a Complainant or Respondent to withdraw from Alternative Resolution at any time. The College may decline the request for Alternative Resolution in any particular case and may stop an ongoing Alternative Resolution process at any time. Pursuing Alternative Resolution does not preclude later use of Formal Resolution if the Alternative Resolution fails to achieve a resolution acceptable to the parties and the College. Where the Complainant or the Respondent withdraws from Alternative Resolution or Alternative Resolution is otherwise terminated for any reason, any statements or disclosures made by the parties during the course of the Alternative Resolution may be considered in a subsequent investigation and Formal Resolution.

With any form of Alternative Resolution, each party has the right to choose and consult with a supporter. The supporter may be any person, including an attorney, who is not otherwise a party or witness to the reported incident(s). The parties may be accompanied by their respective supporters at any meeting or proceeding held as part of Alternative Resolution. While the supporters may provide support and advice to the parties at any meeting and/or proceeding, they may not speak on behalf of the parties, or in any manner disrupt, such meetings and/or proceedings.

Alternative Resolution may include:

Resolution with the Assistance of a Third Party: A Complainant may seek assistance in informally resolving a reported Sexual Misconduct Violation from the Title IX Coordinator, who can arrange to have a trained representative facilitate a meeting or meetings between the parties. The availability of this form of Alternative Resolution, and any resolution reached through such form of Alternative Resolution, is subject to the agreement of the Title IX Coordinator, the Complainant and the Respondent. This form of Alternative Resolution may not be used where the allegation involves Sexual Assault.

Interventions and Remedies: Alternative Resolution agreements may involve a host of interventions, remedial measures and remedies, such as actions designed to maximize the Complainant's access to educational, extracurricular, and/or College employment activities; increased monitoring, supervision, and/or security at locations or activities where the Sexual Misconduct Violation occurred or is likely to reoccur; targeted or broad-based educational programming or training for relevant individuals or groups; academic and/or College housing modifications for Student Complainants; workplace modifications for Employee Complainants; one or more of the restorative remedies or other sanctions described in these Procedures; and/or any other remedial or protective measures that can be tailored to the involved individuals to achieve the goals of the Policy.

Any form of Alternative Resolution and any combination of interventions and remedies may be utilized. If an agreement acceptable to the College, the Complainant, and the Respondent is reached through Alternative Resolution, the terms of the agreement are implemented and the matter is resolved and closed. If an agreement is not reached, and the Title IX Coordinator determines that further action is necessary, or if a Respondent fails to comply with the terms of the Alternative Resolution, the matter may be referred for an investigation and Formal Resolution under these Procedures.

The Title IX Coordinator will maintain records of all reports and conduct referred for Alternative Resolution, which typically will be completed within forty-five (45) calendar days.

## **VII. Records**

The College shall retain all records relating to reported Sexual Harassment Violations for a period of seven (7) years after the date the report was received, or for at least three (3) years after termination of employment, whichever is later.

# **Appendix B: Resource Guide and Procedures for Reports Against Hampshire College Employees 1**

1 In some instances, these procedures may be used to investigate and respond to reports against Third Party Respondents when the College has sufficient disciplinary authority over the

Respondent. Based on the contractual relationship between the College and the Third Party Respondent, the College may modify these procedures as appropriate with written notice to the Complainant and Respondent.

## I. Introduction

Hampshire College (the “College”) is committed to maintaining a safe and non-discriminatory learning, living, and working environment for all members of the College community. The College prohibits Sexual Assault, Relationship Violence, Stalking, Sexual or Gender-Based Harassment, Complicity, and Retaliation (“Sexual Misconduct Violations”), as set forth in the Sexual Misconduct, Relationship Violence, and Stalking Policy (the “Policy”). This Appendix provides resources for counseling, support, and reporting (“Resources”) and sets forth the College’s procedures for reporting, investigating, and resolving violations of the Policy where an incident involving an Employee as a Respondent is reported to Hampshire College (“Procedures”). The procedures in Appendix B may also be used to investigate and resolve violations of Policy involving a Third Party as a Respondent, depending on the nature of the relationship of the Third Party to the College, as determined by the Title IX Coordinator (See Policy Section III.E.). These Resources and Procedures should be read in the context of the Policy and capitalized terms used in this document are defined in the Policy.

## II. College and Community Resources

### A. Emergency Medical, Law Enforcement, and Crisis-Response Resources

**Medical Assistance:** An individual who experiences sexual assault or any other form of interpersonal violence is strongly encouraged to seek immediate medical attention at one of these locations:

- Cooley Dickinson Hospital, 30 Locust Street, Northampton, MA 01061 413.582.2000.
- Baystate Medical Center, 759 Chestnut Street, Springfield, MA 01199 413.794.0000.
- University Health Services at the University of Massachusetts, 150 Infirmery Way, Amherst, MA 413.577.5000 (Visitors not affiliated with University of Massachusetts will be seen on a fee for service basis only).

Each of these facilities has access to Sexual Assault Nurse Examiners (also known as “SANE Nurse”). SANE Nurses can assess injuries related to physical trauma; evaluate for sexually-transmitted infections and possible pregnancy; provide medical care (including medications to prevent infections and pregnancy); and can, within the first 72 hours after a sexual assault, administer a “forensic sexual assault examination.” During the forensic exam, the SANE Nurse documents and collects evidence of sexual contact and/or physical trauma (including injuries to the body and genitals), trace evidence, biological fluids, and identifiable DNA. When there is reason to believe that an assault may have been facilitated by the use of drugs or alcohol, the forensic exam may also include the collection of urine and blood samples for toxicology testing. A patient who requests a SANE exam is not required to report the incident

to law enforcement or the College in order to receive medical attention or a forensic exam. Patients may have a support person of their choosing present throughout the forensic exam. Students may access follow-up care at Hampshire College Health Services, or through any appropriate health care provider outside of the College. Employees and Third Parties may access follow-up care through any appropriate health care provider of their choice.

**Law Enforcement:** All Hampshire community members have the right to report any Sexual Misconduct Violations that may constitute a crime to law enforcement (“Police”). Police have unique legal authority to seek and execute search warrants, to collect forensic evidence that may have been left at the scene or at other relevant locations, to obtain cell phone and electronic records, and to make an arrest when supported by probable cause to believe a crime has been committed. Police are also able to provide assistance in seeking Emergency Protective Orders (see below).

- Hampshire College Campus Safety can be reached by calling “5555” (for emergencies) or 413.559.5424 (for non-emergencies). Students seeking medical attention at Hampshire College Health Services can ask that Police be called on their behalf.
- Town of Amherst Police can be reached by dialing “911” (for emergencies) or 413.259.3000 (for non-emergencies).

**Crisis Resources (Support and Counseling):** All Hampshire community members are urged to seek immediate emotional support after any Sexual Misconduct Violation. There are a number of resources and “hotlines” for crisis counseling, both at the College and in the local community. Some of these resources are able to maintain legally-protected confidentiality (see Section VI of the Policy). Crisis counselors can provide trauma-informed support and offer information about reporting options.

- **Confidential College Crisis Resources**
  - These individuals may provide confidential counseling and support without disclosing the reported incident to the Title IX coordinator or other employee of the College:
    - Employee Assistance Program (EAP) offered through E4Health 800.828.6025.
    - Center for Women and Community at UMass 24 hour hotline 413.545.0800.
    - University of Massachusetts Health Services 413.577.5000 (Visitors not affiliated with the University of Massachusetts will be seen on a fee for service basis only).
- **Confidential Community and National Crisis Resources**
  - These individuals may provide confidential counseling and support without disclosing the reported incident to the Title IX Coordinator or other employee of the College:
    - Cooley Dickinson Hospital 413.582.2000 (students may receive free transportation provided by Hampshire College Campus Police).

- Holyoke Medical Center 413.534.2500.
- Baystate Medical Center 413.794.0000.
- Center for Women and Community at UMass 24 hour hotline 413.545.0800.
- Safe Passage Domestic Violence Program 24 hour hotline 413.586.5066 or 888.345.5282 (toll-free).
- Rape and Incest National Network (RAINN) Hotline 800.656.4673 <https://rainn.org/> [204].
- Student and Employees may also visit their own health and counseling providers.
- **Private** College Support Resources:
  - These individuals will disclose the reported incident to the Title IX coordinator, but may be able to maintain the anonymity of the person seeking assistance:
    - Emily Rimmer, director for women's and queer services, Center for Feminisms, 413.559.5320.
- **Additional** College Support Resources:
  - These individuals will disclose the reported incident and all available details of the report to the Title IX coordinator, but will maintain the privacy of any resources provided:
    - Jake Toomey, director of human resources, Blair Hall, first floor, 413.559.5605.

## B. Legal Resources

There are several resources that may help Students and Employees explore and understand their legal rights and options – both criminal and civil – following a Sexual Misconduct Violation.

- [Campus Police Victim/Witness Assistance Center](#) [206].
- [Massachusetts Legal Services](#) [207].
- [Massachusetts Legal Help](#) [208].
- [Jane Doe Inc.](#) [209]
- [Northwestern District Attorney's Office.](#) [210]

The Northwestern District Attorney's Office Domestic Violence and Sexual Assault Unit works closely with police departments, courts and social service agencies to address the serious problem of domestic violence and sexual assault through prosecution of the offenders and the development of strategies for prevention and intervention for the victims. If you are the victim of abuse and you notify the District Attorney's office, they may file charges against the Respondent. You will be assigned a victim witness advocate to keep you informed of court proceedings. You have the right to be notified of the proceedings and to submit a victim impact statement to the court at sentencing.

Complainants and Respondents may consult with an attorney or use one as a supporter during the College Resolution process. The College does not provide or arrange for attorneys.

### **C. Interim Administrative Actions, Remedial and Protective Measures**

The Title IX coordinators and deputy Title IX coordinators can provide Employees with information, support, and assistance and can arrange for a broad range of remedial and protective measures. As outlined in the Policy, [interim administrative actions](#) [108] and protective measures, which may be temporary or permanent, may include no contact directives, residence modifications, academic arrangements and support, work schedule or work location modifications, and other reasonable and appropriate measures. Complainants are entitled to receive information, assistance, and a broad range of support and remedial measures regardless of whether they choose to pursue criminal and/or College disciplinary resolution of a Sexual Misconduct Violation. For more information about such measures, please see the Remedial and Protective Measures section of the Sexual Misconduct, Relationship Violence, and Stalking Policy or contact the College's Title IX coordinator.

## **III. Reporting Sexual Misconduct Violations**

The College encourages anyone who experiences or becomes aware of a Sexual Misconduct Violation to make an immediate report. There are multiple channels for reporting a Sexual Misconduct Violation. A Complainant may choose to report a Sexual Misconduct Violation to the College for Resolution under these Procedures, to law enforcement for potential criminal prosecution, to both, or to neither. Complainants may simultaneously pursue criminal and College disciplinary action. The College will support Complainants in understanding and assessing their reporting options.

### **A. Reporting to the College**

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX coordinator, or by any other means that results in the Title IX coordinator receiving the person's verbal or written report. Please go to the Interim Title IX Grievance Policy, [Reporting Sexual Harassment page for details](#) [211].

Employees should be aware that every employee, including supervisors, managers, and human resources professionals are "Responsible Employees" who are required to report to the Title IX Coordinator all relevant details about a Sexual Misconduct Violation. A Responsible Employee is any College Employee; this includes RAs, TAs, EMTs, and other student employees; who is not a Confidential Employee or Private Employee. This is discussed in detail in Section VI. B. of the Policy.

Upon receipt of a report of a Sexual Misconduct Violation, the College will conduct an initial assessment and take any immediate action that may be necessary to protect the health and safety of the Complainant and the College community, as described in the Procedures below.

The College also offers access to confidential resources for individuals who are unsure about whether to report a Sexual Misconduct Violation or are seeking counseling or other emotional support in addition to (or without) making a report to the College. Section II above identifies confidential resources, both at the College and in the Amherst community. Section VI of the Policy also provides information about confidential resources.

Although there is no time limit for reporting Sexual Misconduct Violations to the College, the College's ability to respond may diminish over time, as evidence may erode, memories may fade, and Respondents may no longer be affiliated with the College. If the Respondent is no longer a Student or an Employee, the College will provide reasonably appropriate remedial measures, assist the Complainant in identifying external reporting options, and take other reasonable steps to respond under Title IX.

## **B. Reporting to the Police**

A Complainant has the right to notify Police or decline to notify Police. Anyone may contact the Police directly (see Section II.A.2, above). Alternatively, College community members may seek assistance in notifying Police from HR. HR can assist in setting up an initial meeting with Police. Filing a Police report does not obligate an Employee to participate in any subsequent criminal proceedings. A Complainant who wishes to pursue criminal action in addition to, or instead of, making a report under these Procedures should contact law enforcement directly:

- Hampshire College Campus Safety can be reached by dialing “5555” (for emergencies) or 413.559.5424 (for non-emergencies).
- Town of Amherst Police can be reached by dialing “911” (for emergencies) or 413.259.3000 (for non-emergencies).

## **C. Preservation of Evidence**

The College recognizes that making the decision to report a Sexual Misconduct Violation often takes time. Nevertheless, pending the decision to report, Employees are strongly encouraged to take immediate steps to preserve all evidence that might support a future report of a Sexual Misconduct Violation, a Protective Order, or an investigation by the Police, by the College, or both. Such evidence may include:

- A forensic sexual assault examination (within 72 hours);
- Any clothing, sheets or other materials (items containing bodily fluids should be stored in cardboard boxes or paper bags);
- Electronic exchanges (e.g., text messages, emails, and Facebook, Instagram, Snapchat or other social media posts, to the extent that they can be captured or preserved);
- Photographs (including photographs stored on smartphones and other devices); and

- Voice-mail messages and other physical, documentary and/or electronic data that might be helpful or relevant in an investigation.

Electronic and photographic evidence may be lost through the upgrade or replacement of equipment (including smartphones), software and/or accounts or may simply be lost to the passage of time or damage to the device.

#### **D. Seeking a Protective Order**

Where a Sexual Misconduct Violation is reported to the Police, it may be possible to obtain a court-ordered [Protective Order](#) [214]. These Protective Orders may be issued if the judge or magistrate believes that there is an immediate threat to health or safety.

“[Protective Orders](#) [214]” are separate and distinct from “No-Contact Directives” (described in Section VII.A. of the Policy). Protective Orders may be obtained only from a court of law and are enforceable anywhere in the United States; their violation may result in criminal charges.

In contrast, No-Contact Directives may be obtained from the Title IX Coordinator and are enforceable through the College. The Title IX Coordinator or Deputy Coordinators can explain the process for seeking a Protective Order and can escort a Student or Employee to the appropriate office in order to initiate a petition seeking a Protective Order.

## **IV. Initial Response and Title IX Assessment**

When a Complainant or witness reports a Sexual Misconduct Violation, the College will take immediate and appropriate steps to investigate or otherwise determine what happened and work to resolve the matter promptly and equitably. The first step in this process is called an initial assessment.

#### **A. Initial Assessment**

Upon receipt of a report, the Title IX coordinator or deputy Title IX coordinator will conduct an initial assessment. As part of the initial assessment, the Title IX coordinator or deputy Title IX coordinator will:

- Assess the Complainant’s safety and well-being and offer the College’s immediate support and assistance;
- Provide the Complainant with written information about on-campus and off-campus resources and the range of appropriate and available interim measures based on the status of the Complainant;
- Inform the Complainant of the right to seek medical treatment, and explain the importance of obtaining and preserving forensic and other evidence;
- Inform the Complainant of the right to contact law enforcement, decline to contact law enforcement, and/or seek a protective order;



- Inform the Complainant of the right to seek Alternative Resolution (where available) or Formal Resolution under these Procedures, and discuss the Complainant's expressed preference for the manner of resolution and discuss any concerns or barriers to participating in any College investigation and resolution under these Procedures;
- Explain the College's prohibition against Retaliation and that the College will take prompt action in response to any act of Retaliation;
- Assess the nature and circumstances of the report;
- Ascertain the ages of the Complainant and Respondent, if known, and, if either of the parties is a minor (under 18), contact the appropriate child protective services agency; and
- Assess whether the report triggers any Clery Act obligations, including entry of the report in the daily crime log and/or issuance of a timely warning, and take steps to meet those obligations.

Typically, the College will seek to complete an initial assessment within five (5) business days. There may be circumstances, however, where the initial assessment takes longer based on the availability of the Complainant or other necessary information, a Complainant's request to maintain privacy or not seek disciplinary action, or other factors outside of the College's control. The College understands that a Complainant may engage in delayed decision-making, which may impact the timing of the conclusion of the initial assessment.

### **B. Requests to Maintain Privacy, Not Seek Disciplinary Action, and/or Requests Not to Participate in the Investigation**

Where a Complainant requests that personally identifying information not be shared with the Respondent, that no investigation into a particular incident be conducted and/or that no disciplinary action taken, the College will balance that request against the College's obligation to provide a safe, non-discriminatory learning, living and working environment for all community members, including the Complainant. This request may occur at any point after the report is made.

The Title IX coordinator or deputy Title IX coordinator will evaluate the Complainant's request. When considering whether to honor a Complainant's request that no personally identifying information be shared with the Respondent or that no Investigation or disciplinary action be pursued, the College will consider the totality of circumstances, including:

- The impact of moving forward on the Complainant's well-being;
- The increased risk that the Respondent will commit additional acts of sexual or other violence, taking into consideration, among other matters, any known history of arrests, violence, or other reports of Sexual Misconduct Violations involving the Respondent, any threats of future violence made by the Respondent, and whether multiple perpetrators were involved in the reported incident;
- Whether the Sexual Misconduct Violation was perpetrated with the use or threat of use of a weapon, or involved physical violence or threat of physical violence;
- Whether the report reveals a pattern of Sexual Misconduct Violations;
- Whether the Complainant is or at the time was a minor;

- Whether the Sexual Misconduct Violation occurred while the Complainant was unconscious, physically helpless or unaware that the Sexual Misconduct Violations was occurring;
- Whether the Sexual Misconduct Violation was facilitated through the use of a “date rape” or similar drugs or intoxicants;
- Whether the College is able as a practical matter to pursue the investigation without the participation of the Complainant (e.g., whether there has been other relevant evidence of the Violation such as security cameras, other witnesses, or physical evidence.); and/or
- Whether other aggravating circumstances exist.

Where possible based on the facts and circumstances, the College will seek action consistent with the Complainant’s request to maintain privacy and/or not conduct further Investigation or disciplinary action. If the College is able to honor the request, the College’s ability to meaningfully investigate and respond to a report may be limited. The College may only be able to respond in more general ways such as providing targeted training or prevention programs or offering reasonably available remedial measures to the Complainant.

At any time, the Complainant who has initially requested to maintain privacy or declined to participate in an Investigation may choose to pursue Alternative or Formal Resolution where available. The College may also reopen and pursue a report where new or additional information becomes available.

There are times when the College may not be able to honor a Complainant’s request in order to provide a safe, non-discriminatory environment for the College community. Where the balance of factors requires that further investigation be conducted, that disciplinary action be taken, or that the identity of the Complainant be disclosed, the College will inform the Complainant of its intent to investigate prior to commencing the investigation and/or of its intent to disclose the identity of the Complainant. In such cases, the College will make reasonable efforts to protect the privacy of the Complainant consistent with the needs of the Investigation and resolution of the matter, and will, to the extent possible, only share information with people responsible for handling the College’s response; however an investigation normally involves speaking with the Respondent and others who may have relevant information about the incident and disclosing the identity of the Complainant may be necessary in those conversations.

The College will take ongoing steps to protect the Complainant from retaliation or harm and assist the Complainant in accessing support and safety services regardless of their level of participation or engagement with these Procedures.

Because the College is under a continuing obligation to address sexual and gender-based harassment and violence campus-wide, reports of Sexual Misconduct Violations (including reports that do not include personally-identifiable information) will also prompt the College to consider broader remedial action, such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/victimization surveys; and/or revisiting its policies and practices.

### **C. Determination after Assessment**

These Procedures offer two forms of resolution for reports of a Sexual Misconduct Violation: (1) Formal Resolution, which involves investigation, and review and sanction (if applicable) by an Adjudicator as described below; and (2) Alternative Resolution as described below, which includes a variety of informal options for resolving reports.

After the initial assessment, the Title IX coordinator will determine whether the circumstances warrant proceeding to an investigation. The Title IX coordinator may consult with human resources and legal counsel during the assessment. The determination as to how to proceed will be communicated to the Complainant in writing. Depending on the circumstances and requested resolution, the Respondent may or may not be notified of the report or resolution. A Respondent will be notified when the College takes action that would impact a Respondent, such as protective measures that restrict the Respondent's movement on campus, the initiation of an Investigation, or the decision to seek to involve the Respondent in Alternative Resolution, Investigation, or other Disciplinary Process.

Notice to the Respondent will include a written explanation of all available resources and options. The Respondent will also be offered the opportunity to meet to discuss those resources and options. The College will also provide the Respondent an opportunity to respond to such actions.

Following the initial assessment, during an Investigation, or at any point in the Disciplinary Process, Hampshire College may seek an Alternative Resolution that, as appropriate, endeavors to prevent future Sexual Misconduct Violations and address their effects without conducting or concluding, as applicable, a formal Disciplinary Process against a Respondent. Alternatively, if appropriate, the College may pursue an Investigation and Disciplinary Process.

## **V. Formal Resolution**

Formal Resolution is commenced when:

- A Complainant reports that a Respondent has engaged in one or more Sexual Misconduct Violations and requests, at any time, an investigation; or
- Alternative Resolution does not resolve a reported Sexual Misconduct Violation and, in the Title IX coordinator's discretion, an investigation of the reported Sexual Misconduct Violation is required; or
- At the conclusion of the assessment process described in Section IV of these Procedures, the Title IX coordinator has determined, based upon a review of the totality of the circumstances, that investigation of the reported conduct is necessary to ensure the health and safety of the Complainant and/or other members of the College community, notwithstanding the Complainant's request that personally identifying information not be shared with the Respondent, that no investigation be pursued, and/or that no disciplinary action be taken.

