MCLA

MASSACHUSETTS COLLEGE OF LIBERAL ARTS

Community Standards

2021-2022

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MCLA Community policies, as stated in this Community Standards, are subject to change. The College may amend policies and procedures at any time, giving the community reasonable notice of the changes to students via the MCLA email address and posted on the mcla.edu website. For the most recent and accurate Community Standards, please refer to the MCLA website where any changes will be updated. The Community Standards is published annually by the Dean of Students, Division of Student Affairs at Massachusetts College of Liberal Arts.

Message from President of MCLA, James F. Birge, Ph.D.

Dear Students:

I would like to welcome all our new students to MCLA and to welcome back all our returning students!

As you begin this next phase of your academic journey you will be engaged, challenged, and presented with countless opportunities to expand and grow – in classrooms, in science and computer labs, on athletic fields and courts, on stage and in the studio, and working and learning in the community.

MCLA is a close-knit community with a low student-faculty ratio, where you will be supported in all facets of your life here. We encourage you to become active members of the MCLA community as well as the Northern Berkshire community. Faculty and staff are deeply invested in your success and well-being, and they are committed to preserving MCLA's environment of excellence in teaching and learning while working with you to ensure a rewarding college experience. The powerful experiences you have at MCLA will provide a foundation for the opportunities and challenges that await you after graduation.

This Community Standards will be an important resource for you throughout the year. It includes information about MCLA policies and procedures, details on co-curricular activities, and contact information for members of the MCLA community who can address your questions and concerns. Questions are always welcome — we want to ensure you have the information to make your experience at MCLA successful.

I wish you all the very best during this academic year.

James F. Birge, Ph.D.
President

MCLA Mission and Values Statement

Massachusetts College of Liberal Arts (MCLA) is the Commonwealth's public liberal arts college and a campus of the Massachusetts state university system. MCLA promotes excellence in learning and teaching, innovative scholarship, intellectual creativity, public service, applied knowledge, and active and responsible citizenship. MCLA prepares its graduates to be practical problem solvers and engaged, resilient global citizens.

Our Values

Our mission guides the strategic goals that advance MCLA: Excellence in Teaching and Learning; Supportive and Inclusive Community; Responsive and Intentional Stewardship; and Public Purpose and Engagement. These goals reflect the interplay of the shared values that shape our commitment to students, faculty, staff, and our community:

Access: We believe a high-quality liberal arts education should be available and affordable to all who aspire to it and are prepared for its challenges. MCLA is committed to providing this opportunity.

Discovery and Understanding: We understand intellectual disciplines and specific courses of study interact dynamically in academic and co-curricular experiences. We believe in strengthening student, faculty, and community interaction through engaging coursework, shared research, and service.

Critical Thinking: Through MCLA's role as leader, convener, and partner, we cultivate critical thinking and analysis in our learning and teaching. We promote a spirit of informed, critical, and open-ended inquiry. Our community members demonstrate consideration, deliberation, and planning in addressing challenges and opportunities in our society.

Global Awareness: We know that a liberal arts education affords students an appreciation of the wider world, both as a subject of intellectual discovery and through engagement with our society. We work to create and sustain the breadth of curriculum, experiences, and opportunities that lead us all to understand our active roles as knowledgeable global citizens.

Inclusive Community: MCLA is committed to creating a campus climate and culture of mutual respect that represents and honors diversity in our society. We celebrate this diversity and affirm the dignity and worth of all people. We intentionally integrate topics of social, cultural, and physical diversity in the curricular, co-curricular, and work life of our community.

Innovation, Experimentation and Creativity: We promote creativity and inquiry, and the role of a liberal arts institution to provide students with the freedom and means to explore ideas and take intellectual and creative risks.

Leadership: We believe that leadership is a shared responsibility, and encourage all members of the MCLA community to develop their affinity for leadership through formal coursework, professional development, co-curricular training, and practical application. We cultivate leadership opportunities and development programs to further these goals.

Lifelong Learning: We empower learners to develop habits of learning that have integrity and engender respect for tradition. We deploy 21st century tools for learning in our academic and co-curricular programs that prepare students to be informed, engaged, and capable learners.

Practicality and Application: We believe that the disciplines of arts, sciences, and professional studies empower individuals with broad knowledge and transferable skills, and a strong sense of values and ethics. In its programs and initiatives MCLA forges the connection among academic study, experiential learning, civic engagement, and future success.