## A. Investigation

Whenever Formal Resolution is commenced, Investigation will proceed as follows:

1. As a first step, the Title IX coordinator or deputy Title IX coordinator will meet with the Complainant and Respondent, separately, to describe the process and resources available. Both the Complainant and the Respondent will be notified in writing (via email) of the nature of the complaint, a summary of the allegations in the complaint and the potential violations at issue. This notice of investigation will typically be provided within five (5) business days after the conclusion of the initial assessment.
2. The Title IX coordinator or deputy Title IX coordinator will assign an investigator to conduct a prompt, thorough, fair, and impartial investigation of the report. Any individual designated as an investigator will receive annual training under Title IX and VAWA. The Investigator may consult with the Title IX coordinator, deputy Title IX coordinators, or others during the Investigation as necessary. Both parties will be provided with the name of the assigned investigator. The Complainant and Respondent should inform the College of any actual bias or conflicts of interest in the choice of investigator.
3. During the Investigation, the Complainant and Respondent will have an equal opportunity to be heard, to submit information and corroborating evidence, and to identify witnesses who may have relevant information. The investigator will notify and seek to meet with all involved parties separately (e.g., the Complainant, the Respondent, and identified witnesses) and also will gather other evidence and information relevant to the determination as to whether or not a Policy violation has occurred. Witnesses must have information deemed relevant to the Investigation, as determined by the investigator, and cannot be participating solely to speak about an individual's character.
4. Medical and counseling records of a Complainant and Respondent are privileged confidential records that individuals are not required to disclose. However, these records may contain relevant and material information and a party may voluntarily chose to share such records with the investigator. Any records provided by a party become part of the file and are available to review by the other party.
5. Where there is evidence of a pattern of similar conduct by the Respondent or of violent acts or other related conduct, either before or after the conduct in question, regardless of whether there has been a prior finding of a Policy violation, this information may be deemed relevant to the determination of a Policy violation and/or in assigning a sanction.  
The determination of relevance will be based on an assessment of whether the previous or subsequent incident was substantially similar to the conduct cited in the report, indicates a pattern of behavior and substantial conformity with that pattern, or is otherwise associated with the conduct cited in the report. Prior or subsequent conduct of the Respondent also may be admissible to prove intent, motive, or absence of mistake.
6. A Complainant's prior sexual history will never be considered as evidence of a person's reputation or character. Moreover, evidence related to prior sexual history is generally not relevant to the determination of a Policy violation and will be considered only in limited circumstances. For example, where there is a current or ongoing relationship between the Complainant and the Respondent, and the Respondent alleges that consent was given, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. As noted in the Policy,

however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. In addition, prior sexual history may be relevant to explain the presence of a physical injury or to help resolve another questions raised by the report.

7. The investigator has the discretion to determine the relevance of any evidence and may determine that certain types of evidence should be included or excluded in the determination of responsibility. In the absence of good cause, information discoverable through the exercise of due diligence that is not provided to the investigator during the interview stage will not be considered at a hearing. The investigator will communicate to the parties a deadline for submitting evidence.
8. Throughout the process, the Complainant and Respondent have the right to be accompanied by an advisor of their choice (referred to in this policy as a “supporter”). The supporter may be invited by the Complainant or Respondent to attend meetings, investigation interviews, and the hearing, and must follow the guidelines for supporters located in the Student Handbook (see <https://handbook.hampshire.edu/node/208> [213]). The supporter may be any person, including an attorney, who is not otherwise a party or witness to the reported incident(s). While the supporter may be present, the supporter may not speak on behalf of a party, nor be disruptive to the meetings.
9. At the conclusion of the Investigation, the investigator will prepare an investigation report that summarizes the information gathered, outlines the contested and uncontested information, and includes a recommended determination of whether there is sufficient information, by a preponderance of the evidence, to support a finding of responsibility for a violation of the Policy. In reaching this determination, the investigator may consult with the Title IX coordinator and human resources. This report will include any other related and available documents such as campus police reports, statements, and other relevant materials.
10. Both the Complainant and the Respondent will be given the opportunity review the investigation report, identify any additional information or witnesses, and provide feedback or comment to the report.
11. The investigator will designate a reasonable time for review and response. Upon receipt of any additional information or comments, the investigator will issue a final investigation report.
12. Typically, the period from notice of an investigation through resolution (finding and sanction, if any) will not exceed sixty (60) calendar days. This time frame may be extended for good cause as necessary to ensure the integrity and completeness of the Investigation, to comply with a request by external law enforcement, to accommodate the availability of witnesses, to account for Hampshire College breaks or vacations, and to account for complexities of a case. Any extension of the time frame for resolution, and the reason for the extension, will be communicated to the parties in writing.
13. At the request of law enforcement, the College may agree to defer its Title IX Investigation until after the initial stages of a criminal investigation. The College will nevertheless communicate with the Complainant regarding the availability of remedial and protective measures and available courses of action under the Policy and these Procedures. Hampshire College will promptly resume its Title IX Investigation as soon as it is notified by law enforcement of the completion of its initial fact gathering.

14. The College expects all members of the College community to cooperate fully with an Investigation under these Procedures. It is understood that there may be circumstances in which a Complainant or Respondent wish to limit their participation, and the College will respect the choice of the Complainant or Respondent as to how to engage in proceedings under these procedures. The College may, however, move forward with an Investigation and disciplinary action without the participation of a party or parties. The College will not draw any adverse inference from a party's decision not to participate in the Investigation or any form of resolution under this policy; however, the Complainant or Respondent should be aware that declining to participate in the Investigation may impact the timing and outcome of the case.

## **B. Determining Responsibility and Sanctions**

1. If the investigator determines that there is not sufficient information, by a preponderance of the evidence, to support a finding of responsibility for a violation of the Policy, the Complainant may accept or contest the recommended finding(s) by so notifying the Title IX Coordinator, in writing. If the Complainant accepts the recommended finding(s) of no responsibility, the process is concluded. If the Complainant contests one or more of the recommended finding(s), the Complainant may submit to the Title IX coordinator a written statement explaining why the Complainant contests such finding(s), within three (3) business days of receiving the investigation report. The Title IX coordinator will share the Complainant's statement with the Respondent, who will have three (3) business days to respond in writing to any such statement. The Title IX coordinator will provide the final investigation report, together with any statements by the parties, to the Adjudicating Panel for further proceedings outlined below.
2. If the investigator determines that there is sufficient information, by a preponderance of the evidence, to support a finding of responsibility for a violation of the Policy, the Respondent may accept or contest the recommended finding(s) by so notifying the Title IX coordinator, in writing. If the Respondent contests one or more of the recommended finding(s), the Respondent may submit to the Title IX coordinator a written statement explaining why the Respondent contests such finding(s), within three (3) business days of receiving the investigation report. The Title IX coordinator will share the Respondent's statement with the Complainant, who will have three (3) business days to respond in writing to any such statement. The Title IX coordinator will provide the final investigation report, together with any statements by the parties, to the Adjudicating Panel for further proceedings as outlined below.
3. The investigation report and any contesting statements and responses thereto made by the parties will be assigned to an Adjudicating Panel that will determine (1) whether the concerns of a contesting party raise substantial doubt about the thoroughness, fairness, and/or impartiality of the investigation; and, if not, (2) whether there is sufficient evidence to support the investigator's recommended finding(s) by a preponderance of the evidence.
4. Adjudicating Panel members will be designated as follows:
  1. In the case of a faculty Employee Respondent, the Adjudicating Panel will include the Vice President for Academic Affairs and Dean of Faculty and one or more School Deans, who will jointly determine appropriate sanctions in

consultation with Human Resources. In making the determination, they may meet with the investigator, Complainant, Respondent, and other individuals who may have relevant information as appropriate.

2. In the case of a non-faculty Employee or Third Party Respondent, the Adjudicating Panel will include the Vice President for Finance and Administration and a designated department head, who will jointly determine appropriate sanctions in consultation with Human Resources. In making the determination, they may meet with the investigator, Complainant, Respondent, and other individuals who may have relevant information as appropriate.
5. All persons serving as an Adjudicator must receive training under Title IX and VAWA and must also be impartial and free from actual bias or conflict of interest. The Complainant and Respondent will be notified of the Adjudicator assignment and must advise the College of any actual bias or conflicts of interests. Adjudicators may also recuse themselves. The College may make alternative arrangements in Adjudicator assignment as appropriate.
6. Prior to making a final decision, the sanctions will be reviewed by the Title IX Coordinator and/or a Deputy Coordinator to provide advice with regard to consistency and proportionality in sanctions and sufficient action to eliminate the Sexual Misconduct Violation, prevent its recurrence, and remedy its effects.
7. Sanctions for Employee and Third Party Respondents include, but are not limited to, verbal or written Warning, Censure, Education, Training, Removal of Privileges, No Contact Directive, Suspension, and/or Termination from Hampshire College employment. This list is not progressive and any sanction or combination of sanctions may be imposed. Any Employee or Third Party found responsible for Sexual Assault involving Sexual Intercourse will face a minimum sanction of suspension or termination from employment at Hampshire College. Sanctions are effective immediately, unless otherwise specified.
8. In determining the appropriate sanction(s), the College will consider a number of factors, including:
  1. The nature of the conduct at issue, including whether it involved violence;
  2. The impact of the conduct on the Complainant;
  3. The impact or implications of the conduct on the Hampshire College community;
  4. Any previous misconduct by the Respondent, at Hampshire College or elsewhere;
  5. Whether the Respondent has accepted responsibility for the conduct;
  6. Maintenance of a safe and respectful environment conducive to learning; and
  7. Any other mitigating, aggravating, or compelling circumstances to reach a just and appropriate resolution in each case.

### **C. Notice of Outcome**

The Complainant and Respondent will be notified simultaneously in writing with an Outcome Letter (which may include email) from either the VPAA/DOF (for faculty Employees) or the VPFA (for non-faculty Employees) within five (5) business days following the decision. The Title IX Coordinator may also provide written notice to a Third Party Respondent, as appropriate. The Outcome Letter will set forth the violation(s) of the Policy for which the Respondent was found responsible or not responsible; the rationale for the finding; any

sanction(s) imposed against the Respondent; and the rationale for any sanction(s) imposed. The Outcome Letter will not disclose any remedial measures provided to the Complainant. In order to protect the privacy of the parties, the College will make reasonable efforts to maintain confidentiality of the Outcome Letter and materials related to the investigation, subject to release by court order, search warrant or subpoena.

#### **D. Appeal**

The Complainant or Respondent may appeal the determination by submitting a written appeal within five (5) business days of the date of the Outcome Letter to a senior administrator designated in the Outcome Letter. The designated senior administrator will have appropriate training and experience and will serve as an impartial decision-maker. The written appeal must include the specific grounds for the appeal and any information or argument in support of the appeal. Grounds for an appeal are limited to (1) a material procedural error that substantially impacted the outcome, (2) previously unavailable relevant evidence that could affect the outcome, and/or (3) the sanction being substantially disproportionate to the violation.

The senior administrator will make a determination based on the written record. Appeals are not intended to be a de novo review, i.e., they are not intended to be a review from the beginning. The senior administrator can: 1) affirm the findings, or 2) alter the findings only where there is clear error based on the stated appeal grounds. The senior administrator will make a final decision within ten (10) business days of receiving the appeal. This timeframe may be extended for good cause as necessary to ensure the integrity and completeness of the review. Any extension of the timeframe, and the reason for the extension, will be shared with the parties in writing.

#### **E. Effect of a Pending Complaint on an Employee or Third Party Respondent**

If the Employee Respondent separates employment or Third Party Respondent changes the nature of their relationship with the College for any reason after a report of a Sexual Misconduct Violation has been received, the College's Appendix B Procedures will continue to apply to the extent necessary to ensure that the College has taken appropriate steps to eliminate, prevent and address any impacts of the reported conduct. The College will complete the Initial Assessment, and based on the circumstances the College may move forward with Alternative Resolution or an Investigation and Formal Resolution, regardless of whether the Respondent chooses to participate in the process. In making the determination whether to pursue further action under these Procedures after a Respondent has separated from the institution, the College will consider whether such action is necessary to eliminate, prevent or address any impacts of the reported conduct, or if those goals can be achieved through individual and community remedies or other College action.

## **VI. Alternative Resolution**

A Complainant may seek Alternative Resolution instead of an investigation and Formal Resolution. The Title IX Coordinator, however, has the discretion to determine whether the



nature of the reported conduct is appropriate for Alternative Resolution, to determine the type of Alternative Resolution that may be appropriate in a specific case, and, pursuant to Section V of these Procedures, to refer a report for Formal Resolution at any time. Forms of Alternative Resolution that involve face-to-face meetings between the Complainant and the Respondent, such as mediation (even if voluntary), are not available (a) in cases involving Sexual Assault, and/or (b) where the Complainant is a Student and the Respondent is an Employee or Third Party in a position of authority over the Complainant.

Participation in Alternative Resolution (including any specific form of Alternative Resolution) is voluntary. The College will not compel a Complainant or Respondent to engage in Alternative Resolution, will not compel a Complainant to directly confront the Respondent, and will allow a Complainant or Respondent to withdraw from Alternative Resolution at any time. The College may decline the request for Alternative Resolution in any particular case and may stop an ongoing Alternative Resolution process at any time. Pursuing Alternative Resolution does not preclude later use of Formal Resolution if the Alternative Resolution fails to achieve a resolution acceptable to the parties and the College. Where the Complainant or the Respondent withdraws from Alternative Resolution or Alternative Resolution is otherwise terminated for any reason, any statements or disclosures made by the parties during the course of the Alternative Resolution may be considered in a subsequent investigation and Formal Resolution.

With any form of Alternative Resolution, each party has the right to choose and consult with a supporter. The supporter may be any person, including an attorney, who is not otherwise a party or witness to the reported incident(s). The parties may be accompanied by their respective supporters at any meeting or proceeding held as part of Alternative Resolution. While the supporters may provide support and advice to the parties at any meeting and/or proceeding, they may not speak on behalf of the parties, or in any manner disrupt, such meetings and/or proceedings.

Alternative Resolution may include:

**Resolution with the Assistance of a Third Party:** A Complainant may seek assistance in informally resolving a reported Sexual Misconduct Violation from the Title IX Coordinator, who can arrange to have a trained representative facilitate a meeting or meetings between the parties. The availability of this form of Alternative Resolution, and any resolution reached through such form of Alternative Resolution, is subject to the agreement of the Title IX Coordinator, the Complainant and the Respondent. This form of Alternative Resolution may not be used where the allegation involves Sexual Assault.

**Interventions and Remedies:** Alternative Resolution agreements may involve a host of interventions, remedial measures and remedies, such as actions designed to maximize the Complainant's access to educational, extracurricular, and/or College employment activities; increased monitoring, supervision, and/or security at locations or activities where the Sexual Misconduct Violation occurred or is likely to reoccur; targeted or broad-based educational programming or training for relevant individuals or groups; academic and/or College housing modifications for Student Complainants; workplace modifications for Employee Complainants; one or more of the restorative remedies or other sanctions described in these Procedures; and/or

any other remedial or protective measures that can be tailored to the involved individuals to achieve the goals of the Policy.

Any form of Alternative Resolution and any combination of interventions and remedies may be utilized. If an agreement acceptable to the College, the Complainant, and the Respondent is reached through Alternative Resolution, the terms of the agreement are implemented and the matter is resolved and closed. If an agreement is not reached, and the Title IX Coordinator determines that further action is necessary, or if a Respondent fails to comply with the terms of the Alternative Resolution, the matter may be referred for an investigation and Formal Resolution under these Procedures.

The Title IX Coordinator will maintain records of all reports and conduct referred for Alternative Resolution, which typically will be completed within forty-five (45) calendar days.

## **VII. Records**

The College shall retain all records relating to reported Sexual Harassment Violations for a period of seven (7) years after the date the report was received, or for at least three (3) years after termination of employment, whichever is later.

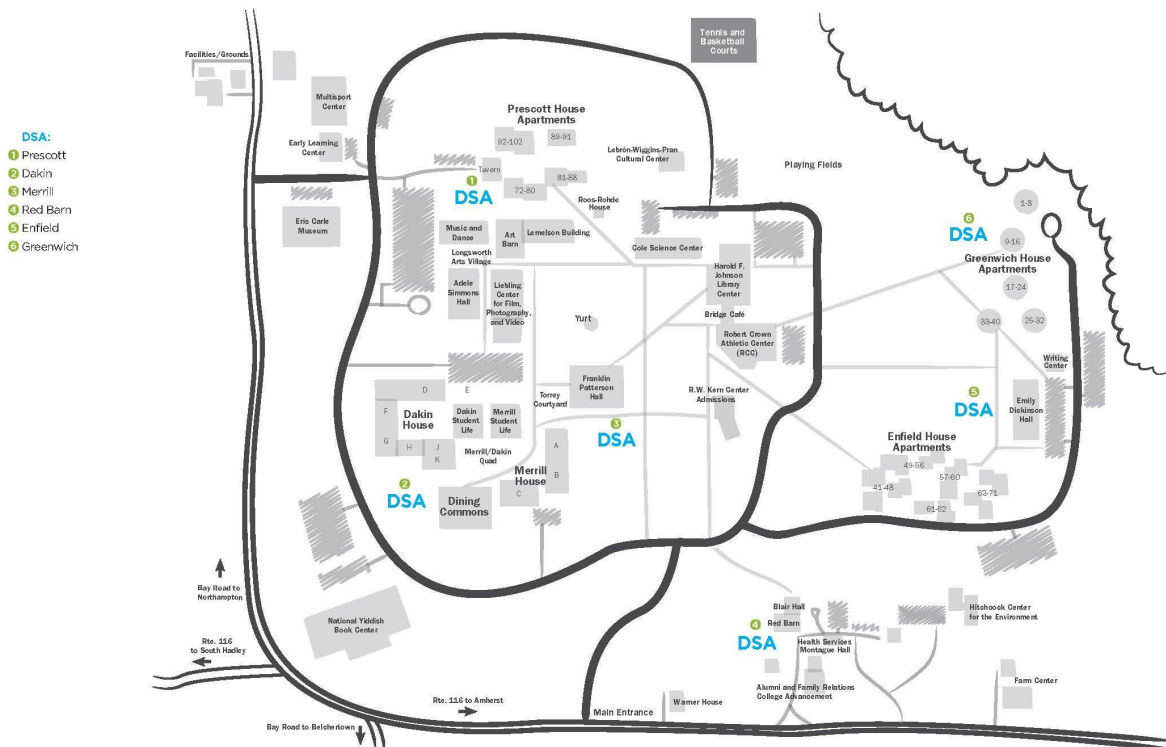
## **Smoking**

Smoking and fire safety regulations and precautions are very important and must be adhered to at all times. The cooperation of each individual is necessary for the safety of all. The College publishes its [fire safety statistics](#) [4] in accordance with the Clery Act.

The Smoking and Fire Safety Policies pages provide an overview of safety regulations as well as guidelines for violations of these policies.

**Smoking is restricted to designated smoking areas (DSA). [215]**

## SMOKE FREE | BREATHE FREE | DESIGNATED SMOKING AREAS DSA



**Hampshire College** 893 West Street | Amherst, Massachusetts | 413.549.4600 | [www.hampshire.edu/smokefree/smokefree-hampshire](http://www.hampshire.edu/smokefree/smokefree-hampshire)

## Smoking Policy

Hampshire College has become smoke free with the exception of Designated Smoking Areas (DSAs) located outside our residences and the Red Barn. Smoking includes e-cigarettes, vaping, and any other smoke or vapor-producing products. This means that smoking will be permitted in [Designated Smoking Areas \(DSAs\) only](#). [216]

### What does smoke free mean?

It means the restriction of any combustible product that is producing smoke, including but not limited to, cigarettes (including hand-rolled), cigars, cigarillos or mini-cigars, pipes including improvised pipes, bong, hookahs, e-cigarettes, vaporizers and other similar devices or products.

Smoking means carrying a lighted or inhaling a lighted product or the burning of any material to be inhaled including, but not limited to, cigarettes (including hand-rolled), cigars, cigarillos or mini-cigars, pipes including improvised pipes, bong, hookahs, and other similar devices or products.

## Reach & Compliance

This campus policy applies indoors, outdoors, to all property that is owned, operated, leased, occupied, or controlled by the College, including College owned vehicles. See [Campus Map](#) [217].

All College employees, students, visitors, guests, vendors, and contractors are required to comply with this policy, which shall remain in effect at all times, including in personal vehicles. Failure to comply with this policy may be cause for disciplinary action in accordance with [Employee Handbook](#) [218] or the Student Handbook's [Norms for Community Living and Policies](#) [177]. Refusal to comply with the policy by visitors, guests, vendors, and contractors may be grounds for removal from campus.

### Exceptions include, but are not limited to:

1. Academic: The use of smoke producing products in laboratory and classroom instruction or experiments as part of academic work, in compliance with established safety standards.
2. Cultural and religious practices: Specific activities used in connection with the practice of cultural activities including practices by American Indians that are in accordance with the American Indian Religious Freedom Act, 42 U.S.C. sections 1996 and 1996a allow for the use of combustible products. All ceremonial use exceptions must be approved in advance by the office of student rights and responsibilities by contacting [gansa@hampshire.edu](mailto:gansa@hampshire.edu) [6].
3. Campus sanctioned fire pits: See the [fire safety policy](#) [167] on open fires or contact the [greenwich/enfield area coordinator](#) [219] at 413.559.5314.

# Outcomes for Smoking Policy Violations

## *Students*

The following actions will likely be taken for students found responsible for violations of the Campus Smoking Policy:

- *First violation* - Warning.
- *Second violation* - Administrative hearing with a student life member. Possible educational sanctions such as review of fire safety policies, video's and/or health-based program.
- *Third violation* - Probation and one or more of the following at the discretion of the administrator hearing officer or board: community service, educational project, deferred housing restrictions status
- *Fourth violation* - Removal from campus housing. (For students living off campus, Probation may be extended with additional sanctions applied.)

For residential communities (floors, mods, etc.) where smoking is occurring and individuals are not identified, community discussion circles may be required as well as other outcomes at the discretion of the area coordinator.

Conduct meeting administrators have the right to deviate from these sanctioning guidelines if after meeting with a student a different path would be more beneficial to the student's or the community's growth and success.

### ***Employees***

The following actions will be taken for employees found responsible for violations of the smoking policy:

- *First violation* - Verbal reminder
- *Second violation* - Verbal warning from supervisor; referral to educational materials
- *Third violation* - Written warning from supervisor; referral to educational coaching/counseling
- *Fourth violation* - Referral by supervisor to Human Resources

### ***Contractors and/or vendors***

All contractors and/or vendors are obligated to follow the campus smoking policy. All contractors and/or vendors should defer to policies and procedures from their employer for holding employees accountable for workplace policy violations.

## **Smoking Policy FAQs**

### **Am I allowed to have cigarettes on campus or in my living space?**

Yes, you are allowed to be a smoker and possess smoking products. You can only smoke in the designated smoking areas.

### **What about personal motor vehicles? Can I smoke in my car?**

No, while you (and your car) are on campus property, smoking is limited to designated smoking areas.

### **Who enforces the smoking policy?**

We all do. As a community, it is our responsibility to hold each other accountable. If you see someone smoking on our campus, ask them to move to a designated smoking area and thank them for complying.

### **What do I say to someone who is smoking?**

Gently and kindly remind them of our policy and that Hampshire restricts smoking to designated smoking areas around campus. Use the acronym "SMOKE" to remember how.