Stewardship: We manage our resources responsibly and sustainably, and offer a variety of educational, cultural, and recreational experiences for the campus and local communities. We provide unique resources for the greater Berkshire region. We encourage a spirit of service among students, faculty, staff, alumni, and trustees, and to serve as stewards of the future.

Message from Vice President of Student Affairs - Jeannette Smith, Ph.D.

Welcome Trailblazers to a new academic year!

As our community comes back together in-person, we have a new opportunity to recommit to our values. In choosing to attend MCLA, you choose to be in a community that has expectations for how we engage with one another. In our community, when we fall short of those expectations, we embrace a range of appropriate accountability measures. Community Standards is our guidebook to expectations and accountability, every year we have an opportunity to present a clear and transparent guide.

Like many of you, I too am new to MCLA, the city of North Adams, and the Berkshires region. Of the many things that drew me and my family to MCLA, the chance to work with students, staff, faculty, and alumni who were invested in being change agents and civic minded was a huge factor. Students here see the value in making the most of their college experience. Staff and faculty work to support students holistically. Alumni give back with their time, resources, and stories of excellence and self-growth that led them to be thoughtful community members solving our greatest problems.

MCLA is a community of people diverse in background, thought, and goals. A community such as this is rich with opportunity for engagement. Occasionally, those opportunities present tough challenges that we will grapple with together. Community Standards allow us to:

- embrace healthy ways of navigating conflict
- employ equitable accountability options to support unique situations
- present clear expectations connected to community values
- honor the feedback from previous students with each iteration for improved transparency
- strive for consistency
- create a space to honor the many ways we communicate

Thank you for choosing the MCLA community as your home. Please feel welcome to stop by the office of Student Affairs for conversation, guidance, a place to connect, ask questions, or just be.

In Solidarity,

Jeannette Smith, Ph.D.
Vice President of Student Affairs

Division of Student Affairs Mission

Student Affairs, working with everyone in the MCLA community, creates a learning community that provides a sense of affiliation; respects and values the worth of all members; supports academic success; and encourages the personal development, wellness, and safety of students.

Students in this community participate in meaningful leadership and service opportunities building a foundation for lifelong learning and the attainment of career goals.

Mission Statement

The Division of Student Affairs at MCLA supports the mission of the College providing a central focus on students and their development as leaders who seek opportunities leading to empowerment employing the College strategic plan as a guide.

Methods

- complementing the academic experience and encouraging academic achievement;
- providing direction for out-of-classroom learning;
- helping students to develop self-responsibility and respect for self and others;
- working with students to build a campus community that is both supportive and inclusive;
- creating experiences that expose students to new ways of thinking and living;
- encouraging personal growth through the development of academic, social skills, ethics, and overall wellness;
- developing opportunities for students to learn and practice leadership skills;
- assisting students with transition and adjustment issues;
- engaging students in local and national service opportunities; and
- providing opportunities for learning and goal achievement peer-led programs.

Values

As we work together to accomplish our mission, we are mindful about the values that underpin our practices. These values are as important as the goals themselves. With that in mind, in an effort to maximize the development of the students with whom we work, we are committed to:

- promoting a safe and healthy campus environment;
- recognizing and celebrating diversity with awareness of social justice;
- serving as positive role models;
- involving students in the process;
- providing a learning environment that is both challenging and supportive;
- assuring the presence of high quality, dynamic student services that are responsive to student needs;
- working collaboratively with other divisions of the College and the local community;
- allowing students to engage in reasonable challenges; and
- engaging in professional organizations and employing best practices.

Departments/Offices in Student Affairs

- Student Affairs Central Office
- Athletics Department
- Civic & Community Engagement
- Counseling Services
- Health Services
- Affinity Resource Centers:
  - Identity & Gender Equality Resource Center
  - Multicultural Educational Resource Center
  - Susan B. Anthony Women's Center
- Public Safety/Campus Police
- Campus Dining
- Residence Life & Housing
- Student Engagement [SGA | Clubs & Orgs.]
- Campus Center Welcome Center

Message from the Dean of Students, Heather Quire

Dear MCLA Community,

Welcome to the 2021-2022 Academic Year! It is an exciting time to be a MCLA Trailblazer!

College is a fulfilling and rewarding experience and is a time to learn all sorts of new things. Learning occurs in the classroom as you prepare yourself to become an accomplished professional in your field of study. In addition, personal learning and growth occurs as a direct result of your active engagement and experiences in the College community.