S is for Smile and introduce yourself

M is for Make the assumption the person just doesn't know the policy

O is for Offer resources for smoking cessation if they are interested

K is for Kindly remind them of the policy

E is for Enforce the policy by asking them to move to a designated smoking area

[Inspired by Portland Community College's educational campaign.](#) [220]

The conversation might look something like this:

Person 1: Hey, I'm [name], how are you today?

Person 2: Hey, I'm [name]. I'm good, how about you?

Person 1: Pretty good, thanks. So I noticed you are smoking and wasn't sure if you knew Hampshire restricts smoking to designated areas. Can I show you to one?

Person 2: Oh whoops, I didn't know that.

Person 1: No worries, thanks for being willing to move!

It might feel awkward to talk to someone else about smoking, but if you come to the conversation from a place of compassion and understanding, most people will comply.

In the unlikely event someone gets angry or refuses to move to a designated smoking area, just walk away and ask someone else, like a faculty or staff person to help you.

### **I'm interested in quitting; how can I get support or resources?**

For College employees:

Resources are available via the [Tufts Health Plan](#) [221] and [Employee Assistance Program](#) [222].

For students:

Resources available via [Health and Counseling Services](#) [223] and the [Wellness Center](#) [224].

- health and counseling offers one-on-one quit coaching with medical professionals; contact 413.559.5458 to make an appointment.
- The wellness center offers one on one and group cessation support with trained student educators who are former smokers themselves; contact [well@hampshire.edu](mailto:well@hampshire.edu) [225] for more information.

For all community members:

Apps to help include, Quit Now, Craving to Quit, Quit Guide, This is Quitting.

Social Media: #quittingsmoking; <http://whatshouldwecallquitting.tumblr.com/> [226]

Websites:

<http://smokefree.gov/build-your-quit-plan>

[227] <http://www.cdc.gov/tobacco/campaign/tips/quit-smoking/guide/index.html>

[228] <http://smokefree.gov/>

[229] <http://www.cancer.org/healthy/stayawayfromtobacco/guidetoquittingsmoking/guide-to-quitting-smoking-toc>

[230] <https://quitsmokingcommunity.org/>

[231] <https://www.quitnow.net/Program/>

[232] <http://quitworks.makesmokinghistory.org/>

[233] <http://makesmokinghistory.org/quit-now/> [234]

Quit Lines:

- 1-800-QUIT-NOW/1-800-784-8669 or 1-877-44U-QUIT

- Spanish: 1-800-8-Déjalo (1-800-833-5256)
- Other languages: 1-800-784-8669 to connect with interpreter service
- Deaf/TTY: 1-888-229-2182
- [Request a callback from a Helpline coach](#) [235]

Text messaging: Text QUITNOW to 202-759-6436

## Student Identification

A Hampshire College ID is necessary for use of the library facilities at Hampshire and the other colleges in the Five College consortium, and for entrance to some buildings, eating in the [dining commons](#) [236], and admission to the Robert Crown Center. [Campus safety](#) [112] officers or other college employees may ask you to produce identification to verify that you are indeed a student at Hampshire College. Students must comply with such a request. Failure to comply is a violation of policy.

If you need to replace your student ID (OneCard), the replacement ID fee is \$25.00.

## Student-Run Businesses

Hampshire College supports and encourages student entrepreneurship that meets legal and ethical expectations of the [Norms for Community Living and Policies](#) [107]. Fundamental expectations of this policy are:

1. Student entrepreneurial initiatives must not jeopardize the College's tax-exempt status.
  - (a) Hampshire College receives tax exemptions as an educational institution, which can be jeopardized when individuals in the campus community operate a business enterprise on College premises. Campus-based activity, which can result in the distribution of profits to individuals, is inconsistent with the College's tax-exempt status.
2. Entrepreneurs shall not use their student status to compete unfairly with local merchants or campus services.
3. Students are not to harass others, including their fellow students, in their commercial endeavors.
  - (a) Advertising within the residence halls and mods is not permitted unless approved by the area coordinator for the area.

The entrepreneurship program through the School for Interdisciplinary Arts was established to provide a structure for student-run businesses invested in through the Seed Fund. Those who wish to start or participate in a commercial venture through the entrepreneurship program either through the Seed Fund or an entrepreneurship course should consult with the program coordinator. Students establishing a campus-based venture not associated with the entrepreneurship program must consult with [Five College risk management](#) [237] before implementation of a business. All campus-based businesses must comply with the following provisions:

- (a) Students who act as commercial agents, sell merchandise, or distribute goods or advertising on campus are prohibited from using College facilities or services, including residence hall rooms, campus telephone numbers, computing and/or network services or College postal facilities, for the purpose of commercial activities.
- (b) Use of the Hampshire College name or insignia must be cleared in advance of such use in all instances by the chief creative officer (communications office).
- (c) Use of the Hampshire College name, insignia and trademarks on products and merchandise requires prior approval and vendor licensing by the College. Information regarding Hampshire College product licensing and Hampshire's code of conduct for licensees is available through the chief creative officer (communications office).
- (d) Students providing on-campus services may be required to enter into a contract with the College before commencing services.

## Theft

Theft of College or personal property of others, defined as taking, carrying, leading or riding away of property from the possession or constructive possession of another is considered unacceptable behavior. This includes the moving or removal of furniture and other College property from their appropriate location in public places including student lounge spaces and outdoor areas.

For additional information about how these policies apply in the residence halls, see the [residence life and housing policies](#) [238] section of this handbook.

## Threatening & Intimidating Behavior

Threatening and intimidating behaviors are words, actions, or implied threats that cause reasonable fear of injury to the health and safety of any person or property.

These actions include but are not limited to:

- threats of physical assaults
- possession of fireworks or weapons (see [weapons, firearms, & explosives policy](#) [162]) on campus
- the intention to sell or sale of illegal drugs (see [drug policy](#) [163])
- threats to do violence
- psychological intimidation
- harassment of any person

[Campus safety](#) [112] should be contacted regarding any threatening and/or intimidating behavior.

Threatening and intimidating behavior may result in immediate suspension and other sanctions up to and including removal from the College.



# Vandalism and Damage to Property

Maintaining and preserving the private property of individuals as well as the resources of the College (including its grounds, academic buildings, residences, furnishings, dining facilities, associated structures and infrastructure) are the responsibility of all members of the College community. College resources are provided to benefit the entire community, and must be maintained so that no one is denied their right to the proper resources. This right is possessed not only by those who are students now, but also by those who will be students in the future.

Damage, destruction, or defacement of College or personal property of others (due either to malice or to extreme carelessness) is unacceptable behavior. Some of this behavior may also be considered vandalism, defined as willfully or maliciously destroying, disfiguring, and/or defacing any public or private property, without the consent of the owner or College.

Students will be assessed the cost of any vandalism or damage, and that cost will be charged to the student's College account.

## Formal Conduct Process

Students referred to the formal conduct process will always begin with a conversation with an administrator. Students whose outcomes have the potential to result in loss of housing, suspension, or expulsion (if found responsible) will be referred to the community review board (CRB) and will meet with an administrator to discuss this process. For reported violations of the [ethics of scholarship](#) [10] where students are referred to the formal conduct process, violations will typically be reviewed by the CRB. Reported violations of the [sexual misconduct, relationship violence, and stalking policy](#) [129] will follow a process as outlined in that policy. Minor violations of policy and failure to comply with completion of sanctions may receive an outcome letter without a meeting with an administrator, however the student will have the opportunity to discuss the outcome with an administrator.

In addition to violations reported by administrators and residence life staff, the formal conduct process allows community members to take agency over their own experiences when they may have been hurt or harmed. The process is not intended to be adversarial, rather it is intended to be educational and restorative, focusing on the values of the Code of Conduct and the Norms for Community Living as guiding principles for review of all reported policy violations. Depending on the severity and/or frequency of violation, educational and restorative outcomes may not be the most appropriate response. An [information report](#) [239] must be submitted in order for action to be taken. This form is not for reporting an emergency or hazardous situation, instead call campus safety at 413.559.5424 for immediate assistance.

While the College does have the authority to take action on all reports of violations of policy, and anyone can anonymously report behavior, please note that without the participation of the reporting party, the process may be limited. Any community member may submit an information report and the submitting party will be contacted during business hours to follow up on the

report. When contact information is provided by the reporting party, no action will be taken without contacting the reporting party. At minimum, information reports must meet the following criteria in order to move forward in the formal process:

- **Must be timely:** Reports must be submitted within fourteen (14) weeks of the alleged event, unless there are other compelling circumstances for a delayed filing as determined appropriate by the dean of students office or the office of student rights and responsibilities. The following periods are not applicable to the fourteen (14) week timeline - between the last day of classes in the spring semester and the first day of classes in the fall semester, between the last day of classes in the fall semester and the first day of classes in the spring semester, and other break periods and holidays observed by the College.
- **Cannot be harassing:** Complaints filed as a means to harass or retaliate against a student are violation of the Code of Conduct and may be grounds for referral to the formal conduct process against the person filing a report as a means to harass or retaliate against a student.
- **Must be specific:** The person reporting the violation must submit enough information, in writing, to suggest that a violation may have occurred and include as much detailed information available at the time the report is submitted. If there is not enough information to suggest a violation may have occurred other options for resolution will be recommended.

## Rights and Responsibilities in Hearings

**Respondents in all types of hearings have the right to:**

- Be provided with an opportunity to review any documents submitted to the conduct administrator/board that will be used to determine a finding.
- Appear before an administrator/board and have an opportunity to discuss the charges brought forward.
- Receive timely notification of when a hearing will occur.
- Have a support person with them for all pre/post hearing meetings and during the hearing.
- Receive timely notification of the outcome of their hearing.
- Appeal on appropriate grounds as explained in the [Appeals Policy](#) [240]

### Reporting Party Rights

Reporting Party have the right to request to be active participants in cases in which their rights may have been violated through conversation with the administrator reviewing a case and through the [community review board \(CRB\)](#) [241], should a respondent choose that option. Rights for the reporting party specific to CRB hearings are listed in that section. Administrative hearings do not involve active participation by the reporting party during the meeting, however an administrator may choose to contact a reporting party for further information in determining their findings. In

all cases, a complainant has a right to a timely resolution and the right to appeal on appropriate grounds as explained in the [appeals policy](#) [240].

### **Additional Rights and Responsibilities**

Depending on the charges and process for which a case is being administered, reporting party and respondents may have additional rights. Please review each of the processes - [administrative hearing](#) [242], [CRB hearing](#) [241], [sexual misconduct, relationship violence and stalking policy hearing](#) [187] [section](#) [243] (for cases in which the respondent is also a student, procedures for employee respondent can be found [here](#) [244]) - for a full understanding of rights and responsibilities.

## **Supporter Expectations**

The reporting party and respondents may be accompanied to hearings by one support person who is a current faculty, staff, or student member of the Hampshire community. For cases involving the sexual misconduct, relationship violence, and stalking policy supporters do not need to be members of the Hampshire College community.

Multiple support persons may attend any pre- and post-hearing meetings at the discretion of the administrator facilitating the meeting. Support persons who are not members of the community may participate in all pre- and post-hearing meetings. Additional support persons can be available outside of the hearing room for consultation during a hearing.

Supporters are expected to respect the rights to privacy of the student they are supporting as well as any others involved. If a supporter is a responsible reporter they must still report as required.

### **During an Administrative Hearing**

The supporter's role during a administrative hearing is to support the student and to play a passive role in the discussion. The supporter may not speak on behalf of a student, nor be disruptive to the hearing. The primary discussion in a hearing is with the student, however there may be space for the supporter to ask questions at the discretion of the administrator.

### **During a Community Review Board Hearing**

The supporter's role is to support the student and may not question the other party or any witnesses. The supporter may not speak on behalf of a student, nor be disruptive to the hearing. Supporters are not permitted to talk at a hearing, except to the student they are supporting and to state their name and role for an audio record. The student can request a break if additional time to talk privately with their supporter is needed. A supporter may be required to leave the proceedings if that supporter fails to follow the procedures of the board.

For more information on how to prepare to be a support person visit the office of student rights and responsibilities.

# Accommodations for Students within the Conduct Process

Hampshire College is committed to providing appropriate accommodations to students with disabilities so that all students have meaningful access to all College programs and services, including the student conduct process. This includes accommodations provided under the Americans with Disabilities Act (ADA) and related legislation.

All students with disabilities who are involved in the student conduct process, including complainants, respondents, supporters, and witnesses may seek accommodations for any stage of the student conduct process, including community review board hearings, administrative hearings, investigations, and any pre- or post-hearing meetings.

Any student [requesting an accommodation](#) [98] must do so far enough in advance to allow the request to be reviewed and an appropriate accommodation identified and implemented. Although there is no firm deadline beyond which an accommodation cannot be requested, the student will be held accountable for making any request in a timely fashion, and the College may not be able to provide an accommodation which is not requested with reasonable advanced notice before the accommodation is needed to allow time for review and implementation. Accordingly, each student seeking an accommodation is strongly encouraged to do so as early as possible in the student conduct process.

A [request for accommodation](#) [91] must be made to the office of accessibility resources and services (OARS). OARS may consult with the director of student rights and responsibilities or designated administrator to determine, based on appropriate legal standards and College policy, what accommodation, if any, is appropriate. The student will be required to provide appropriate documentation from qualified health care professionals to support the request. OARS will make their determination in light of the student's particular disabilities and the nature of the conduct process, as informed by any consultations, relevant documentation, and relevant previous accommodations provided to the student. Accommodations cannot be applied retroactively; students must arrange for accommodations. The student will be given an explanation of the determination.

## Hearing Options

The flow charts below show the process for each type of hearing for an alleged conduct violation. In circumstances when an [information report](#) [239] is submitted and there is reasonable cause to modify the process, including but not limited to prior to commencement when a student is a candidate for graduation, the dean of students office and office of student rights and responsibilities will use their discretion to determine the appropriate process for resolution while maintaining the [rights](#) [245] afforded to all students in the conduct process.

If a respondent leaves the College for any reason while the formal conduct process is underway, the dean of students office and office of student rights and responsibilities have the authority to determine whether or not the process should continue or be held should the student return or be readmitted to the College.

Below you can find visual flow charts for each of our hearing processes.  
[246]

[Administrative hearing.](#) [247]

[Community review board hearing.](#) [248]

[Sexual misconduct community review board hearing.](#) [249]

## Administrative Hearing

A trained administrative hearing officer will meet with students to discuss reported violations of policy. [Administrative hearings](#) [250] are informal meetings with a formal outcome.

Students who come into conflict with the Code of Conduct will receive advance notice of the alleged policy violations, the opportunity to engage in dialogue with the administrator facilitating the meeting, and will be given a minimum of twenty four (24) hours notice to meet. The outcome of this meeting may result in the student being found not responsible, responsible, or if multiple charges have been applied, the student may be found responsible for some violations and not responsible for others.

For students found responsible, [sanctions](#) [122] will be applied. Students will receive a written outcome letter within five (5) business days. This timeframe may be extended for good cause as necessary to ensure the integrity and completeness of the review. Any extension of the timeframe, and the reason for the extension, will be shared with the parties in writing.

Students have the right to appeal decisions determined during a conduct meeting as described in the [appeals policy](#) [240].

Any complaints or appeals relating to a violation of the [sexual misconduct, relationship violence, and stalking policy](#) [129], and other violations of [Code of Conduct](#) [177] that are alleged to have occurred as part of the same circumstances as the sexual misconduct, relationship violence, and stalking policy complaint, shall proceed in accordance with the the precedures set forth in the sexual misconduct, relationship violence, and stalking policy.

## Community Review Board (CRB) Hearings

The Community Review Board (the “board” or the “CRB”) hears alleged violations involving Hampshire College students and makes determinations regarding matters of fact surrounding specific complaints and makes findings of whether a respondent violated the Code of Conduct, and if finding a violation, determines sanctions. This determination of sanctions takes into account, as appropriate, any mitigating, extenuating, and/or aggravating circumstances discovered in the course of the board’s review.

The board is active during the academic year, until the final day of the Hampshire College advising/progress review period each semester. The board is not in session during College breaks and holidays. Complaints referred to the CRB when the board is not in session, or filed within a timeframe that does not allow them to be heard while the board is in session, may be referred to the dean of students office for adjudication by an administrative hearing or, at the discretion of the dean of students office, postponed to the next session of the board.

For reports of violation of the [Sexual Misconduct, Relationship Violence, and Stalking Policy](#) [129] and other violations of [Norms](#) [177][of Community Living and Policies](#) [177] that are alleged to have occurred as part of the same circumstances as the Sexual Misconduct, Relationship Violence, and Stalking Policy complaint, a separate investigation process, which may lead to a hearing before a panel made up of members of the CRB may be convened. For details on investigation and hearing processes through the Sexual Misconduct, Relationship Violence, and Stalking Policy, please see the policy.

## **Membership**

A CRB will be comprised of three (3) trained board members including one (1) faculty, one (1) student and one (1) staff, availability may determine a different composition for the board. Members are invited to serve one-year terms and at the conclusion of the term may have the option, at the discretion of the CRB advisor, to return for service on the board. The CRB is convened and advised by the director of student rights and responsibilities or other member of the student life staff as designated by the dean of students.

Board members receive an in-depth training at the beginning of each calendar year as well as meet for regular in-service training throughout the academic year. Members joining at times outside of the calendar year will also receive an in-depth training.

For further information about the CRB and membership, visit the [CRB website](#) [251].

## **During a Community Review Board Hearing**

When a hearing is held by the board, all parties will abide by procedures set by the board and by this document. Some procedures may vary slightly for cases heard under the Sexual Misconduct, Relationship Violence, and Stalking Policy; see the [Hearing section](#) [243] under the policy for additional information.

1. The hearing facilitator will manage hearing proceedings, recognizing persons who may speak and ensuring fair and orderly presentation of facts. Only those members who hear the entire case may participate in making final decisions and determine sanctions.
2. All CRB hearing proceedings are audio recorded for use by the dean of students office (if needed) during an appeal.
3. The board members hearing a case, in consultation with the advisor to the board, will decide what information is admissible. (For information submitted prior to the hearing, the advisor to the board in consultation with the dean of students office, will decide what information is admissible.)
4. Persons appearing before the board may be accompanied by a supporter (a current faculty, staff, or student member of the Hampshire College community), but may not be represented by another person or by an attorney. Please see the [Supporter Expectations](#) [213] section for more information.
5. Witnesses may be sequestered during the hearing at the discretion of the board, in consultation with the advisor to the board. In no case will the respondent(s) or the complainant(s) be required to leave while information is being given. However, the board may go into executive session at any time, excluding all persons other than the board and its advisor(s) from its deliberations.
6. The board members hearing a case may seek additional guidance on the hearing at the discretion of the hearing facilitator, including, but not limited to, College legal counsel or a dean from the dean of students office.
7. Every effort will be made to conclude the proceedings at one sitting. The board may choose to extend the hearing to more than one session, especially in complicated cases.
8. Board members must recuse themselves if they are unable to hear a case with objectivity.
9. The hearing will be over when the board has determined, through careful examination of all information presented, that it has sufficient information to determine an outcome or that there is insufficient information available to make a determination.

The failure of the respondent or the complainant to appear at a hearing does not prohibit the board from hearing a case. The board will review all available information and will then make a determination if sufficient facts exist to hear the case. In the case that the board feels sufficient information is available, it will proceed with the hearing as usual. As with all cases, the board may come to a finding of “not responsible” if they cannot determine that it is more likely than not that the Code of Conduct was violated by the respondent.

The findings and any sanction(s) from the board will be decided upon in an executive session of the board following a hearing. A majority agreement of board members present for a hearing is required in the board’s determination of findings and sanctions based on a [preponderance of the evidence](#) [252]. The findings and sanction(s), if applicable, are to be communicated in writing by the office of student rights and responsibilities on behalf of the board members to the respondent within five (5) business days after the conclusion of the hearing. In rare circumstances, as deemed appropriate by the CRB advisor, the hearing board may make a request to the CRB advisor and the dean of students office for additional time to finalize their decision.



# Reporting Party Rights & Responsibilities

## Responsibilities of the Reporting Party

The reporting party is not required to attend a hearing, however the board may dismiss a case if they feel there is insufficient information to determine an outcome without the reporting party appearing. The reporting party must be truthful. The reporting party is subject to referral to the [Formal Conduct Process](#) [9] if they knowingly lie to the board.

## Rights of the Complainant

In addition to the [rights and responsibilities in conduct meetings and hearings](#) [245] listed for reporting party in the formal conduct process section, complainants in CRB hearings have the following rights:

- The reporting party shall be provided with a copy of any statement submitted to the community review board by the respondent.
- The reporting party has the right to know the date of the hearing at least five (5) business days before the hearing.
- The reporting party has the right to request a postponement, which may be granted for reasonable cause by the CRB advisor or dean of students office, providing they notify the CRB advisor at least 36 hours in advance of the scheduled hearing. The request for postponement must be put in writing to the CRB advisor.
- The reporting party may provide compelling reasons to challenge the participation of any board member; the decision shall be made by the board hearing the case in consultation with the CRB advisor.
- The reporting party may choose not to answer questions posed by the respondent or members of the community review board.
- The reporting party has the right to ask questions of the board, respondent, and witnesses (both their witnesses and the reporting party witnesses). All questions must be directed through the board.
- The reporting party shall be allowed to present witnesses, including one character reference, on their own behalf and to be accompanied by a supporter of their own choice. The supporter shall be a current faculty, staff, or student member of the Hampshire College community.
- The reporting party in any conduct hearing/meeting shall have the right to appeal, as explained in the [appeals section](#) [240].

The board shall not permit the consideration of statements by witnesses not available for questioning, but this may be waived for good cause if the board hearing the case, by majority vote, determines that admission of such a statement enables of a thorough review of the matter, allows the case to be adjudicated in a fair and equitable manner, and will not cause undue prejudice to either party.

# Respondent Rights & Responsibilities



## **Responsibilities of the Respondent**

A respondent is not required to attend a hearing, however a decision will still be made regardless of whether or not the respondent is present. The respondent must be truthful. The respondent is subject to referral to the [Formal Conduct Process](#) [9] if they knowingly lie to the board.

## **Rights of the Respondent**

- The respondent shall be provided with a copy of the written report of violation(s) of policy prior to the hearing.
- The respondent has the right to know the date of the hearing at least five (5) business days before the hearing.
- The respondent has the right to request a postponement, which may be granted for reasonable cause by the CRB advisor or dean of students office, providing they notify the CRB advisor at least 36 hours in advance of the scheduled hearing. The request for postponement must be put in writing to the CRB advisor.
- The respondent may provide compelling reasons to challenge the participation of any board member; the decision shall be made by the board hearing the case in consultation with the CRB advisor.
- The respondent may remain silent during a hearing, but, by doing so, is not immune from a determination of responsibility and sanctions if applicable.
- The respondent has the right to ask questions of the board, reporting party, and witnesses (both their witnesses and the reporting party witnesses). All questions must be directed through the board.
- The respondent shall be allowed to present witnesses, including one character reference, on their own behalf and to be accompanied by a supporter of their own choice. The supporter shall be a current faculty, staff, or student member of the Hampshire College community.
- The respondent shall be provided a copy of the outcome letter, which may also include sanctions if the respondent is found responsible for violating the Code of Conduct.
- The respondent shall have the right to appeal, as explained in the [appeals](#) [240] section.

The board shall not permit the consideration of statements by witnesses not available for questioning, but this may be waived for good cause if the board hearing the case, by majority vote, determines that admission of such a statement enables of a thorough review of the matter, allows the case to be adjudicated in a fair and equitable manner, and will not cause undue prejudice to either party.

# **Outcomes and Sanctions**

## **Determining Outcomes**

Outcomes are what are determined as a result of a administrative hearing or community review board hearing. Outcomes may also include sanctions when a finding of responsibility is determined.

The standard used to determine whether or not a student is responsible for a policy violation is 'preponderance of evidence'. This means that according to the administrator or board the reported actions more likely occurred than not. Determining responsibility is also called determining a finding, and an administrator or board will either come to a finding of "responsible" or "not responsible."

This is different than criminal proceedings where the standard is 'beyond a reasonable doubt'. The student conduct process is not a criminal proceeding, and the terms "guilty" or "innocent" are not used. Students are not considered "responsible" until a hearing has occurred[1], however [interim administrative actions](#) [108] may be put in place at the discretion of the dean of students office or office of student rights and responsibilities until a hearing occurs.

### **Assigning Sanctions**

Sanctions are actions taken against a student who is found responsible for violation of policy. Some sanctions require students to complete a specific assignment. Sanction definitions can be found in the [sanctions](#) [122] section.

Some violations have sanctioning guidelines defined within the policy. For policies that do not have specified guidelines, conduct administrators or boards will consider the outcomes in similar cases as well as any previous disciplinary history the student may have. In determining whether or not a student's behavior meets the expectations defined in the Student Handbook, a "reasonable person" standard may be applied. The term "reasonable person" takes on a different meaning, often depending upon the situation at hand. The reasonable person standard compares an individual's behavior in a situation with the behavior of a hypothetical reasonable person in the same set of events. This is not the standard used for determining responsibility in a situation, however the reasonable person standard may be considered in determining appropriate sanctions when a student is found responsible for violation of policy.

### **Fulfilling Sanctions**

Failure to complete a sanction in the allotted time assigned is considered a violation of policy, [failure to comply](#) [253]. Further action may be taken in this case.

If a student leaves the College for any reason before completing a sanction, the dean of students office and office of student rights and responsibilities have the authority to determine next steps; typically the student will be required to complete a sanction upon return to the College.

If a graduating student has not fulfilled the sanctions determined by a board or administrator, the student's degree will be withheld and official transcripts will not be released. The student will be issued an unofficial transcript, which will be stamped "issued to student" and "outstanding obligation." Transcripts will not be issued to third parties.

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[1] Except in cases of minor violations of policy and failure to comply with completion of sanctions where students may receive an outcome letter without a meeting with an administrator. Opportunity for a conversation with an administrator is still available.

## Sanctions

The following are the categories from which students who go through the conduct process will be assigned sanctions. This list is not exhaustive and other sanctions may be imposed. Sanctions can be imposed alone or combined with other sanctions. Click on each of the sanction types below for more detailed descriptions of specific sanctions.

For information regarding our [sexual misconduct policy sanctions](#) [254].

### [General Sanctions](#) [127]

Typically students will receive one or a combination of the following sanctions for violation of policies (see Alcohol & Other Drug Sanctions section for educational and restorative sanctions specific to AOD violations). Depending on the severity of a violation or if multiple violations occurred, additional sanctions may also be applied from any of the sanction sections.

### [Alcohol & Other Drug \(AOD\) Sanctions](#) [116]

Typically students will receive one or a combination of the following sanctions for violation of the Alcohol and Other Drug policies. Depending on the severity of a violation or if other types of violations occurred in addition to an alcohol and other drug violation, additional sanctions may also be applied from any of the sanction sections.

### [Housing Sanctions](#) [128]

Housing sanctions apply only to students who live on campus and may be combined with additional sanctions from any of the sanction sections as appropriate for the violation.

### [Deferred Status Sanctions](#) [126]

Deferred status sanctions give students an opportunity to change their behavior, while under close observation, before a higher level status is imposed. Depending on the severity of a violation or if multiple violations occurred, additional sanctions may also be applied from the other sanction sections. It is not a requirement of the student conduct process that a student receive a deferred status sanction prior to a disciplinary status sanction.

### [Disciplinary Status Sanctions](#) [60]

Disciplinary status sanctions are the only types of sanctions that result in a student not being in good disciplinary standing with the College. Depending on the severity of a violation or if multiple violations occurred, additional sanctions may also be applied from the other sanction sections. It is not a requirement of the student conduct process that a student receive a deferred status sanction prior to a disciplinary status sanction.

## General Sanctions

*Typically students will receive one or a combination of the following sanctions for violation of policies (see Alcohol & Other Drug Sanctions section for educational and restorative sanctions specific to AOD violations). Depending on the severity of a violation or if multiple violations occurred, additional sanctions may also be applied from any of the sanction sections.*

### **Behavioral Goal Setting**

Students required to engage in behavioral goal setting will meet with an administrator (typically a dean or other staff member designated by the dean of students) to develop clear expectations for behavior in the Hampshire community. This will also provide an opportunity to identify sources of support and resources.

### **Community Service**

Students assigned community service will complete a project as specified by an administrator or board. A specific number of hours that must be completed may also be specified.

### **Discussion Circle**

Discussion circles are used to provide an opportunity for students to engage with peers who may have violated similar policies to have a discussion with a trained facilitator about how their decisions related to the violation that occurred or other similar experiences impact them and their communities.

### **Educational Project**

Students assigned an educational project will complete a project as specified by an administrator or board.

### **Fines and Restitution**

Fines may be issued at the discretion of an administrator or hearing board and are typically assigned to cover the cost of an article unlawfully removed from the College or moved to another location at the College, or they may require restitution to cover the repair or replacement of any property (belonging either to the College or to an individual) that has been damaged or stolen. The cost of labor in moving, repairing, or replacing an item may be included. Fines will be applied to a student's account.

### **Fire Safety Review**

Students violating minor fire safety policies will be required to review fire safety information including, but not limited to tips, policy, and educational videos.

### **Impact Interview**

Students assigned an impact interview will be required to interview others and write a reflection based on their personal reflection of a topic and the reflection of others. An administrator or board will specify length and other parameters of the assignment.

### **Loss of Privileges**

Loss for a specific period of time, of privileges such as but not limited to participation in recreational activities or athletics, participation in student groups, holding a signer position in a recognized student group, being able to register a party, being able to register an emotional

support animal, being able to register a vehicle to park on campus, participation in social events on campus, etc.

### **Meeting with Administrator**

Students may be assigned to meet with a particular administrator so that they may have the opportunity to reflect on their behavior and experiences around a particular violation or topic.

### **No Contact Directive**

A no contact directive (NCD) is an order directing a student to refrain from contacting another student for a period of time. This applies to communications in-person, online, through phone calls, text messages, third party, and other forms of contact, both on-and off-campus while a student with an active NCD against them is enrolled at the College.

NCDs are issued by the dean of students office, office of student rights and responsibilities, or under the direction of the Title IX coordinator. NCDs may be interim or permanent at the discretion of the issuing administrator. Interim NCDs will be reviewed regularly by the College to assess continued need.

If the directive may have been violated, a report should be made to the dean of student's office. The report will be reviewed by the dean of students office and/or office of student rights and responsibilities and if there is enough information to suggest a violation may have occurred the respondent will be required to attend a conduct meeting. NCDs do not become part of a student's conduct record unless a student is found responsible for failure to comply with the terms of the directive or as an outcome of a conduct meeting or hearing. If found responsible for failure to comply with a directive a student may face a deferred status sanction or disciplinary status sanction including, but not limited to, suspension or expulsion from the College.

NCDs are not court imposed restraining orders/orders of protection and do not guarantee that designated parties will avoid sightings or passing interactions on the campus, on the PVTA bus system, or in the local community. In some circumstances, a NCD may restrict a student from parts of the campus. The College will ensure all students have access to the academic program in compliance with the NCD. It is a student's right to seek court orders and other legal protective measures that are enforced by the courts through civil or criminal penalties. The College can provide information for students seeking legal protection.

### **Research/Reflection Paper**

Students assigned a research and/or reflection paper will be asked to write about their behaviors and impact on the community. An administrator or board will specify length and other parameters of the assignment.

### **Ride-a-Long with Campus Police**

Students assigned a ride-a-long will have an opportunity to see how campus police operations work. Students will work directly with campus police to arrange a ride-a-long.

### **Trespass Order**

A permanent order issued by campus police stating that the person issued the order is no longer

permitted on the Hampshire College campus. Violation of this order will result in criminal prosecution up to and including arrest.

## **Alcohol and Other Drug Sanctions**

*Typically students will receive one or a combination of the following sanctions for violation of the Alcohol and Other Drug policies. Depending on the severity of a violation or if other types of violations occurred in addition to an alcohol and other drug violation, additional sanctions may also be applied from any of the sanction sections.*

### **AOD Discussion Circle**

AOD Discussion Circles are used to provide an opportunity for students to engage with peers who may have also violated the AOD policy and to have a discussion with a trained facilitator about how their decisions related to alcohol or other drug use or other similar experiences impact them and their communities.

### **BASICS**

BASICS is a non-judgmental, non-moralistic harm reduction approach to understanding the role of alcohol and drugs in one's life. It is composed of two individual sessions and is a great way for students to learn more about their relationship with substances. When assigned as a requirement to earn [Alcohol and Other Drug Amnesty](#) [115], BASICS is not a part of the student's conduct record.

### **Brief Intervention**

A Brief Intervention is a conversation with a trained student life staff member to discuss alcohol and other drug use and its impact on the individual. When required to earn [Alcohol and Other Drug Amnesty](#) [115], a Brief Intervention is not a part of the student's conduct record.

### **AOD Impact Interview**

Students assigned an AOD impact interview will be required to interview others and write a reflection based on their personal reflection related to alcohol or other drug use and the reflection of others. An administrator or board will specify length and other parameters of the assignment.

### **Under the Influence & Marijuana 101**

Online courses that are individually tailored modules that provide students the opportunity to examine a variety of key issues such as effects on health, drinking and driving, state-specific laws, alcohol/prescription interactions, marijuana dependence, effects of marijuana, mental health issues, synthetic marijuana, local laws and legalization issues, and legal penalties associated with use.

## **Housing Sanctions**

*Housing sanctions apply only to students who live on campus and may be combined with additional sanctions from any of the sanction sections as appropriate for the violation.*

**Housing Lottery Restriction**

A student is not allowed to take part in the housing lottery. The Housing Operations Office will oversee the housing of the student in an available room after the lottery has ended.

**Housing Relocation/Administrative Move**

A student will be required to move from their housing assignment. The administrator or board assigning the sanction will determine whether the student will then be administratively reassigned or whether the student will be able to submit housing preferences.

**Removal from Campus Housing**

When removed from campus housing, a student may remain an actively enrolled student but is allowed to use only the academic resources of the College. The student is required to live off campus and to use only the buildings and resources necessary to complete academic work. This sanction includes a complete forfeiture of all paid housing fees and may also include forfeiture of any paid dining service fees or meal plan fees; exclusion from the dining hall will be determined at the discretion of the board or administrator assigning the sanction.

## Deferred Status Sanctions

*Deferred status sanctions give students an opportunity to change their behavior, while under close observation, before a higher level status is imposed. Depending on the severity of a violation or if multiple violations occurred, additional sanctions may also be applied from the other sanction sections. It is not a requirement of the student conduct process that a student receive a deferred status sanction prior to a disciplinary status sanction.*

**Deferred Housing Sanction(s)**

When a student is assigned the Deferred Housing Sanction(s) status it means there is a specific behavior or behaviors that must be corrected or one or more of the following housing sanctions may result - housing lottery restriction, administrative move, or removal from campus housing. Conduct administrators may impose other housing-related sanctions other than those listed here if appropriate for the violation.

**Deferred Suspension or Expulsion**

When a student is assigned the Deferred Suspension or Expulsion status it means there is a specific behavior or behaviors that must be corrected or immediate suspension or expulsion may result.

**Deferred Loss of Privileges**

When a student is assigned the Deferred Loss of Privileges status it means there is a specific behavior or behaviors that must be corrected or a privilege will be lost.

**Deferred Probation**

When a student is assigned the Deferred Probation status it means there is a specific behavior or behaviors that must be corrected or a Probation status will result.

# Disciplinary Status Sanctions

*Disciplinary status sanctions are the only types of sanctions that result in a student not being in good disciplinary standing with the College. Depending on the severity of a violation or if multiple violations occurred, additional sanctions may also be applied from the other sanction sections. It is not a requirement of the student conduct process that a student receive a deferred status sanction prior to a disciplinary status sanction.*

## **Probation**

Probation is given for a specified amount of time as determined by a board or administrator hearing a particular case and serves as a formal notification that a particular behavior or behaviors are unacceptable under the policies set forth in the Student Handbook. A student is considered to not be in good disciplinary standing during the probationary period. A probation status may also be paired with other sanctions depending on the severity of the violation(s) and impact on the community. Students not meeting the expectations of probation may face housing lottery restriction, removal from campus housing, suspension, expulsion, or other sanctions depending on the severity of the subsequent violation(s) and other circumstances. The College need not impose probation before imposing more severe disciplinary status sanctions, up to and including suspension or expulsion. Depending on the circumstances, the College may impose further restrictions including but not limited to the following:

- Restriction from serving as a resident advisor (RA), orientation leader (OL) or orientation coordinator (OC).
  - Students may apply for an OC/OL position while on probation; however their probationary status must end prior to the start date of the position.
  - Students are prohibited from applying to the RA position while on probation; however they may apply to the RA position once the probation period has ended.
- Restriction from work-study positions while on probation.
- Exclusion from participation in exchange, field-study, short-term field study, and any other courses offered through the global education office. Typically, students may apply for these educational opportunities while on probation; however their probationary status must end prior to the start date of the course.
- Restriction from holding elected office in the Hampshire Student Union, as Student Trustees, and in other campus-wide committees.

## **Suspension**

A suspension is a disciplinary status sanction issued for severe violations or after multiple violations of policy. Suspension lasts a specified length of time, as determined by the board or administrator hearing a particular case. A student is considered to not be in good disciplinary standing during the suspension period. Suspension becomes a permanent part of a student's conduct record and is recorded on as student's transcript as a withdrawal from the College. Suspension will result in notification to parents/legal guardian and College officials in compliance with FERPA regulations.



While a suspension is in effect, the student is prohibited from visiting the College or using any of its resources, attending classes, having contact with an advisor or with faculty, and using community facilities (including the residences). While on suspension, a student is withdrawn from the College and must apply for readmission; refer to the [readmission policy](#) [80] for additional details. The College may specify additional conditions for readmission after a suspension. Please be aware that if a suspended student completes course work in another program, the time spent in those courses cannot count as a semester of enrollment upon return to Hampshire College.

In those cases where the dean of students office determines that a student's conduct or potential conduct presents a danger to themselves or others, that student may be issued [interim administrative actions](#) [108].

### **Expulsion**

An expulsion is a disciplinary status sanction issued for the most severe violations or after multiple violations of policy. The College severs its association with the individual permanently. The individual is not eligible for readmission. The individual will be permanently trespassed from the campus. Expulsion becomes a permanent part of a student's conduct record and is recorded on a student's transcript as a withdrawal from the College. Expulsion will result in notification to parents/legal guardian and College officials in compliance with FERPA regulations.

## **Disclosure of Outcomes and Sanctions**

The results of hearings are subject to the [Family Educational Rights and Privacy Act \(FERPA\)](#) [255] and can be disclosed only in accordance with the Act. Under [FERPA](#) [255], a school may not ordinarily disclose a student's conduct records to any third party unless the student has provided written consent. Hampshire College may notify the parents/guardians of students when a student's enrollment at the College is subject to change due to any conduct situation or College policy violation. Parental notification may also be utilized by administrators when permitted by FERPA.

If a student chooses to provide written consent for disclosure of information they may do so by submitting a [conduct records release form](#) [256] to the office of student rights and responsibilities. [FERPA](#) [255] does permit disclosure of the final results of a conduct meeting and/or hearing to the victim or to the reported victim's next of kin, when appropriate, of any crime of violence or non-forcible sex offense regardless of whether the institution concluded a violation was committed. An institution may also disclose to anyone—not just the victim—the final results of a conduct hearing if it determines that a student is an alleged perpetrator of a crime of violence or non-forcible sex offense, and with respect to the allegation made against them, the student has committed a violation of the institution's rules or policies. Under the Student Right-to-Know and Campus Security Act, the College is required to disclose the results of a conduct or hearing to the victim, when the proceedings involve a sex offense.

Members of the [community review board](#) [241] are not to discuss cases outside of a hearing. Information submitted in hearings will be maintained in private files (as part of a student's education records) by the office of student rights and responsibilities under the direction of the dean of students office for a period of seven (7) years and then destroyed or no longer reported with the exception of suspensions and expulsions, which remain a permanent part of a student's educational record.

## Appeals

The complainant or respondent may appeal the determination by submitting a written appeal within five (5) business days of the date of the outcome letter. The outcome letter will notify the parties to whom they may submit a written appeal. Respondents have the right to appeal both findings (decision of responsible/not responsible) and sanctions, however findings may only be appealed on the basis of procedural error. Complainants have the right to appeal based on procedural error. As complainants are not permitted under FERPA to receive the outcome of a case except in relation to violence and incidents related to Title IX violations ([sexual misconduct, relationship violence, and stalking](#) [129]), complainants will only be able to appeal findings (on the basis of procedural error) and sanctions in those instances. The College will share findings and sanctions with the complainant in accordance with FERPA requirements. For appeals of academic integrity violations heard by the CRB, complainants and respondents should follow the processes outlined in the [ethics of scholarship](#) [257] section.

1. Appeals of procedure and/or appeals of sanctions by the complainant and/or the respondent must be submitted in writing within five (5) business days after written notification of the outcome and must meet the criteria below to be accepted.[1] A late appeal will not be accepted.
  - Appeals based on procedural grounds must outline a material procedural error that substantially impacted the outcome.
  - Appeals of sanctions must outline why the sanction is substantially disproportionate to the violation. An appeal of sanctions should also detail any alternate sanctions the appellant would suggest as more appropriate.
2. Appeals of removal from housing, suspension, or expulsion
  - (a) Students removed from housing, suspended, or expelled must vacate housing within the time frame specified in the outcome letter (typically within 48 hours, however this may vary at the discretion of the dean of students office).
  - (b) If a student intends to appeal a removal from housing, suspension or expulsion, a written intent to appeal must be submitted within 48 hours of the decision. The intent to appeal must include a summary of the grounds for the appeal.
  - (c) If an intent to appeal is submitted in the specified timeframe, the student may be permitted to remain in housing, at the discretion of the dean of students office, for the duration of the appeals period until an appeal decision is made. A late intent to appeal does not exclude an appellant from the appeals process, but does mean they will not be permitted to remain in housing during the appeal period. If an appeal is denied, the

original sanctions will be effective immediately unless otherwise specified by the dean of students office.

(d) If a student submits an intent to appeal and a full appeal is not submitted by the appeal deadline, additional sanctions may be applied and may include suspension, expulsion, transcript holds, and permanent trespass from the College.

(e) Additional details regarding how to submit an appeal, intent to appeal, and submission deadlines for the appeal process will be included in the outcome letter.

3. Appeals may be heard by an administrator in the dean of students office with appropriate training and experience to serve as an impartial decision-maker, including the dean of students, or a hearing panel as designated by the dean of students office. Whether heard by an administrator or panel, appeals are only reviewed in writing and the appellant does not appear in person. The appellant may be asked to meet in person to review the outcome of the appeal.
4. After an appeal is submitted, the complainant and/or respondent will be informed who will review their appeal.
5. If a complainant/respondent does not plan to appeal, they still have the right to submit a letter to have their perspective included in the event that the other party appeals. Deadlines for submitting a letter will be included in the outcome letter and will likely follow the same timeline as the deadline for appeal.
6. In all cases of an appeal, the dean of students office shall review the appeal and pertinent facts relative to the appeal, determine if further investigation is warranted, and render a decision. The administrator or panel will make a determination based on the written record. Appeals are not intended to be a *de novo* review, i.e., they are not intended to be a review from the beginning. The appellate's responsibility in reviewing an appeal includes:
  - (a) affirming the findings;
  - (b) altering the findings only where there is clear error based on the stated appeal grounds; or
  - (c) altering the sanctions only where there is clear evidence that the sanctions were substantially disproportionate to the violation.
7. If a case is remanded for further investigation an additional appeal option may apply after a new decision is rendered.
8. The original sanction will be in effect throughout the duration of the appeals process unless otherwise specified in the outcome letter. The sanction will be altered only if and when the respondent is informed by the dean of students office that such a decision has been made.
9. In the rare event that the dean of students serves directly as the conduct meeting administrator, the appeal will go directly to the President of the College or other designee of the President.

The dean of students office will make a final decision within ten (10) business days of receiving the appeal. This timeframe may be extended for good cause as necessary to ensure the integrity and completeness of the review. Any extension of the timeframe, and the reason for the extension, will be shared with the parties in writing. The dean of students office's decision is final.

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[\[1\]](#) Appeals may be submitted after the five (5) business day deadline if previously unavailable relevant evidence that could affect the outcome becomes available.

## **External Proceedings**

Community review board hearings, administrative hearings, nor the investigation and determination by a hearing board for a sexual misconduct, relationship violence, and stalking policy complaint are a substitute for civil or criminal courts; students pursuing complaints through any of the afore mentioned pathways do not waive their right to pursue external remedies. External proceedings, including both civil and/or criminal actions may not delay internal processes.

## **Interim Administrative Action**

The dean of students, director of student rights and responsibilities or designee may impose restrictions and/or separate a student from the community pending the scheduling of a campus hearing on alleged violation(s) of the Code of Conduct. These restrictions may occur when a student poses a serious threat to an individual or the community, creates a disturbance to the normal operations of the College or educational environment, or to preserve the integrity of an investigation.

Interim actions can include separation from the institution or restrictions on participation in the community for no more than ten (10) business days pending the scheduling of a campus hearing on alleged violation(s) of the Code of Conduct. Respondents are not considered responsible for violation of policy until such time that a finding of responsibility be determined and the respondent is notified in writing (via email and/or hard copy).