Over the past year, I have worked to create this Community Standards, (formerly named the Student Handbook) that focuses on the MCLA Community and building community through 6 Core Values. This Community Standards will look a lot different from previous handbooks. All policies will fall within one of the 6 Core Values:

- Respect
- Responsibility
- Ethics and Accountability
- Community
- Integrity
- Social Inclusion

Each member of the MCLA Community bears responsibility for their own choices and behaviors along with assuming reasonable responsibility for the behavior of others. This is what being a part of a community is about. As part of the MCLA Community it is important that you take ownership and have pride in being a Trailblazer.

Student Affairs is focused on building a safe, healthy, inclusive, and engaging living-learning environment throughout our campus. As a member of the MCLA Community, you are responsible for reading, understanding, and abiding by the Community Standards. It is to be noted that there are numerous policy changes and edits. It is important for all students to read this document in full. You cannot rely on previous policy knowledge for this year moving forward.

I encourage each member of our community to recognize the obligation to act, and encourage others to act, with honor and respect. The Community Standards exists to promote an atmosphere in which each individual makes their own decisions, develops a respectful regard for the community, and achieves a sense of integrity in all aspects of one's life. In many respects, the Community Standards will help set a precedent for you to build your character beyond these few short years attending Massachusetts College of Liberal Arts.

As you navigate your own journey to success which may include playing a sport, joining a student organization, participating in numerous events, and/or doing research with a professor, please know you have a committed group of faculty and staff behind you, ready and willing to support you this academic year.

I wish you great personal and academic success!

Kindly,

Heather Quire M.S.Ed.
Dean of Students

Student Membership in the Massachusetts College of Liberal Arts Community

When a person becomes a student at MCLA, that person voluntarily assumes membership into a special community. A student is any person enrolled in credit bearing courses or experiences. The College, therefore, claims students at MCLA, while retaining all of their rights as United States citizens or residents, are also acquiring special rights and responsibilities in exchange for the benefits gained by becoming members of our community. MCLA is obliged to do our best to provide students with an environment that supports learning and to protect the rights of all the members of our community. To achieve these ends, MCLA is expected to bring together people and resources who will foster learning and growth and to establish and support reasonable rules and fair procedures for the governance of the community. Students, on the other hand, are expected to:

- be active participants in the learning opportunities that exist at the College including the governance system of the school;
- become familiar with and abide by the rules and regulations of the community; and
- treat themselves and all other persons with respect.

Students will also find that the MCLA community is defined, in part, by our physical borders and the fact that we are a State controlled institution primarily located on State land. This means some of the rules governing student behavior in our community include certain Federal and State laws as well as policies adopted by the Department of Higher Education, the MCLA Board of Trustees, and the administration of the College. Students may change these standards governing their behaviors by becoming active citizens at all levels of College governance, particularly in the Student Government Association (SGA) and College Committees. MCLA urges each student to take the time to read this important material and contact the Student Affairs Division Office if any questions arise about the meaning of any of this information.

Introduction

The MCLA Community Standards (formerly known as the Student Handbook) provides students with information on many facets of college life such as policies and procedures, community resources, organizations, and services. This document is written for every student enrolled in one or more classes at MCLA. Each year, the College produces a new or revised Community Standards document to serve as an up-to-date reference for students.

Since a major portion of the Community Standards highlights the rules and regulations governing the standards of the College community, students are responsible for familiarizing themselves thoroughly with the contents of this publication. It is our belief that the information in the Community Standards, if read and utilized, will enhance the experiences available to students of the College.

No claim is made that this document covers all rules and regulations now in effect at MCLA. Students are referred to the MCLA Catalog, Residence Life & Housing publications, and other department policy documents for further information. Due to limitations of space, many State and Federal laws as well as some College policies and procedures are only referenced. Students are, therefore, encouraged to ask questions of appropriate offices.

Important for students to know, the Student Affairs Division Office serves to ensure and protect all enrolled students' right to participate in college life, in a community which respects each student's dignity, safety, and basic human rights. Any student who believes these rights have been denied or the atmosphere has been compromised by the actions of a particular student or MCLA employee is encouraged to discuss such concerns with the Student Affairs Division Office or any Student Affairs staff member.

As a supplement to the information provided in the Community Standards, the Student Affairs Division Office assists students who are unsure where to go for general assistance and/or answers to questions. When in doubt about where to go for help, students are encouraged to start with the Student Affairs Division Office.

Students Right to Know

The following information, while not included in this Community Standards, is available to current and prospective students from the listed sources and locations.