## **Norms for Community Living Records**

FERPA requires that schools obtain written permission from students before releasing education records. Exceptions to this include a health or safety emergency, to provide information to schools to which a Hampshire student is transferring, in certain student conduct cases, and in other circumstances described in [FERPA](#) [258]. In addition, in well-defined circumstances, some information may be released without written permission from the student. College officials with

a legitimate educational interest may also have access to a student's education records without prior consent.

Records pertaining to the Norms for Community Living will be maintained in private files (as part of a student's education records) by the office of student rights and responsibilities under the direction of the dean of students office for a period of seven (7) years and then destroyed or no longer reported with the exception of suspensions and expulsions, which remain a permanent part of a student's educational record.

If a student chooses to provide written consent for disclosure of information they may do so by submitting a [conduct records release form](#) [259] to the office of student rights and responsibilities.

For further information regarding [FERPA](#) [258] and [Hampshire College FERPA and Privacy of Records](#) [260].

## **Violations of Policy by Five College Students**

The Five College consortium provides an enhanced learning environment with access to an almost unlimited variety of academic, social, and cultural resources. We are all well aware of the importance of maintaining good relationships among the Five Colleges. For that reason, the Five College deans of students have adopted the following resolution for maintaining standards of conduct at each of their institutions:

If a breach of discipline or good conduct is committed by a student from one of the colleges while visiting another of the Five College campuses, that violation will be treated as though it occurred on the student's home campus. The student will then be subjected to their own institution's applicable and appropriate conduct procedures.

## **Informal Conduct Process**

Hampshire College recognizes that conflict may occur that does not violate policy and/or can be resolved through informal methods. Some informal methods may include an established process, but do not prompt a conduct record. Methods utilized include meeting with an administrator or resident advisor, checking in with a student, and informal mediation.

### **Why Engage in an Informal Process?**

There are many reasons a student may choose to engage in an informal process, and while an administrator can help determine when an informal process may be appropriate, it is the individual's right to explore a formal process at any time. Often, students choose an informal process for managing roommate conflicts, exchange of property, conflicts in a friend group or student group, preference to attempt resolution informally before seeking a formal resolution, and much more.

## **Title IX Grievance Policy**

## INTRODUCTION

### What is the purpose of the Title IX Grievance Policy?

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX's prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student's ability to equally access our educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of “sexual harassment” (including forms of sex-based violence)
- Addresses how this institution **must** respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this institution **must** follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.

See, 85 Fed. Reg. 30026 (May 19, 2020). The full text of the Final Rule and its extensive Preamble are available here: <http://bit.ly/TitleIXReg> [261]

Based on the Final Rule, Hampshire College will implement the following Title IX Grievance Policy, effective August 14, 2020.

### How does the Title IX Grievance Policy impact other campus disciplinary policies?

In recent years, “Title IX” cases have become a short-hand for any campus disciplinary process involving sex discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, Hampshire College must narrow both the geographic scope of its authority to act under Title IX and the types of “sexual harassment” that it must subject to its Title IX investigation and adjudication process. **Only** incidents falling within the Final Rule's definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Policy defined below.

Hampshire College remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.

Specifically, our campus has:

The Norms for Community Living that defines certain behavior as a violation of campus policy, including [Sexual Misconduct, Relationship Violence, and Stalking Policy](#). [129]

To the extent that alleged misconduct falls outside the Title IX Grievance Policy, or misconduct falling outside the Title IX Grievance Policy is discovered in the course of investigating covered Title IX misconduct, the institution retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the Norms for Community Living, [Sexual Misconduct, Relationship Violence, and Stalking Policy](#) [129] through a separate grievance proceeding. (<https://handbook.hampshire.edu/node/249> [187]).

The elements established in the Title IX Grievance Policy under the Final Rule have no effect and are not transferable to any other policy of the College for any violation of the Norms for Community Living, employment policies, or any civil rights violation except as narrowly defined in this Policy. This Policy does not set a precedent for other policies or processes of the College and may not be cited for or against any right or aspect of any other policy or process.

### **How does the Title IX Grievance Policy impact the handling of complaints?**

Our existing Title IX office and reporting structure remains in place. What has changed is the way our Title IX office will handle different types of reports arising from sexual misconduct, as detailed in full throughout Section 2.

## **General Rules of Application**

### **Effective Date**

The Title IX Grievance Policy will become effective on August 14, 2020, and will only apply to sexual harassment alleged to have occurred on or after August 14, 2020. Incidents of sexual harassment alleged to have occurred before August 14, 2020, will be investigated and adjudicated according to the process in place at the time the incident allegedly occurred.

### **Revocation by Operation of Law**

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, or the invalidated elements of this policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should the Title IX Grievance Policy be revoked in this manner, any conduct covered under the Title IX Grievance Policy shall be investigated and adjudicated under the existing Norms for Community Living, [Sexual Misconduct, Relationship Violence, and Stalking Policy](#). [129]

### **Non-Discrimination in Application**

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of

such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the institution's policy or process may contact the Department of Education's Office for Civil Rights using contact information available at <https://ocrcas.ed.gov/contact-ocr> [262].

[Hampshire College Notice of Non-discrimination.](#) [201]

## Definitions

### Covered Sexual Harassment

For the purposes of this Title IX Grievance Policy, "covered sexual harassment" includes any conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution's education program or activity;
3. Sexual assault (as defined in the Clery Act), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;
4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.
5. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under Massachusetts domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of Massachusetts.
6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to-- (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the Norms for Community Living.

### Consent



For the purposes of this Title IX Grievance Policy, “consent” means:

- Informed (knowing)
- Voluntary (freely given)
- Active (not passive), meaning that, through the demonstration of clear words or actions, a person has indicated permission to engage in mutually agreed-upon sexual activity

Consent cannot be obtained by **Force**. Force includes 1. the use of physical violence, 2. threats, 3. intimidation, and/or 4. coercion.

- **Physical violence** means that a person is exerting control over another person through the use of physical force. Examples of physical violence include hitting, punching, slapping, kicking, pushing, restraining, choking, and brandishing or using any weapon.
- **Threats** are words or actions that would compel a reasonable person to engage in unwanted sexual activity. Examples include threats to harm a person physically, to reveal private information to harm a person’s reputation or cause a person academic or economic harm.
- **Intimidation** is an implied threat that menaces or causes reasonable fear in another person. A person’s size, alone, does not constitute intimidation; however, a person’s size may be used in a way that constitutes intimidation (e.g., blocking access to an exit).
- **Coercion** is the use of an unreasonable amount of pressure to gain sexual access. Coercion is more than an effort to persuade, entice, or attract another person to have sex. When a person makes clear a decision not to participate in a particular form of Sexual Contact or Sexual Intercourse, a decision to stop, or a decision not to go beyond a certain sexual interaction, continued pressure can be coercive. In evaluating whether coercion was used, the College will consider: (i) the nature of the pressure, (ii) the intensity of the pressure, (iii) the degree of isolation of the person being pressured, and (iv) the frequency and duration of the pressure. To constitute coercion, conduct must result in wrongfully impairing another individual’s freedom of will to participate in sexual activity.

Consent cannot be gained by taking advantage of the **incapacitation** of another, where the person initiating sexual activity knew or reasonably should have known that the other was incapacitated. Incapacitation means that a person lacks the ability to make informed, rational judgments about whether or not to engage in sexual activity.

A person who is incapacitated is unable, temporarily or permanently, to give Consent because of mental or physical helplessness, sleep, unconsciousness, or lack of awareness that sexual activity is taking place. Mentally helpless means a person is incapable of appraising or controlling one’s own conduct. Physically helpless means a person is physically unable to communicate willingness or unwillingness to an act. A person may be incapacitated as a result of the consumption of alcohol or other drugs, even where voluntary, or due to a temporary or permanent physical or mental health condition.

The College offers the following guidance on Consent and assessing Incapacitation:

A person who wants to engage in a specific sexual activity is responsible for obtaining Consent for that activity. Lack of protest, lack of resistance, and silence and/or passivity do not constitute Consent. Relying solely on non-verbal communication before or during sexual activity can lead to misunderstanding and may result in a violation of this policy. It is important to not make assumptions about whether a potential partner is consenting. In order to avoid confusion or ambiguity, participants are encouraged to talk with one another before engaging in sexual activity. If confusion or ambiguity arises during sexual activity, participants should stop and clarify a mutual willingness to continue that activity.

Consent to one form of sexual activity does not, by itself, constitute Consent to another form of sexual activity. In addition, Consent to sexual activity on a prior occasion does not, by itself, constitute Consent to future sexual activity. In cases of prior or ongoing relationships, the manner and nature of prior communications between the parties and the context of the relationship may have a bearing on evaluating the presence of Consent, but any sexual activity must still be mutually agreed-upon.

Consent may be withdrawn at any time. An individual who seeks to withdraw Consent should communicate, through clear words or actions, a decision to cease the sexual activity. Once Consent is withdrawn, the sexual activity must cease immediately.

In evaluating Consent in cases of alleged incapacitation, the Colleges asks two questions:

- Did the person initiating sexual activity know that the other party was incapacitated? and if not,
- Should a sober, reasonable person under the same circumstances have known that the other party was incapacitated?

If the answer to either of these questions is “YES,” Consent was absent and the conduct is likely a violation of this policy.

Incapacitation is an extreme form of intoxication. Incapacitation can also be caused by certain medical conditions. A person is not necessarily incapacitated merely as a result of ingesting alcohol or other drugs. The impact of alcohol and other drugs varies from person to person; each individual may have a different level of tolerance or metabolism. One is not expected to be a medical expert in assessing incapacitation. Instead, one must look for the common and obvious warning signs that show that a person may be incapacitated or approaching incapacitation. A person’s level of intoxication can change rapidly, and a person can reach incapacitation within a short time span. Although every individual may manifest signs of incapacitation differently, typical signs include slurred or incomprehensible speech, unsteady gait, combativeness, emotional volatility, vomiting, or incontinence. A person who is incapacitated may not be able to understand some or all of the following questions: “Do you know where you are?” “Do you know how you got here?” “Do you know what is happening?” “Do you know whom you are with?”

The introduction of alcohol or other drugs may create ambiguity for all involved as to whether Consent has been sought or given. If one has doubt about either party's level of intoxication, the safe thing to do is to forego all sexual activity.

Being impaired by alcohol or other drugs is not a defense to any violation of this policy.

### **Education Program or Activity**

For the purposes of this Title IX Grievance Policy, Hampshire College's "education program or activity" includes:

- Any on-campus premises
- Any off-campus premises that Hampshire College has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of Hampshire College's programs and activities over which the Hampshire College has substantial control.

### **The Five-College Consortium**

Hampshire College has joined with Smith College, Mount Holyoke College, Amherst College, and the University of Massachusetts Amherst to form the Five Colleges. Any College community member, including Five-College students and Hampshire College students, who wishes to report concerning behavior that occurs at an institution other than their home campus may do so by contacting the Title IX Office at either: 1) their home institution; or 2) the institution where either: a) the behavior occurred or b) where the alleged perpetrator of the concerning conduct is enrolled. As appropriate, the Hampshire Title IX Office will coordinate with another institution in support of any persons affected by reported Title IX Prohibited Conduct.

### **Formal Complaint**

For the purposes of this Title IX Grievance Policy, "formal complaint" means a document – including an [electronic submission](#) [263] - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within Hampshire College education program or activity and requesting initiation of the procedures consistent with the Title IX Grievance Policy to investigate the allegation of sexual harassment.

### **Complainant**

For the purposes of this Title IX Grievance Policy, Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual harassment as defined under this policy.

## **Relevant evidence and questions**

“Relevant” evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

“Relevant” evidence and questions do not include the following types of evidence and questions, which are deemed “irrelevant” at all stages of the Title IX Grievance Process:

- Evidence and questions about the complainant’s sexual predisposition or prior sexual behavior unless:
  - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
  - They concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).
- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege.
- Any party’s medical, psychological, and similar records unless the party has given voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020).

## **Respondent**

For the purposes of this Title IX Grievance policy, Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment as defined under this policy.

## **Privacy vs. Confidentiality**

Consistent with the Norms for Community Living, references made to confidentiality refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to privacy mean Hampshire College offices and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. Hampshire College will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

## **Disability Accommodations**

This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Grievance Process that do not

fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

## Reporting Sexual Harassment

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX coordinator, or by any other means that results in the Title IX coordinator receiving the person's verbal or written report.

Contact Information for the Title IX coordinator:

Zauyah Waite

Title IX coordinator and VP of student affairs/ dean of students

Merrill Student Life Center, 2nd floor

Hampshire College, 893 West Street, SA, Amherst, MA 01002

[zwSA@hampshire.edu](mailto:zwSA@hampshire.edu) [196]

o: 413.559.5412

[online report form](#) [264]

[265]

Such a report may be made at any time (including during non-business hours) by using the telephone number, online report form, or electronic mail address, or by mail to the office address listed for the Title IX coordinator.

### Confidential Reporting

The following Officials will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited under this policy:

- Zauyah Waite, Title IX coordinator, 413.559.5412, [zwSA@hampshire.edu](mailto:zwSA@hampshire.edu) [196]
- Greg Narleski, deputy Title IX coordinator, 413.559.6205, [ganSA@hampshire.edu](mailto:ganSA@hampshire.edu) [266]
- Matt Lewis, deputy Title IX coordinator, 413.559.5543, [mISA@hampshire.edu](mailto:mISA@hampshire.edu) [267]
- Amanda Surgen, deputy Title IX coordinator, 413.559.5754, [aksOP@hampshire.edu](mailto:aksOP@hampshire.edu) [268]
- Jake Toomey, deputy Title IX coordinator, 413.559.5605, [jtHR@hampshire.edu](mailto:jtHR@hampshire.edu) [133]

The following Officials will provide confidentiality:

- Hampshire College health and counseling services, 413.559.5458, [healthservices@hampshire.edu](mailto:healthservices@hampshire.edu) [269]

## **Responsible Employee**

It is important to understand the different responsibilities of Hampshire College Employees. Every Hampshire College Employee is designated as a “Responsible Employee”, a “Confidential Employee” or a “Private Employee.”

A “**Responsible Employee**” is any Employee who is not a Confidential or Private Employee. A Responsible Employee is required to immediately report to the College’s Title IX Coordinator all relevant details (obtained directly or indirectly) about Sexual Misconduct Violations that involve a College Student or Employee as a Complainant or Respondent, including dates, times, locations, and names of parties and witnesses. Responsible Employees include Resident Advisors, Community Facilitators, Teaching Assistants, EMTs, and all other student-employees when disclosures are made to any of them in their capacities as employees.

Responsible Employees are not required to report information disclosed (1) at public awareness events (e.g., “survivor speak-outs”, candlelight vigils, protests, or other public forums in which students may disclose Sexual Harassment; collectively “Public Awareness Events”; or (2) during an individual’s participation as a subject in an Institutional Review Board- approved human subjects research protocol (“IRB Research”). The College may provide information about Title IX rights and about available College and community resources and support at Public Awareness Events, however, and Institutional Review Boards may, in appropriate cases, require researchers to provide such information to all subjects of IRB research.

# **Non-Investigatory Measures Available Under the Title IX Grievance Policy**

## **Supportive Measures**

Complainants (as defined in prior section), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from Hampshire College regardless of whether they desire to file a complaint, which may include, listed below, as appropriate. Supportive measures are non-disciplinary and non-punitive.

- Counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules
- campus escort services
- restrictions on contact between the parties (no contact directive)
- changes in work or housing locations
- leaves of absence
- increased security and monitoring of certain areas of the campus

## **Emergency Removal**

Hampshire College retains the authority to remove a respondent from Hampshire College's program or activity on an emergency basis, where Hampshire College (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal.

- Hampshire College's Protocol Team is responsible for making the Risk Assessment and analysis to determine if a removal is justified.

If Hampshire College determines such removal is necessary, the respondent will be provided notice and an opportunity to challenge the decision immediately following the removal. The Dean of Students or designee will hear the removal challenge to make a final determination of the removal.

## **Administrative Leave**

Hampshire College retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process, consistent with the Hampshire College Employee Handbook.

# **The Title IX Grievance Process**

## **Filing a Formal Complaint**

The timeframe for the Title IX Grievance Process begins with the filing of a Formal Complaint. The Grievance Process will be concluded within a reasonably prompt manner, and no longer than ninety (90) business days after the filing of the Formal Complaint, provided that the Process may be extended for a good reason, including but not limited to the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. The procedure for applying for extensions is described below.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of Hampshire College, including as an employee. For complainants who do not meet this criteria, the College will utilize existing policy in Norms for Community Living, [Sexual Misconduct, Relationship Violence, and Stalking Policy](#). [129]

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. Hampshire College will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

Nothing in the Title IX Grievance Policy or the Norms for Community Living prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

## **Multi-Party Situations**

The institution may consolidate Formal Complaints alleging covered sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

## **Determining Jurisdiction**

The Title IX Coordinator, Dean of Students or designee, will determine if the instant Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in Hampshire College's education program or activity; and
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all of the elements are met, Hampshire College will investigate the allegations according to the Grievance Process.

### **Allegations Potentially Falling Under Two Policies:**

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied in the investigation and adjudication of all of the allegations.

### **Mandatory Dismissal**

If any one of these elements are not met, the Title IX Coordinator or designee, will notify the parties that the Formal Complaint is being dismissed for the purposes of the Title IX Grievance Policy. Each party may appeal this dismissal using the procedure outlined in "Appeals," below.

### **Discretionary Dismissal**



The Title IX Coordinator or designee, may dismiss a Formal Complaint brought under the Title IX Grievance Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- The respondent is no longer enrolled or employed by Hampshire College; or,
- If specific circumstances prevent Hampshire College from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any party may appeal a dismissal determination using the process set forth in “Appeals,” below.

### **Notice of Dismissal**

Upon reaching a decision that the Formal Complaint will be dismissed, the institution will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their institutional email accounts. It is the responsibility of parties to maintain and regularly check their email accounts.

### **Notice of Removal**

Upon dismissal for the purposes of Title IX, Hampshire College retains discretion to utilize the Norms for Community Living and/or the [Sexual Misconduct, Relationship Violence, and Stalking Policy](#) [129] to determine if a violation of Norms for Community Living and/or the [Sexual Misconduct, Relationship Violence, and Stalking Policy](#) [129] has occurred. If so, Hampshire College will promptly send written notice of the dismissal of the Formal Complaint under the Title IX Grievance Process and removal of the allegations to the conduct process.

## **Notice of Allegations**

The Title IX Coordinator will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable, but no more than five (5) business days after the institution receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

The parties will be notified by their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither.

The institution will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator or designee, may determine that the Formal Complaint must be dismissed on the mandatory grounds identified above, and will issue a Notice of Dismissal. If such a determination is made, any party to the allegations of sexual harassment identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with, or in separate correspondence after, the Notice of Allegations.

### **Contents of Notice**

The Notice of Allegations will include the following:

- Notice of the institution's Title IX Grievance Process and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, as required under 34 C.F.R. § 106.45(b)(5)(iv);
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source, as required under 34 C.F.R. § 106.45(b)(5)(vi);
- The Norms for Community Living Policy, [Right of Freedom of Communication of Ideas](#) [107] prohibits knowingly making erroneous statements, false statements or knowingly submitting false information during the grievance process.

### **Ongoing Notice**

If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Grievance Policy, the institution will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means.

The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

# **Advisor of Choice and Participation of Advisor of Choice**

Hampshire College will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.

The College has a long-standing practice of requiring students to participate in the process directly and not through an advocate or representative. Students participating as Complainant or Respondent in this process may be accompanied by an Advisor of Choice and/or a Support Person to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice and/or Support Person is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice and/or Support Person shall not participate directly in the process as per standard policy and practice of Hampshire College.

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

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

## **Notice of Meetings and Interviews**

Hampshire College will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

## **Delays**

Each party may request a one-time delay in the Grievance Process of up to five (5) business days for good cause (granted or denied in the sole judgment of the Title IX Coordinator, Director of Student Rights and Responsibilities, Dean of Students, or designee) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.

For example, a request to take a five day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while

a request for a five day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.

Title IX Coordinator, Director of Student Rights and Responsibilities, Dean of Students, or designee shall have sole judgment to grant further pauses in the Process.

# Investigation

## General Rules of Investigations

An investigator designated by the Title IX Coordinator will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.

Hampshire College and not the parties, has the burden of proof and the burden of gathering evidence, i.e. the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to participate in an investigation or hearing. This does not shift the burden of proof away from Hampshire College and does not indicate responsibility.

Hampshire College cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. Hampshire College will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

## Inspection and Review of Evidence

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

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

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

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

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

The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties' written responses before completing the Investigative Report.

- The institution will provide copies of the parties' written responses to the investigator to all parties and their advisors, if any.
- The institution will provide the parties five (5) business days after the initial inspection and review of evidence, and before the investigator completes their Investigative Report, to provide additional evidence in response to their inspection and review of the evidence, and then provide the parties five (5) business days to inspect, review, and respond to the party's additional evidence through a written response to the investigator. Those written responses will be disclosed to the parties.

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

The parties and their advisors agree not to photograph or otherwise copy the evidence.

### **Inclusion of Evidence Not Directly Related to the Allegations**

Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will be included in the appendices to the investigative report.

## **Investigative Report**

An investigator designated by the Title IX Coordinator will create an Investigative Report that fairly summarizes relevant evidence, and will provide that Report to the parties at least ten (10) business days prior the hearing in an electronic format or a hard copy for each party's review and written response.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations - relevant evidence) will be referenced in the Investigative Report.

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

# Hearing

## **General Rules of Hearings**

Hampshire College will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at Hampshire College discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through video conferencing. This technology will enable participants simultaneously to see and hear each other. At its discretion, Hampshire College may delay or adjourn a hearing based on technological errors not within a party's control.

All proceedings will be recorded through audio recording. That recording or transcript will be made available to the parties for inspection and review.

Prior to obtaining access to any evidence, the parties and their advisors must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn.

## **Continuances or Granting Extensions**

Hampshire College may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, Hampshire College will notify all participants and endeavor to accommodate all participants' schedules and complete the hearing as promptly as practicable.

## **Newly-discovered Evidence**

As a general rule, no new evidence or witnesses may be submitted during the live hearing.

If a party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the party may request that such evidence or witnesses be considered at the live hearing.

The Community Review Board will consider this request and make a determination regarding (1) whether such evidence or witness testimony was actually unavailable by reasonable effort prior to the hearing, and (2) whether such evidence or witness testimony could affect the outcome of the matter. The party offering the newly-discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the Community Review Board answers in the affirmative to both questions, then the parties will be granted a reasonable pause in the hearing to review the evidence or prepare for questioning of the witness.