DISCLOSURE	SOURCE	LOCATION
General institutional information regarding the College	2021-2022 Undergraduate Course Catalog	Admissions Office Smith House
Athletic program participation rates and financial support data	Athletic Department	Amsler Campus Center Room 109
Campus policy governing use of alcohol and other drugs	State & Federal Laws and Sanctions Concerning Drugs & Alcohol Community Standards: Alcohol and Drug Policy 14-15 & Addendum #1 herein	Additional Information -contact Public Safety/ Campus Police 277 Ashland St. Student Affairs Division Office Amsler Campus Center Room 305
Campus security report Statistics of criminal offenses for the three most recent calendar years concerning the occurrence crime involving students	Campus Security Report 2020 Clery Report	Public Safety Department 277 Ashland Street
EO Plan & Title IX Policy and Process	Title IX Coordinator University System EO Plan Community Standards: Addendum #2 & Addendum #3	Student Affairs Division Office Amsler Campus Center Room 305
Disability services Information on services and accommodations available to disabled students	Disability Services	CSSE Eldridge Hall
Financial assistance Various sources of financial aid and how to apply	Financial Aid Resources	Student Financial Services Eldridge Hall
Privacy practices under HIPAA	Confidentiality under HIPAA	Mountain One Wellness Center
Loan Deferment for Peace Corps or Volunteer Services	Financial Aid Guide	Student Financial Services Eldridge Hall
Rights under the Family Education Rights and Privacy Act Right to inspect and review student's education records	FERPA	Registrar's Office
Selected City of North Adams Rules & Regulations	Selected City of North Adams Rules & Regulations	MASS.Gov
Teacher preparation and licensure programs and requirements	Teacher Preparation Handbook	Education Department Mark Hopkins Hall
Voter registration Voter registration forms must be made available to **all students**	Voter Registration Form Any State Voter Registration Forms	Student Records Office Eldridge Hall

Community Standards: Core Values

- **Respect**: MCLA students show positive regard for each other, for property and for the overall community. [CV1]
- **Responsibility**: MCLA students are given and accept a high level of responsibility to self, to others and to the community. [CV2]
- **Ethics and Accountability**: MCLA students will individually hold themselves accountable for their actions, both positive and negative, and inspire others to abide by the College Community Standards. [CV3]
- **Community**: MCLA students build and enhance their community through positive interaction. [CV4]
- **Integrity**: MCLA students exemplify honesty, honor and a respect for the truth in all of their dealings. [CV5]
- **Social Inclusion**: MCLA students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors. [CV6]

Massachusetts College of Liberal Arts reserves the right to make changes to the Community Standards as necessary, and once those changes are posted, they are in effect. MCLA students, groups and organizations are responsible for knowing the information, policies and procedures outlined in this document.

Massachusetts College of Liberal Arts considers the behavior described in the following sub-sections as inappropriate for the MCLA community. These Community Standards apply to all students, groups, and organizations. MCLA encourages community members to report to Massachusetts College of Liberal Arts officials all incidents that involve the following actions. Any student, group, or organization who allegedly violates any of the Community Standards is subject to the Conduct Review Process outlined herein.

Community Standards (College Policies)

Respect: MCLA students show positive regard for each other, for property and for the overall community. [CV1]

Creating a Disturbance – A willful interruption or disturbance of the day-to-day operations of the academic or administrative business of the College. [CV1.1]

Disorderly Conduct – Disorderly conduct is contrary to the mission of the university and will be addressed through the disciplinary process. Disorderly conduct is defined as: [CV1.2]

- any unreasonable or reckless conduct by an individual or student group that is inherently or potentially unsafe to other persons or their real or personal property; and/or
- any behavior by an individual or student group that disrupts the peace or interferes with the normal operation of the College or College-sponsored activities.

Disorderly conduct includes, but is not limited to: reckless driving; interrupting or interfering with the carrying out of the duties of a College or public official, including law enforcement; vomiting and/or urinating in public; and, indecent exposure.

Disturbing Behavior – Students are considered to be acting in a disruptive fashion and against Community Standards whenever they shall make a disturbance or threat of violence which is sufficient to disrupt the normal and reasonable use of the buildings or property, owned or controlled by the College or elsewhere (even off campus). Engaging with others in, or inciting others to engage in, harmful or destructive behavior, in the context of a group of persons disturbing the peace. Any action that might lead to intentionally or recklessly harming or endangering the physical safety or property of others. [CV1.3]

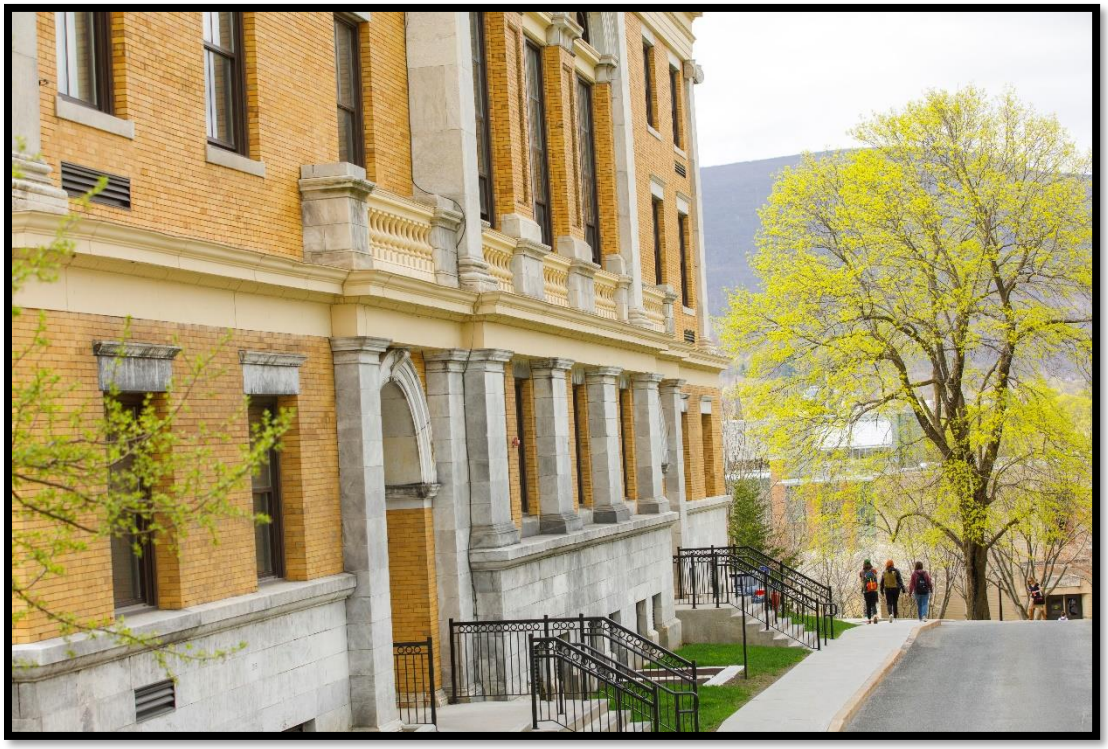
- **Dangerous Practices** - Participating in any behavior that is deemed by a College official to be disruptive to community living or personal safety is prohibited. This may include a variety of "acting out" behaviors and includes assault or physical harm [CV1.3.1].
- **Reckless Behavior** – Endangering the safety of persons (self or other) or property. [CV1.3.2]

Interpersonal Misconduct: No student shall assault, threaten, harass, stalk, haze or otherwise physically or psychologically abuse any other person or themselves, on or off campus, including a College or city official acting in the line of duty. This shall include but not be limited to: [CV1.4]

- **Physical Assault** - Unwanted forceful physical contact with another person that either intentionally, recklessly, or negligently causes injury is prohibited. For purposes of this Community Standard, injury is sustained when a person suffers pain, no matter how slight. [CV1.4.1]
- **Intimidation, threat, or harassment**: Conduct less than a physical attack or physical action which interferes with a person in the conduct of their customary or usual affairs, or conduct which is sufficiently severe or pervasive to unreasonably interfere with an individual's work or academic performance, or creates an intimidating, hostile, or offensive working or academic environment. A single, unusually severe incident may constitute intimidation, threats, or bullying. Any pattern of unwelcome conduct directed specifically at another person that threatens or endangers the physical or mental safety or property of that person or creates a reasonable fear or intimidation of such a threat or action. [CV1.4.2]
- **Intrusion of Privacy**: Intrusion of Privacy is photographing, videotaping, filming, digitally recording, or by any other means secretly viewing, with or without a device, another person without that person's consent in any location where the person has a reasonable expectation of privacy, or in a manner that violates a reasonable expectation of privacy. Unauthorized storing, sharing, and/or distribution is also prohibited. This does not apply to lawful security or surveillance filming or recording that is authorized by law enforcement or authorized university officials. These provisions may not be utilized to impinge upon the lawful exercise of constitutionally protected rights of freedom of speech or assembly. [CV1.4.3]
- **Retaliation** – Any form of action, adverse treatment, or threat of action or adverse treatment against any individual for reporting, providing information, exercising one's rights or responsibilities under the Student Conduct Program, or otherwise being involved in the process of responding to, investigating, or addressing allegations of violations of the Community Standards. All forms of retaliation are serious violations and any individual or group found retaliating against another individual or group will face stringent disciplinary action. [CV1.4.4]