### **Participants in the live hearing**

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

#### Complainant and Respondent (The Parties)

- The parties cannot waive the right to a live hearing.
- The institution may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a “statement” by that party.
  - For example, A verbal or written statement constituting part or all of the sexual harassment itself is not a “prior statement” that must be excluded if the maker of the statement does not submit to cross-examination about that statement. In other words, a prior statement would not include a document, audio recording, audiovisual reading, and digital media, including but not limited to text messages, emails, and social media postings, that constitute the conduct alleged to have been the act of sexual harassment under the formal complaint. See, OCR Blog (May 22, 2020), available at <https://www2.ed.gov/about/offices/list/ocr/blog/20200522.html> [270]
- Hampshire College will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party’s participation. See 34 C.F.R. § 106.71; see also 85 Fed. Reg. 30026, 30216 (May 19, 2020).
- If a party does not submit to cross-examination, the decision-maker cannot rely on any prior statements made by that party in reaching a determination regarding responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a “statement” by that party.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party’s absence from the live hearing or refusal to answer cross examination or other questions. See 34 C.F.R. §106.45(b)(6)(i).

#### The Decision-maker (Community Review Board)

- The hearing body will consist of a panel of 3 members, the Community Review Board (CRB).
- No member of the hearing body will also have served as the Title IX Coordinator, Title IX investigator, or advisor to any party in the case, nor may any member of the hearing body serve on the appeals body in the case.
- No member of the hearing body will have a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.

- The hearing body will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.
- The parties will have an opportunity to raise any objections regarding a decision-maker's actual or perceived conflicts of interest or bias at the commencement of the live hearing.

#### Advisor of choice

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- In addition to selecting an advisor to conduct cross-examination, the parties may select an advisor who may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party.
- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The advisor is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party's advisor may appear and conduct cross-examination on their behalf. 85 Fed. Reg. 30026, 30340 (May 19, 2020).
- If neither a party nor their advisor appear at the hearing, Hampshire College will provide an advisor to appear on behalf of the non-appearing party. See, 85 Fed. Reg. 30026, 30339-40 (May 19, 2020).

#### Witnesses

- Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing free from retaliation. See, 85 Fed. Reg. 30026, 30360 (May 19, 2020).
- If a witness does not submit to cross-examination, as described below, the decision-maker cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing. 85 Fed. Reg. 30026, 30347 (May 19, 2020).

#### **Hearing Procedures**

For all live hearings conducted under this Title IX Grievance Process, the procedure will be as follows:



- The Community Review Board will open and establish rules and expectations for the hearing;
- The Parties will each be given the opportunity to provide opening statements;
- The Community Review Board will ask questions of the Parties and Witnesses;
- Parties will be given the opportunity for live cross-examination after the Community Review Board conducts its initial round of questioning; During the Parties' cross-examination, the Community Review Board will have the authority to pause cross-examination at any time for the purposes of asking the Community Review Board's own follow up questions; and any time necessary in order to enforce the established rules of decorum.
- Should a Party or the Party's Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the the Community Review Board. A Party's waiver of cross-examination does not eliminate the ability of the the Community Review Board to use statements made by the Party.

### **Live Cross-Examination Procedure**

Each party's advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, the Community Review Board will determine if the question is relevant. ([Determining Relevance](#). [271]) Cross-examination questions that are duplicative of those already asked, including by the Community Review Board may be deemed irrelevant if they have been asked and answered.

### **Review of Transcript or Recording**

The Transcript or Recording of the hearing will be available for review by the parties within ten (10) business days, unless there are any extenuating circumstances. The Transcript or Recording of the hearing will not be provided to parties or advisors of choice.

## **Determining Relevance**

### **What is the purpose of this Guide?**

On May 19, 2020, the U.S. Department of Education issued Final Rules governing the Title IX grievance process, effective August 14, 2020. The Final Rule requires that all colleges and universities hold a live hearing before making any determination regarding responsibility for covered reports of Title IX sexual harassment, including sexual violence. This hearing must provide for live cross-examination by the parties' advisors.

Any question posed by the advisors must be evaluated for “relevance” in real time by the hearing officer. According to Final Rule §106.45(b)(6)(i):

Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

### **What is a relevant question?**

The Department of Education encourages institutions to apply the “plain and ordinary meaning” of relevance in their determinations. 85 Fed. Reg. 30026, 30304 (May 19, 2020). Basically, a relevant question will ask whether the facts material to the allegations under investigation are more or less likely to be true. *Id.* at 30294. A question not directly related to the allegations will generally be irrelevant.

Officials should use common sense in this understanding. Things may be interesting or surprising but not be relevant.

Relevance decisions should be made on a question-by-question basis, looking narrowly at whether the question seeks information that will aid the decision-maker in making the underlying determination. The relevance decision should not be based on who asked the question, their possible (or clearly stated) motives, who the question is directed to, or the tone or style used to ask about the fact. Relevance decisions should not be based in whole or in part upon the sex or gender of the party for whom it is asked or to whom it is asked, nor based upon their status as complainant or respondent, past status as complainant or respondent, any organizations of which they are a member, or any other protected class covered by federal or state law (e.g. race, sexual orientation, disability).

If a question is relevant but offered in an abusive or argumentative manner, the decision-maker has the discretion to ask the advisor to rephrase the question in an appropriate manner, consistent with the institution’s decorum policy for hearings.

### **What if the question is “prejudicial” and concerns sensitive or embarrassing issues?**

Much of the content within these hearings may be considered sensitive and/or embarrassing by parties or advisors. However, relevant questions need to be considered *even if* a party or advisor believes the danger of unfair prejudice substantially outweighs their probative value. Only irrelevant questions (detailed below), including about the complainant’s prior sexual history, may be excluded.

### **What is an irrelevant question?**

*Question about Complainant’s Prior Sexual Behavior or Sexual Predisposition*

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless:

1. such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
2. if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).

#### *Question regarding Privileged Information*

Questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege are irrelevant. 34 C.F.R. § 106.45(1)(x). Depending on your state, individuals with legal privilege may include medical providers (physician, dentist, podiatrist, chiropractor, nurse), psychologists, clergy, rape crisis counselors, and social workers. (for instance, New York's "laws of privilege" are listed within [CPLR Article 45](#) [272]; Each state has its own rules around privilege).

#### *Questions about Undisclosed Medical Records*

Questions that call for information about any party's medical, psychological, and similar records are irrelevant unless the party has given voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020).

#### *Duplicative Questions*

Questions that repeat, in sum or substance, questions already asked by a party's advisor during cross-examination (and if part of your process, during direct examination), may be ruled duplicative, and therefore irrelevant.

#### **How should the decision-maker reach a relevance determination?**

If the decision-maker is a single individual, the decision-maker will be solely responsible for determining the relevance of the question before it is asked.

If the decision-maker is a panel, the panel's Chair will make all determinations of relevance.

#### **What should the relevance determination consist of?**

The Department of Education explains that the Final Rule "does not require a decision-maker to give a lengthy or complicated explanation" in support of a relevance determination. Rather, "it is sufficient, for example, for a decisionmaker to explain that a question is irrelevant because the question calls for prior sexual behavior information without meeting one of the two exceptions, or because the question asks about a detail that is not probative of any material fact concerning the allegations." Id. at 30343.

As such, the decision-maker need only provide a brief explanation of the determination, which will ordinarily consist of one of the following statements depending on the situation.

#### *Generally probative questions*

- The question is relevant because it asks whether a fact material to the allegations is more or less likely to be true.
- The question is irrelevant because it asks about a detail that does not touch on whether a material fact concerning the allegations is more or less likely to be true. See, 85 Fed. Reg. 30026, 30343 (May 19, 2020).

#### *Question about Complainant's Prior Sexual Behavior or Sexual Predisposition*

- The question is relevant because although it calls for prior sexual behavior information about the complainant, it meets *one of the two exceptions* to the rape shield protections defined in 34 C.F.R. § 106.45(b)(6)(i), and it tends to prove that a material fact at issue is more or less likely to be true [denote which exception].
  - Exception one: The question is asked to prove that someone other than the respondent committed the conduct alleged by the complainant.
  - Exception two: The question concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and is asked to prove consent
- The question is irrelevant because it calls for prior sexual behavior information about the complainant without meeting one of the two exceptions to the rape shield protections defined in 34 C.F.R. § 106.45(b)(6)(i).

#### *Question regarding Privileged Information*

- The question is irrelevant because it calls for information shielded by a legally-recognized privilege [identify the privilege].
- The question is relevant because, although it calls for information shielded by a legally-recognized privilege [identify the privilege], that privilege has been waived in writing, and the question tends to prove that a material fact at issue is more or less likely to be true.

#### *Questions about Undisclosed Medical Records*

- The question is irrelevant because it calls for information regarding a party's medical, psychological, or similar record without that party's voluntary, written consent. 85 Fed. Reg. 30026, 30294.
- This question is relevant because although it calls for a party's medical, psychological, or similar records, that party has given their voluntary, written consent to including this

material, and it tends to prove that a material fact at issue is more or less likely to be true. 85 Fed. Reg. 30026, 30294 (May 19, 2020).

### *Duplicative Questions*

- The question is irrelevant because it is duplicative of a question that was asked and answered.

The decision-maker may relay a longer explanation if necessary under the circumstances.

The relevance determination will be conveyed orally, except as needed to accommodate a disclosed disability of a hearing participant, and all relevance determinations will be preserved in the record of the proceeding.

### **May the parties and/or their advisors ask the decision-maker to reconsider their relevance decision?**

[Any party or their advisor; depends on role of advisor] [may/may not] request that the decision-maker reconsider their relevance determination.

The decision-maker may deny or grant the request to reconsider. This determination is final, but may be subject to appeal under the Title IX Grievance Process.

## **Determination Regarding Responsibility**

### **Standard of Proof**

Hampshire College uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of formal complaints covered under this Policy. This means that the investigation and hearing determines whether it is more likely than not that a violation of the Policy occurred.

### **General Considerations for Evaluating Testimony and Evidence**

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision-maker.

Decision-makers shall not draw inferences regarding a party or witness' credibility based on the party or witness' status as a complainant, respondent, or witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

Still, credibility judgments should not rest on whether a party or witness' testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness' testimony regarding third-party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.

The Final Rule requires that Hampshire College allow parties to call "expert witnesses" for direct and cross examination. Hampshire College does not provide for expert witnesses in other proceedings. While the expert witness will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

The Final Rule requires that Hampshire College allow parties to call character witnesses to testify. While the character witnesses will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

The Final Rule requires that Hampshire College admit and allow testimony regarding polygraph tests ("lie detector tests") and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

Where a party or witness' conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the Community Review Board may draw an adverse inference as to that party or witness' credibility.

### **Components of the Determination Regarding Responsibility**

The written Determination Regarding Responsibility will be issued simultaneously to all parties through their institution email account, or other reasonable means as necessary. The Determination will include:

1. Identification of the allegations potentially constituting covered sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section of the Norms for Community Living, if any, the respondent has or has not violated.
5. For each allegation:
  1. A statement of, and rationale for, a determination regarding responsibility;
  2. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
  3. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
6. The recipient's procedures and the permitted reasons for the complainant and respondent to appeal (described below in "Appeal").

### **Timeline of Determination Regarding Responsibility**

If there are no extenuating circumstances, the determination regarding responsibility will be issued by Hampshire College within ten (10) business days of the completion of the hearing.

### **Finality**

The determination regarding responsibility becomes final either on the date that the institution provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with the procedures and timeline outlined in "Appeals" below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

## **Appeals**

Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal within five (5) business days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e. a failure to follow the institution's own procedures);
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;

- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals may be no longer than three (3) pages (including attachments). Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12 point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by the Dean of Students or designee, who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decisionmaker in the same matter.

Outcome of appeal will be provided in writing simultaneously to both parties, and include rationale for the decision.

## **Retaliation**

Hampshire College will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a Formal Complaint of sexual harassment under this Title IX Grievance Policy, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under this Title IX Grievance Policy.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to



participate in any manner in an investigation, proceeding or hearing under this Title IX Grievance Policy.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment. Norms for Community Living, [Bystander Amnesty Policy](#) [115].

Complaints alleging retaliation may be filed according to the [Discrimination, Harassment, and Retaliation Policy](#). [201]

## **Title IX Training Materials**

Section 106.45(b) of the 2020 Final Title IX Rules require the sharing of “*All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. A recipient must make these training materials publicly available on its website, or if the recipient does not maintain a website the recipient must make these materials available upon request for inspection by members of the public.*”

For the purposes of compliance with section 106.45 of the Title IX Final Rules, Hampshire College is a member of the State University of New York, Student Conduct Institute. This [website](#) [273] includes all training materials created by the Student Conduct Institute for its member institutions to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process in Title IX compliance and practices.



[273]

## **General Policies**

## **Campus Leadership and Activities**

Student group recognition, policies, activities, and events are overseen by [campus leadership and activities](#) [274]. Hampshire College encourages students to design and implement programs that enrich and are consistent with the educational mission of the College. The name “Hampshire College” and all abbreviations are the property of the Trustees of Hampshire College and may

not be used to imply, either directly or indirectly, the College's endorsement, support, favor, association with, or opposition to an organization, product, or service without permission of the College. The assistant dean of students for [campus leadership and activities](#) [274], as well as the [dean of students office](#) [275] or designee, may deny recognition, or cancel events or activities that violate any of these criteria.

### **Hosting/Registering an Event or Program**

All events have an impact on the image and reputation of Hampshire College. Therefore, event organizers have the responsibility to ensure that their events reflect the core values of the institution: responsibility, community, and well-being. All events must comply with the campus event safety policy: <https://www.hampshire.edu/offices/campus-event-safety-policy> [276]

The event registration process is designed to provide assistance to event organizers and student group representatives in navigating the various steps necessary to host an event on campus. This includes providing support with reserving facilities, complying with applicable campus policies and procedures, and ensuring adequate program planning. The policy covers the following events hosted on campus:

- Events funded by student activities fee (funded or sponsored by [FundCom](#) [277], student groups, non-student groups, and EPEC Courses)
- Events in public spaces
- Conferences (see more guidelines below) and workshops
- Events with an anticipated audience of 15 or more
- Events held outdoors
- Events involving alcohol

For general event planning guidelines visit [leadership.hampshire.edu](#) [278].

Looking for information about how to host events in the residences? Visit the [residence life social events section](#) [121] for more information.

### **Large Events, Conferences, and Multiday Events**

#### **Large Events**

Events with an expected attendance of more than 200 individuals require consideration beyond the two-week event-registration requirement. Campus leadership and activities will work in conjunction with student organizers in an attempt to accommodate large events. However, because each event may require unique considerations, each must be evaluated on a case-by-case basis.

#### **Hosting Conferences or Multiday Events**

Students who want to hold a conference or multiday event on campus must do so in conjunction with campus leadership and activities. Planning must begin **at least four months in advance** of the conference or multiday event. Conference planning requires a large amount of preparation and logistics. Considerations need to include: funding, event budget, time of year, location, security, contracting with outside vendors/speakers, expected attendance of on-

and off-campus individuals, parking and traffic, food, lodging, setup, technical needs, conflicts, advertising, and guest registration.

[Campus leadership and activities](#) [274] has guidelines that student organizers need to follow when planning a conference or multiday event. Due to availability of campus resources, students and student groups are allowed to host only one conference or multiday event a year. For information about additional requirements and planning procedures, please visit [campus leadership and activities](#) [274].

### **Additional Event Planning Regulations**

- Alcoholic beverages are allowed only by special permit (see the [Alcohol Policy](#) [178]).
- All campus events have a 10 p.m. curfew Sunday through Thursday and a 1 a.m. curfew on Friday and Saturday. [Quiet hours](#) [179] begin at 11 p.m. (Sunday–Thursday) and at 2 a.m. (Friday–Saturday).
- Events cannot take place prior to the first day of classes (orientation period), beyond one week after classes end (graduation period), or during other large scale campus events. Final event approval is always at the discretion of the assistant dean of students for campus leadership and activities. Only events sponsored or approved by the hype committee can be scheduled during the dates of Hampshire Halloween and Spring Jam. [Campus leadership and activities](#) [274] in conjunction with [campus p](#) [112][olice](#) [112] and [event services](#) [279] may limit, at any time, the number of registered student events per day or weekend. Events hosted within the residence areas is up to the discretion of the associate dean of students for residence life.
- **Non-Student Group Events: Event organizers are the students requesting money for an event, and are taking on the responsibility of organizing, attending, and monitoring the event. Each event requires three event organizers, and all three event organizers must be currently enrolled, distinct students. (See the non-student group policy on the student recognition process page)**
- All trash and recycling must be collected and placed in the appropriate barrels.
- At no time may doors, fire exits, elevators, hallways, or foot traffic be blocked. All events must observe fire and accessibility codes.

### **Advertising:**

- Advertising for events is permitted only once the event has been approved by [campus leadership and activities](#) [274]. This includes online advertising in social media as well as postering, tabling, chalking, and mailbox stuffing.
- Posters are permitted only on bulletin boards not designated for specific departments or centers. Students are encouraged to use the bulletin boards under the walkway along the west wall of Franklin Patterson Hall and the north wall of the Harold F. Johnson Library Center, underneath the bridge. Posters placed anywhere but upon designated bulletin boards will be removed with no regard to content.
- Chalking is permitted on any outside ground surface that is exposed to the elements (can be rained or snowed upon) so removal does not require the attention of facilities and grounds staff. Chalking is prohibited inside campus buildings and outside on non-ground

surfaces including, but not limited to, walls and windows of campus buildings, signs, trees, poles, and other structures.

### **Fundraising Policy:**

- Fundraising may be conducted for the purpose of charitable giving or charitable donations to entities outside of Hampshire College as well as for recognized student groups. Any student interested in fundraising is required to obtain authorization from the assistant dean of students for campus leadership and activities for any fundraising event and/or where money is exchanged. For student group fundraising or events handling cash, campus leadership and activities, working with the controller's office, must have reviewed and approved the student groups cash handling procedures prior to the event.
- Fundraising activities benefiting an outside organization/company/foundation must have a letter of permission from the organization/company/foundation when registering the activity.
- Monies raised for an outside charitable organization must be donated directly to the outside entity (for example, through donation to the entity's website, or an entity representative being physically on site to collect donations).
- Monies raised for the purpose of charitable giving must be submitted to the charitable entity within two (2) business days of the fundraising. Monies cannot be held by an individual or student group beyond that time. Current students may not function as a charitable entity's representative for the purpose of collecting charitable donations.
- All monies donated to a recognized student group must be transferred to the student group account one week prior to the event date.
- All crowdfunding campaigns to benefit student groups will be created and managed by CLA.

### **Contract Policy:**

**Any performer, speaker, organization or outside vendor at an event sponsored by a student group or using SAF funding must complete and sign a Hampshire College Contract.** All contracts must be authorized by [campus leadership and activities](#) [274].

**Students are prohibited from signing any contracts or making verbal and/or written commitments to outside agencies, as it makes them PERSONALLY LIABLE for fulfilling the terms of the contract should a problem arise.**

Contract Request Forms must be submitted a minimum of two (2) weeks prior to the event date. Each person/organization/vendor receiving payment will require its own individual contract. Please submit one contract request form for each person/organization/vendor receiving payment.

**Contract request forms can be found on the [HampEngage](#) [280] homepage under campus links.**

**The associate director of campus leadership and activities should also review all rental or purchase contracts as well as legally binding agreements to ensure the terms are agreeable for Hampshire College.**

Any questions about contracts can be directed to the associate director of [campus leadership and activities](#) [274].

### **Reserving Space:**

The dining commons, red barn, main, west, and east lecture halls in Franklin Patterson Hall, the merrill and dakin living rooms, and most academic and other campus spaces may be reserved through the [event services and summer programs office](#) [279]. The library gallery may be reserved through the gallery coordinator, 413.559.5622.

Any reservations of space for student events made with [event services and summer programs](#) [279] will be considered tentative until the event registration form (ERF) is approved by [campus leadership and activities](#) [274]. If an ERF has not been approved, tentative bookings will be canceled two-weeks prior to an event without notice. Food and beverages are allowed only in certain spaces; when making reservations, refreshments must be noted. Sensitivity to neighboring classes, offices, meetings, and functions should be exercised. All campus events have a 10 p.m. curfew Sunday through Thursday and a 1 a.m. curfew on Friday and Saturday.

## **Student Group Accountability**

Hampshire College emphasizes the importance of individual responsibility and accountability in the lives of its students. Additionally, the rights and duties of recognized student groups also carry with them an obligation on the part of their members, collectively, to uphold the policies and community standards set forth in our the Code of Conduct. This statement of group accountability acknowledges that unacceptable behaviors by individuals functioning as members or signers of a student group may have consequences for those individuals as well as for the group.

Also, the privilege of being a signer of a student group carries with it particular responsibility for the reasonable anticipation and prevention of foreseeable violations of College policies, resulting from either deliberate or negligent behavior of the group's members or guests.

In general, a recognized student group may be held accountable for the behavior of its members and guests on its premises, at events sponsored or co-sponsored by the group, or when a group including significant numbers of members or guests violate the Code of Conduct. Student groups that violate the Code of Conduct may be subject to sanctioning. It is the responsibility of group signers or those in charge of an event to identify foreseeable problems that may arise and to take timely corrective action.

Campus leadership and activities will address student groups reported as violating the Code of Conduct, and when appropriate sanctions will be imposed. At the discretion of campus leadership and activities, typically for significantly egregious violations, student groups may be

referred to the office of student rights and responsibilities for resolution through the [formal conduct process](#) [9].

# Student Group Recognition Process

## Student Group Recognition Process

The student group recognition process is held in the spring semester for the next academic year's recognition. All groups, new and established, are required to complete and submit a registration form each year.

[Campus leadership and](#) [274][activities](#) [274] evaluates all applications to determine if additional information is necessary, and if approved, the group is recognized for the next academic year. Consideration will be given to the type of activity, similarity to existing groups, their detailed mission statement, proposed community engagement, risk and safety concerns, as well as the viability of the group determined by potential conflict with [Norms for Community Living and Policies](#) [177].

Groups may be asked to have a faculty or staff advisor, and/or submit a self-risk activity assessment. **Once recognized, all participating members of the group must complete a student activities risk waiver.**

If a registration form is not submitted, or supplemental information is not provided, the registration will not be approved.

Unrecognized student groups are not eligible to receive direct funding from the student activities fund (SAF), nor have an active HampEngage page.

## Student Group Expectations:

- All student groups must have three trained signers in order to maintain recognition.
- Student groups must host one event or program open to the Hampshire community per semester in order to maintain recognition. A program can be active, such as an event, or it can be passive educational outreach, for example an informational campaign or a publication.
- Student groups must register their meetings on [HampEngage](#) [280] via the event registration form. Failure to do so will make your group ineligible to receive funding. All group meetings must occur in public spaces.
- All participating members of the student group must complete an online student activities risk waiver.
- Student groups will notify CLA in writing of any intent to change to the name of the student group, mission statement, or group signers.