Destruction of Property/Vandalism - Damaging, destroying, or misusing College buildings, grounds, equipment, educational materials, or the personal belongings of others is prohibited. Students are responsible for the proper utilization and preservation of all College furnishings, equipment, grounds, vehicles, services, and facilities. Prior to use, approval is necessary for use of vehicles, facilities, and some equipment. Damages caused by students to College owned or operated property will provide the College with the basis for a claim against the responsible student(s) for the repair/replacement of the damaged item(s) and any associated costs incurred. [CV1.5]

- Students shall be held liable via the conduct review process, billing, or both for intentionally or recklessly destroying or damaging College property or the property of others on College premises or at College-sponsored events. This includes all forms of vandalism and graffiti.



Responsibility: MCLA students are given and accept a high level of responsibility to self, to others and to the community. [CV2]

Conditions of Enrollment - Even though a person is eligible to be admitted to the College community, there are certain conditions all people must meet in order to be enrolled in MCLA and function as a member of the community. Failure to meet and maintain these conditions may result in a hold against future registration and/or termination of a student's current enrollment and/or presence on Campus. If a student's enrollment is terminated for failure to fulfill conditions of enrollment, the student may not be on Campus or use Campus resources without the expressed permission of the Student Affairs Division Office. In addition, the student will not be eligible for refund of any portion of the expenses listed by Student Accounts. [CV2.1]

Accuracy of College Records – Students are expected to provide accurate and complete information on all College forms and documents, including applications for admission, financial aid, references, health and immunization reports, local and home addresses, and other types of records. [CV2.1.1]
Class Attendance -Students are expected to attend classes. Should a student fail to attend all of the student's classes for a period of a week or more, without approval from the student's faculty, and should a student be failing all of the student's courses and it can be confirmed there is no way for the student to make up the work in the student's courses, MCLA reserves the right to take steps to terminate that student's enrollment. This action would result in residence contract termination as well. [Click here for the Academic Policies] [CV2.1.2]
Communications with the College – Students are expected to regularly pick up their mail at the Campus mailroom, check their Campus voice mail, and check their MCLA e-mail account. [CV2.1.3]
Completion of Registration – Each semester students are required to complete their registration with the College before they are recognized as students of the school. [CV2.1.4]
Conditions Established as Part of Disciplinary Outcomes – All students are expected to fulfill conditions established as part of disciplinary outcomes. Students who fail to fulfill these conditions may be subject to additional disciplinary action including, but not limited to a hold on the student's account and/or the student's enrollment may be terminated. Residence Area contracts may also be terminated. [CV2.1.5]
Financial Obligations – Students shall be held responsible for all financial obligations they incur with the College. Failure to comply with this policy, without prior permission being granted, could result in loss of Campus housing and/or Campus parking as well as a hold placed against the release of grades, diploma or transcript of a student with such outstanding obligations. [CV2.1.6]
Health and Immunization Records – State law requires all students to provide complete and accurate immunization records in order to be enrolled in any college or university. Health Services is primarily responsible for monitoring the compliance of each student concerning this particular legal requirement. If a person should fail to comply with this requirement, the College may either prevent the student from completing the student's registration or remove the student from the enrollment rosters of the school. [CV2.1.7]
Health Insurance – State law requires each full-time student to possess a minimum level of health insurance during the student's time of enrollment. Such insurance may be provided by either an insurance carrier chosen by the student, inclusion on a parent's plan, or by the student enrolling in the program adopted by the State University System. Health Services provides students with the information about this program. The law also requires the College to terminate the enrollment of any student who fails to provide proof of proper insurance coverage. [CV2.1.8]

Alcohol Beverages - The College intends for its students to abide by State laws prohibiting those persons under the age of 21 from possessing, purchasing or transporting alcoholic beverages. Students are expected to become familiar, where relevant, with policies/regulations established by such offices as Residence Life & Housing and Public Safety before becoming involved in any event where alcoholic beverages are to be present. Behaviors resulting in violations of community standards as a result of improper use of alcohol will not be excused or mitigated. [CV2.2]