- All members of student groups are expected to conduct themselves, both on and off campus, as responsible members of the Hampshire Community.
- All student groups shall be responsible for adhering to the above expectations as well as policies outlined in the [Student Handbook](#) [281].

### **Signer Expectations:**

- All student group signers are required to attend signer training and at least two additional leadership training sessions organized by campus leadership and activities (CLA) each semester. In the event that a signer cannot attend a training the student must notify the assistant dean of students for CLA in writing and send a representative of the student group in their place or attend a makeup session; failure to do so will impact the recognition status of your group and its ability to receive funding.
- Signers are responsible for submitting all of the following on [HampEngage](#) [280]:
  - SAF funding request forms
  - Purchase request forms for food, services, and supplies
    - This includes second signing purchase requests
  - Event forms for group meetings and events
  - Trip registration forms
  - Contract request forms for outside performers/speakers/vendors
- Any Purchase Request that is not 2<sup>nd</sup> signed within 48 hours will be cancelled. After two (2) requests without a 2<sup>nd</sup> signer, the Signers will need to meet with the CLA financial assistant, Tammy Parks before submitting any further purchase requests. Signers are responsible for picking up purchase orders from CLA and returning receipts in a timely manner, within three (3) days of purchase.
- Tipping for food delivery:
  - Students are to place a 15% tip at the time of placing the order; if you tip more than 15% we may ask you to provide the difference in cash. It is not necessary to provide a tip if you pick up the food yourself.
- Deposits:
  - Signers must inform the CLA financial assistant, Tammy Parks, of any cash deposits or fund transfers from inter-departmental accounts.
- Duplications:
  - Signers must have all duplication charges approved by the CLA financial assistant, Tammy Parks, prior to making any copies.
- All signers of student groups are expected to conduct themselves, both on and off campus, as responsible members of the Hampshire Community.

### **Maintaining Your Student Group Recognition.**

These recognition requirements will be reviewed both mid-year and as part of the annual



recognition process to determine eligibility for continued group recognition. Groups may be moved to a frozen status if they do not fulfill these specific requirements.

### **New Student Group Recognition Process**

There is no new student group recognition process at the start of the fall or spring semester. Groups that are interested in becoming a recognized student group must wait until the official process at the end of the spring semester. New groups can still meet, reserve space, and begin recruiting potential members prior to submitting an official application for recognition.

For additional information on becoming a recognized group visit [leadership.hampshire.edu](http://leadership.hampshire.edu) [274].

## **Dining and Meal Plans**

### **Meal Plan**

For the 2021-2022 academic year, full block meal plans are required of students living in Dakin or Merrill. Students living in Enfield, Greenwich or Prescott are required to have a 75-block meal plan per semester. Meal plans are subject to change each year, and information about meal plan options is available from the dining services office or the [dining options and meal plans page](#) [282]. Block meal plans are nontransferable, but guest meal tokens are available. Block meals taken at the Bridge Cafe and Kern Cafe are processed as meal swaps (see below). Students must have their [OneCard](#) [283] to enter the dining commons or to use their block meal plans at the Bridge Cafe and Kern Cafe. Students will be asked to retrieve their card if they arrive without it.

If you need assistance, have questions regarding meal plan options contact [Franny Krushinsky](#) [284], director of dining services. Need help with OneCard or lost your card, email the [OneCard office](#) [183].

### **Meal Swaps**

When a student purchases one of the block meal plans, they are able to use their meals at the Dining Commons or at the Bridge Cafe and Kern Cafe as a meal swap. Meals can be swapped at the Bridge Cafe and Kern Cafe during the regular business hours for that location, during a meal period, one per day. The value of the swap is \$7.75 for breakfast and \$10.75 for lunch or dinner. If desired, a student may choose a meal in excess of these values and pay the difference with café card funds, cash, credit or debit.

### **Entering and Exiting Dining Commons**

Students who have a block meal plan or who have paid with café card funds, cash, credit, or debit cards are allowed into the Dining Commons. Guests are not permitted to enter the dining room unless they have paid for their meal or they have presented a guest meal token. Coffee, tea, fountain soda, and light snacks are available in the dining commons between meal periods for a nominal fee. Food must be consumed inside the Dining Commons, COVID protocols permitting.

## **Dress Code**

Everyone entering the Dining Commons is required to wear a shirt, shoes and a mask at all times. A mask may be removed when seated at a table. We ask that all clothes be clean to ensure proper sanitation.

## **Dining Accommodations**

Students with food and dining-related disabilities are encouraged to work directly with dining services and the office of accessibility resources and services (OARS). Most dietary needs can be addressed by working directly with dining services to identify available options. Students can concurrently pursue the [formal accommodation request process](#) [95] with OARS to identify need for accommodation not able to be accommodated directly with support from Dining Services.

# **Financial Aid**

For detailed information about our aid programs and policies, our application process, due dates, and links to forms, outside resources, agencies, and federal websites visit the [Satisfactory Academic Progress and Financial Aid section](#) [18]. A brief description of some of the most important financial aid features are included below.

## **Aid Policies**

Students who enroll as dependent students are considered dependent throughout their Hampshire career. U.S. citizens and permanent resident aliens who did not receive a grant from the College upon their initial enrollment are not eligible to apply until their second year of enrollment. International students who did not receive a grant from the College upon their initial enrollment are not eligible during their Hampshire career, even if there is a change in circumstance or currency exchange rates.

Students not on a full meal plan will have a reduction in their cost of attendance and their Hampshire Grant. Students living at home with their parent(s) will have a larger reduction in their cost of attendance and their corresponding Hampshire Grant eligibility. Please contact the financial aid office for more details.

Please review our [Satisfactory Academic Progress and Financial Aid section](#) [18] for more information about other financial aid policies.

## **Aid Eligibility**

Students must demonstrate financial need and must be making [satisfactory academic progress](#) [285] according to the guidelines of the College. Need is the difference between the cost of a Hampshire education and the amount a student and family can reasonably be expected to contribute. The expected family contribution consists of a contribution from the parents, a portion of the student's savings and assets, and a summer earnings expectation from the student.

Students must be making [satisfactory academic progress](#) [285] according to the College's guidelines to be eligible for financial aid (federal, state, and institutional awards including merit

scholarships). The [center for academic support and advising \(CASA\)](#) [11] and the [financial aid office](#) [30] will measure academic progress once per year at the end of the spring semester.

### **Aid Application Process**

All financial aid students (except international students) need to reapply for financial aid each year. We use the [CSS Profile](#) [286] to determine eligibility for institutional aid for international students. For U.S. citizens and permanent residents the [FAFSA](#) [287] form is used to determine eligibility for federal, state, and institutional aid including federal student loans, federal and state grants, and federal work-study. Students applying for fall term institutional aid must provide the necessary financial aid forms to the financial aid office by May 1. Students applying for aid for the spring term only must submit these forms by December 1. Renewal application reminders are mailed in the spring; new applicants may notify the financial aid office that they wish to apply. If the Profile or FAFSA results are received after the due date there will be a reduction to the Hampshire Grant.

Be sure to review your online financial aid account on [TheHub](#) [54] to review the status of your aid application and check for missing documents; click on the "my financial aid" link; log in again; be sure the appropriate year is showing in the drop down box in the top right corner, click on the "menu" icon in the upper left corner, and then click on the "my documents" tab.

Students selected for the verification process need to provide all required forms and data, including those for the verification process, before a financial aid award is determined.

Non-custodial parents are not required to complete the non-custodial profile for renewal applications but may request a review of their financial situation when a significant change has occurred. First time financial aid applications from current students will require the non-custodial profile, if applicable. Please contact the financial aid office for details.

### **Aid Decisions**

After we receive all of your required documents and data for your aid application, we will review your application and determine if we can provide you with need-based aid (Hampshire Grant). On-time applicants will be notified of their financial aid decisions by the end of June; late applicants will be notified after their aid application becomes complete. You will be sent an email to your Hampshire email account directing you to your online financial aid account on [TheHUB](#) [54] to review your financial aid awards; instructions on how to view your account will be included in the email notification. Awards are "packaged" to include a student loan recommendation, a work-study opportunity, and grant assistance. You must also accept your awards on [TheHUB](#) [54] to authorize us to post them to your College bill and to originate and disburse your federal aid. The self-help (loan and work) components of your award will increase each year as you progress toward your degree.

### **Student Loans**

Students are eligible for a student loan even if they are not receiving other assistance. Students not awarded but interested in a student loan must notify this office of the loan amount. Hampshire participates in the [Federal William D. Ford Direct Loan Program](#) [288]. The [FAFSA](#) [289] is the application for this loan program. Annual loan limits are \$5500 for first-year students

(0 - 6 successfully completed courses); \$6500 for second-year (7 - 12 courses); and \$7500 beginning with the third year (third year = 13 - 18 courses; fourth year = 19+ courses). After all of the loan paperwork is completed, the loan will be disbursed to your student account. First-time borrowers are required to participate in the entrance counseling session and sign a master promissory note before their loans can be disbursed. Students are also required to participate in an exit counseling session when leaving Hampshire. Student rights, responsibilities, and obligations will be explained during both entrance and exit sessions. Hampshire College adheres to a strict [Code of Conduct](#) [290] related to student loans.

### **Financial Aid Office**

If you have any questions about the financial aid application process or our policies please contact us by phone at 413.559.5484; by email at [financialaid@hampshire.edu](mailto:financialaid@hampshire.edu) [87], visit our website at <http://financialaid.hampshire.edu> [291] or drop by our office. We are located on the second floor of the Kern Center.

If you need to send documents to the financial aid office be sure to write your name and/or Hampshire ID number on each document. You may securely fax documents to 413.559.5585 or mail them to the financial aid office, Hampshire College, 893 West Street, Amherst, MA 01002-3359.

## **Student Employment**

Only students who have a work-study offer as part of their financial aid package are eligible to hold a work-study position. Eligible students can [view](#) [292] [the master job list](#) [292] and other job listings. There are a variety of employment opportunities and experiences to enable students to meet their earnings potential as well as their academic schedule and interests.

Students are paid directly on a biweekly schedule according to the time submitted on the HUB. The wage rate for most positions is \$13.50 per hour for the Fall 2021 term and \$14.25 for the Spring 2022 term. A work-study offer gives the student an opportunity to apply for work-study jobs on and off campus, but it is **not a guarantee** of employment. Students must apply for and secure their own jobs. Students may need to utilize some of their work-study earnings to satisfy their tuition bills, and have the option to pay directly or to sign up for payroll deduction. The [student accounts office](#) [293] allows students to deduct up to \$500 per semester from work-study earnings.

Students are required to complete some paperwork before they begin their employment. All first-time employees at the College must complete an I-9 Form (requires identification and citizenship or visa status) to certify their eligibility for employment. W-4, M-4, and work authorization forms are also required and are available in the [student employment office](#) [293].

Students must submit their hours worked, by the payroll processing due date, electronically on [TheHUB](#) [294]; click on the "Enter My Timecard" link. Students will not receive pay for hours not reported.

Students may not earn more than the work-study offer listed on their financial aid offer letter. Students will be notified periodically of their award balance. If a student earns the maximum award the student will need to stop working even if the semester or year is not over.

For additional rights and responsibilities as a work-study employee please refer to your Work Authorization form(s) or contact the student employment coordinator or the financial aid office.

## **Information Technology**

### **Computing - Acceptable Use Policy**

The IT computer labs are available to all members of the Hampshire community to support teaching, learning, and research. Unauthorized use of these facilities is prohibited. For additional information about IT, visit <https://www.hampshire.edu/it/information-technology> [295].

### **Student Computing Acceptable Use Policy**

Hampshire College's computing, server, network, and Web resources support academic, research, and administrative needs of all students, faculty, and staff members of the College community. The following policy is intended to shape the College's use of these resources and to assert our shared values and expectations. Students agree to this policy by virtue of their relationship with the College.

The College owns the network, servers, and all college-purchased computer systems. Personal use of the College's computing resources is permissible as long as it does not interfere with other users' access to resources for academic work and is not excessive. The college assumes no responsibility for the preservation of any files or data, and is not liable for any loss of or damage to any files or data stored on the college's network or servers. Students are personally responsible at all times to back up for their files and data.

Accounts to College resources, including email, are issued to all students at time of enrollment and remain in effect as long as the student maintains a student relationship with the College. These accounts are for the sole use of the student to whom they are issued. Accounts are not transferable. Students are responsible for choosing secure passwords and maintaining password confidentiality. Students are also responsible for checking their college email accounts regularly, as all official College correspondence via e-mail is sent to these accounts only. The College is not responsible for setting up, using, or forwarding e-mail to any other account. Students may retain email accounts as alumni in accordance with the College's e-mail policy.

Students may not access, inspect, or alter any file or directory belonging to another user without their permission. Students may not harass other users by sending unwanted e-mail, programs, or other files that are knowingly disruptive or may be reasonably construed as threatening or disparaging of others. Students may not knowingly forward virus-infected e-mail or files to others and are strongly encouraged to maintain updated virus protection software on their computer. Students may not use the College's resources to gain unauthorized access to other computing resources either on campus or elsewhere. Nor may they use College computing, network, or web resources, including access to the internet, for solicitation or operation of

commercial ventures or interests. Students may not use the College's computer resources in any way that violates the College's gender-based and sexual misconduct policy, nondiscrimination policy, or other policies.

The College believes in freedom of speech regardless of the medium used for communication and does not want to act as a censor of information on college resources, including webpage content. However, the College will investigate complaints arising from either the college community or external sources and will comply with, and enforce, applicable laws and college policies as appropriate. All e-mail and files on college-owned computers and servers are legally the property of the College. The College reserves the right to inspect e-mail and files and take appropriate action without notice if there is reasonable belief that there has been intentional or inadvertent disruption to the College's network or other shared resources or if there is suspected violation of this policy or applicable laws.

Students may not damage, deface, alter, or remove any College computing equipment from campus without authorization or deliberately attempt to degrade the performance of College computing or network resources. Students may not install software on any College computer system without appropriate authorization or install software that is in violation of any licensing agreement.

Guidelines regarding [Ethics of Scholarship](#) [10] apply to course work completed on computers and network and web resources just as they do with any other type of course work. Students should be aware of and abide by all applicable copyright laws and licenses.

## **Outdoors Program and Recreational Athletics (OPRA)**

### **OPRA Position on Substance Use**

All OPRA facilities, trips, events, and activities are substance-free. This position is taken very seriously and will be enforced in accordance with the [alcohol and other drug policy](#) [296].

Failure to comply with these policies will result in removal from participation in activities, including removal from trips and teams at the participant's expense and without reimbursement for expenses paid. OPRA supports students looking for substance-free experiences and is committed to continued support of this environment.

### **General Use of the Robert Crown Center (RCC) & MultiSport Center**

The RCC and multisport center are for use by Hampshire College ID holders and not the general public.

1. Users must show and swipe their valid Hampshire ID when they enter the RCC and multisport center. Student IDs are not transferable. No one is allowed to use someone else's student ID to gain entrance to the RCC or the multisport center.

2. Children under the age of 18 must be accompanied by their legal parent or guardian who holds a valid Hampshire ID. Everyone using the multisport center must sign in at the front desk.
3. Guests must be signed in at the front desk. The host must remain with the guest in the RCC and/or multisport center. Any person causing what the staff consider unpleasantness or unruliness in the building will be required to leave the RCC and/or multisport center.
4. The climbing wall, bouldering cave, and tennis courts may be used by Hampshire ID holders and one guest of an ID holder. The ID holder must be present with the guest at all times.
5. Metal lockers are issued on a first-come, first-served basis twice during the academic year, once in September and then at the start of winter break. Lockers must be emptied and locks removed before winter recess and again prior to graduation in May. Any locks placed on metal lockers prior to registering at the front desk are liable to be removed and locks left on beyond the above periods will also be removed. Lockers are available only to students and employees.
6. The use of radios, boom boxes, and so on, is prohibited. These devices may be used only with earphones.
7. Summer use of the RCC, playing fields, and outdoor tennis courts is only available during posted hours when not exclusively reserved and scheduled by a summer program.

### **Robert Crown Center Swimming Pool**

1. A valid Hampshire ID must be left at the lifeguard's desk before a swimmer enters the water.
2. Non-swimmers are not permitted to use the pool.
3. A shower must be taken before a swimmer enters the pool.
4. Bathing suits are necessary; cut-offs are permissible. Nude swimming is not permitted at any time. Artificial flotation devices such as water wings and inner tubes are not permitted.
5. Anyone with a heart problem, epileptic seizures, or a dislocated shoulder should get a physician's approval before using the pool and must alert the lifeguard.
6. No glass containers are not permitted in the pool area. The consumption of beverages or food is not permitted. Running, splashing, and the throwing of objects are not permitted in the pool or pool area.
7. The lifeguards on duty have complete authority over the pool. The guards may ask anyone to leave who breaks the RCC rules or who, in the judgment of the guards, creates a nuisance, disturbance, or a potential hazard.
8. The pool phone is to be used only for pool emergencies.
9. In the event of a storm involving lightning in the vicinity of the College, an equipment breakdown, a problem in heating or lighting, overcrowding, or any other situation that the lifeguards deem potentially hazardous, the guards have the authority to close the pool.
10. No swimming is permitted in the pool unless it is during a regularly scheduled recreational swim or class period with appropriate lifeguards on duty.
11. Lifeguards are not responsible for personal belongings left in the pool area.
12. No swimming is permitted when the pool cover is covering the pool.



## **The Sauna**

Current valid Hampshire ID holders only and no guests. Clothing is required in the facility. Gender-neutral and gender-specific hours are posted in the RCC.

## **Equipment Use**

Because of the considerable loss of equipment, the following Policy will be enforced:

1. People signing out equipment are responsible for the replacement value of the equipment (not the depreciated value). If equipment is lost, they will be billed for it directly.
2. All equipment should be returned clean and in good repair. The person who signed out the equipment is the person who will be billed for loss or damage.
3. No one may sign out more than \$400 worth of equipment.
4. Only people having valid Hampshire IDs and those who are taking Hampshire courses for which the equipment is specifically necessary may sign out equipment.
5. Sign-out limit is one week for all equipment (except bikes and ski equipment).
6. For overdue equipment, fines will be assessed at the rate of .50 cents per item per day for items having replacement cost of less than \$10.00 and \$1.00 per item per day for items having replacement value greater than \$10.00.
7. No further equipment will be checked out to anyone owing a fine.
8. The fine for late return of ski equipment and bikes is \$10.00 for the first day and \$12.00 for each additional day.

For additional information regarding equipment, defensive driving, trips, game schedules and more, visit [opra.hampshire.edu](http://opra.hampshire.edu) [297].

# **Intercollegiate Athletic Team Policies**

1. All Hampshire student-athletes must follow all OPRA guidelines (please see [OPRA policy section](#) [298].)
2. Student-athletes must successfully go through compliance (athletic, academic, and medical) in order to participate in practice or games each semester.
3. Student-athletes may be subject to removal from a team for violations of athletic policies, inappropriate behavior, or violations of other sections of the [Norms for Community Living and Policies](#) [177].
4. Student-athletes must follow athletic department team guidelines. Failure to follow may result in removal from the team.
5. OPRA does not condone hazing and expects that student-athletes and other participants in OPRA activities adhere to the [Hazing Policy](#) [299].

The College does not provide liability insurance for injuries or damages caused to others during athletic events. See the [Student Insurance section](#) [170] for more information.



# Parking/Vehicle Policies

## Personal Vehicles on Campus

The College is not responsible for, nor will it pay any claims for, damages to student-owned vehicles resulting from falling ice, snow, tree limbs, or any other natural occurrence or event on its property or elsewhere, whether or not the possibility of such an event is warned against. The College is not responsible for, nor will it pay any losses, claims, or other damages, to student-owned vehicles resulting from vandalism, collision, or other acts by any person, other than damage caused directly by its employees. See the [personal vehicle section](#) [300] of the Five Colleges Inc. website for more information. Reckless driving and driving on walkways, fields, and other areas of campus not intended for regular auto traffic is prohibited. Students reported for reckless driving will be referred to the office of student rights and responsibilities.

## Registering Your Vehicle

In order for [campus safety and security](#) [112] to regulate and manage motor vehicles on campus students who want to bring, operate, or park a motor vehicle, motorcycle, or moped on the Hampshire College campus must do the following:

1. Complete a [motor vehicle registration form on The Hub](#) [301]. Do not use “N/A” or “none” on this form (incomplete forms will not be processed).
2. Your parking decal will be mailed to your campus mailbox.
3. Students who are non-residents of the Commonwealth of Massachusetts with vehicles not registered in Massachusetts must complete the non-resident Driver Vehicle Statement Form in addition to the above. Print this form; you will need it when you pick up your non-resident driver parking decal. Do not use “N/A” or “none” on this form (incomplete forms will not be processed).

## Five College Students

Non-Hampshire College students enrolled in classes on our campus who are requesting a parking decal must complete a proof of registration form and bring it to the [central records office](#) [33] on the first floor of the Lemelson Center for Design to obtain a signature. Bring this signed form, your student ID, and your vehicle registration to the parking office at the rear of the library to obtain a parking decal. These decals are free of charge. The Five College student decal is valid for any Hampshire College student parking lot.

## Accessible Parking

Accessible parking is located throughout the Hampshire campus. A valid Hampshire parking decal is required in addition to a handicapped placard to utilize accessible parking in any lots requiring a decal. Any student in need of long-term or permanent accessible parking should visit

their state's motor vehicle department to learn about acquiring a placard for accessible parking. More information about applying in the state of Massachusetts can be found with the [Registry of Motor Vehicles](#). [302]

### **Temporary Accessible Parking**

Students in need of temporary accessible parking due to an injury or other short-term, disability-related circumstance may request a temporary parking pass through the [office of accessibility resources and services \(OARS\)](#). [95]

### **Decal Fee**

Students are not allowed to have any unregistered vehicle(s) on campus. Student vehicles must be registered within five (5) business days of arrival on campus. A valid driver's license and a valid vehicle registration are required in order to receive a parking decal. Insurance must have your name on the policy. A student can have only one vehicle registered on campus at a time. The parking decal fee is \$170.00 per academic year, \$100.00 off campus (fall/spring term). The replacement decal fee is \$10.00. These fees will be charged directly to your student account. A vehicle is not considered registered until the parking decal is affixed to the vehicle according to the decal placement sheet you will receive when obtaining your decal. Vehicles not registered within seven days are subject to being towed without warning at the owner's expense. All parking issues should be directed to [campus safety and security](#) [200].

### **Decal Returns**

Parking decals are nontransferable and must be affixed to the vehicle for which they are issued. When you change vehicles or license plates you will need a replacement decal. If you sell or dispose of your vehicle, you must contact first deactivate the previous decal and then register another vehicle on the hub.