- **Underage Alcohol Misconduct –** No person under 21 years of age may possess, use, be under the influence, transport, or be in the presence of alcohol, except as permitted by law or campus policies. [CV2.2.1]
- **Regardless of Age** - Those students who are of legal drinking age may possess alcoholic beverages in specific residence areas and at certain times and places on Campus such as specifically designated social events. Students of legal age who choose to possess and use alcohol must do so responsibly. Students who are 21 years of age may not consume, possess or otherwise use alcohol when a minor is present. Conversely, minors may not be present when/where there is alcohol present unless specifically approved. This standard applies both on and off Campus. [CV2.2.2]
- **Alcohol Dispensing Container** - At no time are students allowed to possess on Campus (regardless of content) kegs, half kegs or similar "common" containers of beer such as "beer balls" and/or alcohol abuse apparatus such as funnels, beer pong or Beirut set ups this includes any rapid consumption apparatus. [CV2.2.3]

- **Distribution or Sale of Alcohol** – The manufacture, distribution, dispensing or sale of, or the attempted manufacture, distribution, or dispensing of alcohol, in al forms, except as expressly permitted by law. Facilitating access to alcohol to any person under 21 years of age is also prohibited. [CV2.2.4]

Drugs/Narcotics/Controlled Substances - The manufacture, distribution, dispensing, possession, use, or sale of or the attempted manufacture, distribution, dispensing, or sale of controlled substances identified in federal/state law or regulation. This includes misuse, sale, or distribution of prescription or over the counter medication. The possession, use, distribution or sale of narcotics, hallucinogens or other dangerous and/or illegal drugs is prohibited. [CV2.3]

- **Possession of Drug-related Paraphernalia -** The possession or sale of drug related paraphernalia is prohibited. Objects used, primarily intended for in ingesting inhaling, or otherwise introducing controlled substances/drugs into the human body. Any equipment, product, or material that is utilized for making, using, modifying, or concealing drugs including, but not limited to, roach clips, pipes, bongs, dabs/oils, water-pipes, cocaine spoons, hypodermic needles, rolling papers, scales, grinders, hookahs, or any item containing drug residue is prohibited. [CV2.3.1]
- **Self-Safety** – Being unable to exercise care for one's own safety because one is under the influence of alcohol, drugs, and/or mind-altering substance(s). [CV2.3.2]

Although Massachusetts law permits the use of medical/recreational marijuana (21 and older); federal laws prohibit the use, possession, and/or cultivation of marijuana at educational institutions. Federal laws also require any institution of higher education that receives federal funding to have policies prohibiting the possession and use of marijuana on campus. The use, possession, or cultivation of marijuana for medical and/or recreational purposes is therefore not allowed on College property.

Tobacco Free MCLA - MCLA is a tobacco-free campus. Smoking and other tobacco use is prohibited on all property owned or operated by MCLA. This consists of all buildings, all grounds, including exterior open spaces, parking lots, on-campus sidewalks, roadways and driveways, recreational spaces and practice facilities; and in all College owned property. [CV2.4]

ID Cards – Students must have in their possession at all times a valid student identification card and are required to identify themselves upon the request of any staff member. These cards and their use are not transferable. [CV2.5]

Keys – Unauthorized possession or use of keys for College buildings, facilities, vehicles, and/or equipment is prohibited. Likewise, no key belonging to the College may be reproduced or loaned to any other person without specific written permission from the Department of Public Safety/Campus Police. [CV2.6]

Violation of Motor Vehicle/Parking Regulation(s)– The registered owner of the vehicle is responsible for all citations issued to the vehicle, regardless of whether or not the owner was operating the vehicle at time of citation. The Campus Police Department is responsible for the Motor Vehicle Regulations and can enforce policies related to Motor Vehicles as necessary. The Dean of Students may be notified when students fail to comply with Motor Vehicle Regulations. The Dean of Students may, in turn, process the alleged violation through the Conduct Review Process. [Additional Information on Public Safety website] [CV2.7]

Sponsorship of Events – Individuals or groups sponsoring events disruptive to the College or community, or having disruptive consequences, may be held responsible for such activity as if they had committed the offense. Examples of such activity would be parties or dances which prevent study or classes in College buildings and/or disrupt relations with the community or result in other harmful effects. [CV2.8]

Weapons and Firearms - Except for authorized law enforcement purposes, no weapons of any kind are allowed on the MCLA campus. No individual may possess, carry, store, use or have in the individual's custody or control, a firearm or other weapon on campus. State law prohibits the unauthorized possession, carrying or use of weapons or firearms on College property. Weapons will be confiscated by the College's Department of Public Safety and violators may be subject to criminal prosecution and/or referral to the Dean of Student's Office to process through the Conduct Review Process. [CV2.9]