### **Parking Lots**

Student vehicles must be parked in the designated student parking lots identified by a parking sign that reads "student parking only." Student vehicles will be ticketed when parked in other parking lots/spaces. Each student lot has a section for faculty/staff and visitors. These are not student parking spaces. Only registered student vehicles can be parked in the student parking spaces. Students should not park in areas marked "snow removal."

### **Can't Find a Space?**

Contact campus safety and security at 413.559.5424 if you cannot find a space in your designated lot. Do not park illegally.

### **Restricted Parking**

Vehicles parked in restricted areas (e.g., fire lanes, bus stops), unregistered vehicles, or vehicles that are parked in violation of parking regulations are subject to being towed without warning at the owner's expense.

### **Summer Parking**

Students with vehicles who are living or working on campus for the summer must register their vehicles with the campus safety and security office. The decal fee is \$30.00 for the summer. The replacement fee is \$10.00. These fees are charged directly to your student account. A vehicle is not considered registered until the parking decal is affixed to the vehicle according to the decal placement sheet you will receive when obtaining your decal.

There is no summer parking available for students who are not housed or working on campus. Vehicles may not be stored on campus at any time. Vehicles displaying evidence of non-use will be ticketed and towed.

### **Loss of Parking Privileges**

Students who show a continual disregard for parking and/or driving regulations risk losing the privilege of having a vehicle on campus. The dean of student's office, upon recommendation by [campus safety and security](#) [112], may make this decision.

### **Citations**

Vehicles are ticketed when parked or driven contrary to the Norms for Community Living. Citations range from \$20.00 to \$100.00, depending on the violation. Fines are billed directly to a student's account. Non-students, visitors and anyone with unregistered who have their vehicles ticketed should mail their payment to Hampshire College, campus safety and security, 893 West St., Amherst, MA 01002.

### **Appeals**

Citations may be appealed by completing a [parking appeal form on TheHub](#) [303] within five (5) business days from the time the citation was issued. Questions can be directed to the campus safety and security office at any time.

### **Student Temporary Parking**

You must obtain a temporary permit if your vehicle will be on campus only for up to six weeks: 1 week, \$10.00; 6 weeks, \$60.00 (maximum). You must park in student-designated parking. If your vehicle will be on campus for more than six weeks, you are required to purchase a student parking decal for \$85 per semester.

### **Visitor/Guest Temporary Parking**

All visitors and guests are required to provide [campus safety and security](#) [112] with the vehicle's make, model, color, and license plate number to be issued a temporary parking permit. The permit must be visibly displayed in the vehicle; the vehicle must be assigned a parking lot. If you are visiting a student, the host student must be present (with a valid student ID) when applying for a temporary parking permit. There is no cost for a visitor temporary parking pass.

### **Temporary Parking Permit Needed**

A permit is needed Monday through Friday 8 a.m.– 4 p.m.

### **Temporary Parking Permit Not Needed**

If you are a visitor on campus after 4 p.m. and leave before 8 a.m., you do not need a permit. You must park in visitor parking only. If you are a visitor after 5 p.m. on Friday and stay through Sunday (out by 8 a.m. Monday), you do not need a permit; however, you must park in visitor parking only.

Parking business is conducted at the campus safety office.

Campus safety and security is on the ground floor of the Harold F. Johnson Library Center, accessible from the rear entrance. Contact 413.559.6151 or [campussafety@hampshire.edu](mailto:campussafety@hampshire.edu) [304].

## **Bicycles**

All bicycles on campus must be registered. Registration is free and can be completed on [TheHub](#) [305] anytime. The decal will be sent to you via campus mail. The registration decal will expire upon the student's graduation date no longer than five (5) years from original registration.

All bicycles on campus must be stored in approved outdoor bike sheds and secured to a bicycle rack. Bikes cannot be stored in the center of Greenwich donuts. Bicycles may not be secured to fire hydrants, trees, parking signs, ramps, railings, or left in the path of egress in any building on campus. Bicycles that are inappropriately secured may be immediately removed and/or confiscated.

Bicycles must be removed from campus during the summer break. Bicycles left over the summer will be considered abandoned and will be confiscated and discarded.

The College must continuously remove unregistered bicycles from campus to make room for registered bicycles. Any bicycle in violation of the College's bicycle policy or unregistered will be confiscated and, if not claimed within thirty (30) days, will be discarded.

Stolen bikes, like any theft on campus should be reported to campus safety and security.

The College is not responsible for any bicycle brought to or left on campus, whether secured or not.

# Use of College Vehicles and Insurance

## Use of College Vehicles

College vehicles are not available for personal use. Pool vans can be reserved for College business and College-approved student activities. Please be sure to carefully read all information on the [checking out Pool Vehicles webpage](#) [306]. Student groups must contact the [campus leadership and activities](#) [274] office. For offices and academic departments, a department budget manager or designated assistant makes the reservation. A vehicle request can be made three days or more in advance.

Members of the College community who want to be eligible to operate a College vehicle must attend a [defensive driver class](#) [307], and have a clean driving record. Credential forms must be filled out via [Five College risk management](#) [308] for insurance purposes by everyone who will drive a College-owned or personal vehicle on College business.

All drivers of pool vans or personal vehicles driven on College business, are expected to follow the rules in the [pool vehicle handbook](#) [309] and abide by all campus regulations and all local, state, and federal laws.

## Travel Accident Insurance

The College provides limited travel accident insurance, including medical evacuation and repatriation to students traveling on College or academic business, worldwide. Worldwide travel assistance services are also available. Contact the [dean of student's office](#) [275] for details or see the [Five Colleges Inc. website](#) [310].

## Auto Use

The College purchases auto liability insurance, which protects both the College and the driver from third-party liability and third-party property damage arising from the use of College-owned, hired/rented, and non-owned vehicles. The [Five College risk management website](#) [310] has more detailed information on this coverage.

- For College-owned vehicles, the student driver must be credentialed and have permission from a faculty member, a dean, a coach, or a department head to drive a College vehicle. For details on becoming a credentialed driver, visit [Five College risk management policies](#) [308].
- To rent or drive a rented vehicle for College business, the student must be credentialed and have written authorization from an authorized person (see owned vehicles, below) and be a scheduled driver with the rental company. Most car rental agencies prohibit persons under the age of 25 from driving rented vehicles. The College policy is to waive coverage for liability and collision coverage on domestic rentals; however, students should follow departmental guidelines with respect to waiving the rental company insurance. If the College insurance is used, a certificate of insurance should be obtained as proof of insurance.
- If a student drives their own vehicle on College business, such use must be specifically authorized in writing by the department head or chair before the use occurs. The College policy is excess of the student's own policy with respect to liability coverage. No coverage is provided for any physical damage to the student's vehicle, nor will any

deductible amount be paid by the College, whether or not the vehicle is used for College business, and regardless of any liability of the driver or other parties.

- The College auto insurance policy may not cover unauthorized drivers. Unauthorized drivers may be personally liable for claims brought against them. The College may also have a right to claim against unauthorized drivers.

### **Weather Conditions**

Trips may be canceled due to adverse weather conditions. The on-duty [Campus Safety and Security](#) [112] supervisor has the authority to cancel pool vehicle reservations due to the adverse weather conditions and will utilize all available weather information determine the advisability of allowing vehicles to leave the campus. As a matter of policy, the College expects drivers to interrupt their trips when weather conditions deteriorate, find a safe place to wait, and to resume the trip once the weather improves.

### **OPRA Van Use**

Outdoor Programs and Recreation and Athletics vans are only for the use of College staff for transporting people to OPRA programs, courses, and events.

- OPRA does not lend or rent vans.
- Smoking, drinking alcohol, and using illegal drugs are prohibited in OPRA vans.
- The transportation of alcohol or illegal drugs in OPRA vans is prohibited.

## **Post Office**

The Hampshire College Post Office is located on the ground floor of the library. Window hours are Monday through Friday, 9 a.m.- 4 p.m.

Students must include their name and mail box number on all incoming mail and packages. Delay in delivery will likely occur if this information is not included.

(Note: A student mailbox **is not a P.O. Box**. Please, solely use box # on U.S. Mail, UPS, FedEx and DHL packages.)

### **How to Write a Student Mailing Address**

Student Name

# (Student Mail Box number )

Hampshire College

893 West Street

Amherst, MA 01002-3359

The mailbox numbers assigned to students will remain the same throughout their Hampshire careers, even if the student lives off-campus. Students living off campus should check their mailbox on a regular basis. All on-campus mailings will be distributed to mailboxes. Combinations for student mailboxes can be found on theHub under personal information.

Please do not ship packages to campus prior to August 1st for the fall term 2020, and January 15th for the spring term 2021.

If a student is unable to get mail/packages and wishes that someone else get it for them, they must inform the post office by e-mail; giving authorization. The authorization must include the name, mailbox #, and the name of the person who will be getting the mail. To open the mailbox, that person should know the mailbox combination. They must also provide an ID at the time of pick up.

The post office sells stamps and provides USPS services and UPS shipping. Some shipping materials (Packaging such as boxes or envelopes) for both services are provided. Students must pack their own items, address them and provide their own shipping tape. Items must be sealed before going out.

Notice: The post office only accepts cash as payment.

Mail runs to the Amherst Post Office are done twice a day, Mon-Fri. Those times are 7:30 a.m. and 2:00 p.m.

Five College mail delivery is a free service that is available between the Five College community (Mon-Fri). The post office has mail slots for both outgoing stamped mail and Five College mail located in the post office lobby.

The USPS website, [www.USPS.com](http://www.USPS.com) [311] is a good source of information for mailing questions, package tracking, as well as looking up zip codes.

### **Post Office Forwarding Service**

During the summer or when a student is on leave of absence, field-study leave, medical leave, consortium agreement, or has withdrawn, the Hampshire College Post Office will close their mailbox and all 1st class U.S. mail will be forwarded to the student's current address. If the address needs to be updated, please contact the central records office. The College post office will forward it via U.S. mail in most cases. The post office will re-open the same mailbox to a student returning from leave. No mail will be forwarded during winter break.

Mail will be forwarded for one year following graduation or withdrawal from the College.

Magazines and newspapers will not be forwarded to students. In order to receive subscriptions while they are away, students must inform the sender of the magazines and newspapers of their forwarding address at least four weeks prior to leaving the College.

## **Student Insurance**

### **Insurance**

The following information is provided to let students know about the insurance coverage that the College may purchase and how the coverage may apply to students, as well as to advise students of insurance that they may wish to purchase. The descriptions of coverage are not intended to, nor do they supplement, amend or modify any insurance policy terms and conditions. The



College reserves the right at all times to modify its insurance coverage, terms, conditions, and limits without notice to any person or entity, including students, faculty, and staff. Students may want to make adjustments in their own coverage if they feel that it would be appropriate to their interests.

### **Medical**

The Commonwealth of Massachusetts requires that all students carry health insurance while attending College. The College provides a student health insurance plan that meets or exceeds the state requirements. The program is a “hard waiver” program, which means that students are automatically enrolled and billed for the student health insurance plan unless they waive the coverage in accordance with the plan requirements. For details of Hampshire College’s program, visit the [student health insurance website](#) [312].

Student health insurance is now comparable to most employer type health insurance programs. Nevertheless, the policy conditions, including co-pays and deductibles may result in a student incurring charges for some medical care. The College is not responsible for any deductibles, co-payments, medical, dental, or surgical expenses not covered or limited by the College’s student health insurance plan or any deductibles, co-payments, medical, dental or surgical expenses not covered or limited by the student’s own insurance plan.

### **Intercollegiate and Club Sports**

Intercollegiate and club sports athletes have additional benefits available under certain policies that are purchased for their behalf by the College. Coverage applies to athletes who are injured while in organized competition or practice, which is constructively supervised, or traveling to or from one of these events. The sports accident policy provides up to \$25,000.00 for intercollegiate and club sport injuries, and has a \$500.00 deductible. If you are not enrolled in the student health insurance plan you are responsible for meeting the deductible either with your own insurance or out of pocket. (The student health insurance plan provides coverage for intercollegiate sports injuries or covers club sports as “any condition” subject to policy limits, terms, and conditions.)

Since Hampshire is not an NCAA member, the College also carries an intercollegiate sports catastrophic policy on all of its athletic teams that has a \$25,000 deductible and a policy limit of \$5,000,000 for medical expenses only, in excess of all other collectible insurance. In addition, Hampshire also carries a club sports catastrophic policy with the same benefits. The benefits of all of these policies are over and above benefits available through any other valid and collectible insurance available to the injured person. [Assistant Athletic Director, Amanda Surgen](#) [198] administers these insurance policies. These policies do not extend to participants in intramural or any other recreational sports. They cover intercollegiate and College-recognized club sports only.

The College accepts no responsibility for any losses, costs, or expenses not covered by the insurance policies listed above, whether by coverage terms or exclusions or the injured student’s failure to comply with policy-required claims procedures.

### **Travel Accident**

The College provides limited travel accident insurance, including medical evacuation and



repatriation to students traveling on College or academic business, worldwide. Worldwide travel assistance services are also available. Contact the global education office for details or review [travel accident and assistance coverage](#) [313].

## **Auto**

Hampshire College purchases [auto liability insurance](#) [314] that protects both the College and the driver from third-party liability claims and third-party property damage claims arising from the use of College-owned, -hired/rented and non-owned vehicles when driven on College business.

**A.** For College-owned vehicles, the student driver must be credentialed as a [defensive driver](#) [315]. Please read about [procedures for claims](#) [316] and other [rules for use of College-owned vehicles](#) [317].

**B.** To rent a vehicle or to drive a rented vehicle for College business, the student must have advance written authorization from an authorized person (faculty member, dean, coach or department head), be a College-certified [defensive driver](#) [315] and a scheduled driver with the rental company. Most car rental agencies prohibit persons under the age of 25 from driving rented vehicles. The College policy is to waive coverage for liability and collision coverage on domestic rentals; however, students should follow departmental guidelines with respect to waiving the rental company insurance. If the College insurance is used, a [certificate of insurance](#) [318] should be obtained as proof of insurance. Students must make the request through the office of risk management.

**C.** If a student drives their own vehicle on College business, such use must be specifically authorized in writing, before the use occurs, by an authorized person (see B, above). The College policy is in excess of the student's own policy with respect to liability coverage. No coverage is provided for any physical damage to the student's vehicle, nor will any deductible amount be paid by the College, whether the vehicle is used for College business or not and regardless of any liability of the driver or other parties. The College assumes no obligation to provide transportation to any College program, and it is the general policy that student use of personal transportation is for the personal pleasure and convenience of the student. [Massachusetts](#) [319] requires insurance on all vehicles registered in the state.

The College auto insurance policy may not respond to cover unauthorized drivers. Unauthorized drivers may be personally liable for claims brought against them. The College may also have a right to claim against unauthorized drivers.

Departments are responsible for credentialing drivers. Students must complete the online credentialing application, indicating their experience and agreement to college rules. Driving College vehicles is a privilege, not a right, and the college has the right to withdraw the privilege or make a referral to the [formal conduct process](#) [9] for failure to follow the rules or for any at-fault accident.

## **Personal Vehicles on Campus**

The College is not responsible for, nor will it pay any claims for, damages to student-owned vehicles resulting from falling ice, snow, tree limbs or any other natural occurrence or event on

its property or elsewhere, whether the possibility of such an event is warned against or not. The College is not responsible for nor will it pay any losses, claims or damages to student-owned vehicles resulting from vandalism, collision or other acts by any person, other than damage caused directly by its employees.

### **Property**

The College does not have property insurance for student possessions, and it accepts no responsibility for any personal possessions or property of students. Any possessions in student rooms or left in storage areas are left at the owner's own risk. Students are responsible for insuring their own property against loss, and may be able to do so using family policies or by obtaining a tenant's policy through a local insurance agent. It is recommended that students keep their doors locked at all times and not leave valuable items in storage areas. See the [Five Colleges website](#) [320] for more information.

### **Liability**

The College is not liable for the actions of its students, nor is it possible for the College to obtain liability insurance on behalf of its students. Student athletes especially should be aware that if they are sued for injuries or damages caused to others in the course of an athletic event, Hampshire's insurance does not provide coverage. The liability section of your family's homeowner's policy or renter's policy may provide for the defense of the student and damages awarded, if any, in a suit alleging negligence. Students are responsible for avoiding intentional acts or negligent behavior that could harm others or give rise to adverse legal action. Although the College will not provide liability protection, it may, at its discretion, assist in obtaining a defense if it is not provided for by family insurance coverage.

If a student is sued for an act or omission and believes that they were acting in the capacity of an employee or agent of the College at the time of such act or omission, the student should contact the [dean of](#) [275][students office](#) [275] immediately for instructions.

### **Workers' Compensation**

Students who are employed by the College, and who are injured in the course of their work for the College, are eligible for Workers' Compensation. If a student is injured on the job, the student should contact their supervisor immediately to report the injury and complete an accident investigation form. Questions should be directed to the student's supervisor and the [human resources office](#) [321].

## **Video Recording Use Policy**

In some circumstances the installation and use of video cameras for recording is needed to address persistent and pervasive violations of Handbook or College policies on campus, such as on a temporary basis to enhance the safety of the community, reduce risk, and aid in the prevention and investigation of violations against the College, its community members or visitors. The privacy of our community members is a fundamental principle in the design and implementation of the use of video recording on campus. Below is an overview of requirements for use:

- All installations and use of video equipment must be authorized by the offices of the dean of students, campus safety and security, information technology, Title IX and rights and responsibilities.
- Video equipment may not be installed in locations where there is a reasonable expectation of privacy such as residence hall rooms, restrooms, locker rooms and classrooms.
- All cameras must be in plain view and signage must be posted for areas that are being recorded.
- Any cameras installed that are equipped with the capacity for audio recording will have that feature disabled so only video with no sound is recorded.

### Access to video

Images will be stored for fourteen (14) days unless the image is utilized to address a possible Handbook or College policy violation. Further policies regarding records, storage and release of information can be found below:

- [Information technology policies](#) [322]
- [Academic records policies](#) [260]
- [Norms for community living and policies](#) [323]
- [Family Educational Rights and Privacy Act: Photos and Videos Policy](#) [324]

Only the following employees are authorized to utilize the video software and view the recordings, unless specified and detailed for a specific reason:

- The Title IX coordinator to address and mitigate persistent and pervasive violations of policy.
- The director of student rights and responsibilities to address and investigate policy violations.
- The director or shift supervisor of campus safety and security as part of an investigation or to support security efforts.
- Information Technology directors may access if maintenance or support is needed for the use of the video equipment.

## Policy Updates

Campus policies are reviewed annually and some policies may be changed, updated, added or deleted. Changes, updates, additions, or deletions generally occur in August prior to the start of the academic year, however some changes or updates may occur throughout the year. Each change is dated for your reference, with new policies effective as of the date listed. This section serves as a summary of changes that may impact students and a link to where to find the new or updated policy. Policy changes will remain on their pages for one year from the date listed.

Updates are divided between "Norms for Community Living & Policies Updates," which include all the policies listed under [Norms for Community Living and Policies](#) [177], and "Academic Policy Updates," which include all the policies listed under [Academic Policies](#) [109].

The dean of students office and the dean of faculty office reserve the right to change policy without notice, however it is our practice and goal to inform the community of changes as they occur.

## **Academic Policy Updates - Last update August 19, 2021**

August 2021

Five College Courses: <https://handbook.hampshire.edu/node/32> [325]

Withdrawal: <https://handbook.hampshire.edu/node/85> [326]

Readmission by Withdrawal Type: <https://handbook.hampshire.edu/node/86> [86]

## **Norms for Community Living & Policies Updates - Last Update August 19, 2021**

Quiet Hours and Noise: <https://handbook.hampshire.edu/node/5> [179]2

Guests: <https://handbook.hampshire.edu/node/241> [150]

Reporting Sexual Harassment: <https://handbook.hampshire.edu/node/291> [211]

Trespass Policy: <https://handbook.hampshire.edu/node/96> [327]

Fire Safety Policies: <https://handbook.hampshire.edu/node/204> [167]

## **Handbook Archives**

Below you will find older PDF versions of the Hampshire College Student Handbook. Students are responsible for following [academic program guidelines](#) [328] from their year of entrance.

**Note:** Students seeking readmission who have been away from the College for four or more years will follow policies and deadlines in effect at the time of readmission.

- [2019- 2020](#) [329] Academic Policies + Norms for Community Living and Policies

- [2018 - 2019](#) [330] Academic Policies + Norms for Community Living & Policies
- [2017 - 2018](#) [331] Academic Policies + Norms for Community Living & Policies
- [2016 - 2017](#) [332] Academic Policies + Norms for Community Living & Policies
- [2015 - 2016](#) [333] Academic Policies + Norms for Community Living & Policies
- [2014 - 2015](#) [334] Academic Policies + Norms for Community Living & Policies
- [2013 - 2014](#) [335] Academic Policies + Norms for Community Living & Policies
- [2013 Medical Amnesty](#) [336] (effective through October 22, 2013)
- [2012 - 2013 Calendars and Resources](#) [337]
- [2012 - 2013 Academic Policies and Governance](#) [338]
- [2012 - 2013 Community Standards](#) [339] (with March 2013 sexual offenses policy)
- [Fall 2012](#) [340] (sexual offenses policy only)
- [2011 - 2012 Calendars, Resources, and Academic Policies](#) [341]
- [2011 - 2012 Community Standards, Governance, Resources & Contacts](#) [342]
- [2010 - 2011](#) [343]
- [2009 - 2010 Calendars and Resources](#) [344]
- [2009 - 2010 Academic Policies and Governance](#) [345]
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- [2004 - 2005](#) [351]

### ***Non Satis Non Scire***

Prior to the 2014-2015 academic year the title of the Hampshire College Student Handbook was "Non Satis Non Scire," the Latin phrase for not to know is not enough, a witty pun on our College motto (Non Satis Scire, to know is not enough). With the evolution of the Student Handbook from an annually published hard copy book to a comprehensive website, community members began to increasingly express confusion on just what exactly Non Satis Non Scire was, and the simple answer was, the Hampshire College Student Handbook. To relieve confusion, the student handbook will no longer be referred to as Non Satis Non Scire (NSNS), however archived versions through the 2013-2014 academic year will reflect this title. Non Satis Non Scire continues to be used as the tag line for the Hampshire College Student Handbook.

Questions or comments? Contact the director of the office of student rights and responsibilities, [Greg Narleski](#).

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**Source URL:** <https://handbook.hampshire.edu/node/1>

### **Links**

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- [2] <https://handbook.hampshire.edu/node/4>
- [3] <https://handbook.hampshire.edu/?q=node/39>
- [4] <https://www.hampshire.edu/campus-police/crime-statistics-daily-log>
- [5] <http://www.hampshire.edu/studentlife/oserr.htm>

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