- For the purposes of this policy, the term "weapons" includes, but is not limited to, firearms of any nature or description, including shotguns, rifles, pistols and revolvers, paint ball guns or BB/pellet guns; firearm replicas; ammunition; martial arts-type weapons; explosives (including fireworks); bows, crossbows or arrows; slingshots; switchblade knives, double-edged knives, hunting (fixed-blade-style) knives of any length, throwing knives or folding (pocket-style) knives with a blade length of three inches or greater; swords; pointed metal darts; mace, pepper gas/spray, and other dangerous chemicals; or any other destructive device or instrument that may be used to do bodily injury or damage to property.

Ethics and Accountability: MCLA students will individually hold themselves accountable for their actions, both positive and negative, and inspire others to abide by the College Community Standards. [CV3]

Violation of Academic Ethical Standards - For detailed information pertaining to current policies and procedures regarding academic standards for students, including such matters as grade appeals and academic honesty, prohibitions against plagiarism and other inappropriate behaviors, students can visit the Registrar's Office in Eldridge Hall or review these online at www.mcla.edu/registrar In most instances, cases arising under the provisions of academic policies are processed by the Registrar. Cases arising under College policies relating to these matters may, however, be referred by the Registrar to the Academic Affairs Division Office and the Student Affairs Division Office for processing under the Student Conduct Program. [Click here for the Academic Policies] [CV3.1]

Advertising Policy - All flyers, banners, and table tents require approval from the Office of Student Engagement before being displayed. Advertisements promoting the sale or use of alcohol or containing material deemed inappropriate or offensive to the Campus community will not be approved for posting. Advertisements may only be placed in approved areas. Displaying advertisements on windows, doors, walls, and in bathrooms is prohibited. [CV3.2]

Bystander Conduct - Students are expected to refrain from being in the presence of others who are violating College policies and rules. Students may be held accountable for their actions even if they are not participating in prohibited conduct. Students are expected to promptly report conduct or activity that poses a danger to the community or its members. In certain circumstances when a report is made of behavioral or conduct violations in an attempt to help students in need of medical attention or assistance, individuals may be given amnesty from official conduct outcomes. [CV3.3]

Theft - The wrongful taking of or possession of the property or services of another, or of property that the thief reasonably should have known was stolen, or preventing the recovering by the owner is prohibited. [CV3.4]

Solicitations – Students should receive approval from the Student Affairs Office for any solicitation to be conducted on Campus or any solicitations to be made off Campus in which the College's name will be used. [CV3.5]

Unauthorized Use or Possession - Unauthorized use or possession of College property or property of another student or community member is prohibited. [CV3.6]

Violation of the Law – Any behavior chargeable as a violation of law, whether or not charges are brought by civil authorities, when such behavior(s) occur on College property, or at College-sponsored activities or events, or when such conduct distinctly and directly affects the College community and/or the pursuit of its objectives regardless of where it occurs. [CV3.7]

Community: MCLA students build and enhance their community through positive interaction. [CV4]

Unauthorized Access/Presence &/or Use of Facilities, Equipment, and Vehicles – Unauthorized access, presence in, or use of facilities or property. Students must abide by the check-in and check-out procedures for College housing and the hours posted for the use of other buildings and events. Likewise, College facilities, equipment, and vehicles are provided for particular uses reflected in the policies/regulations governing the use of these facilities, equipment, and vehicles; therefore, any misuse is prohibited. At all times, students are expected to behave in appropriate ways on the Campus especially common areas like the Centennial Room, Fitness Center, Computer Labs, etc. [CV4.1]

Fire Safety – The willful and/or reckless creation of a fire hazard or fire, failing to evacuate after a fire alarm has sounded or other notice has been given, and/or tampering with, damaging, or misusing any fire safety equipment. This includes, but is not limited to, fire alarms, smoke detectors, fire extinguishers, emergency exit signs, and/or fire alarm/sprinkler systems. [CV4.2]

Guests – Students, by inviting or allowing a guest to come to the College, assume responsibility for their guest's behavior while they are on the Campus or involved in a College-sponsored event. The College reserves the right to have its staff ask any person who is not a member of the College community to leave the buildings and/or grounds of the College, and to stay away from such areas, if the presence of such a person is judged to be the cause of disruption of the fundamental operations of the College or if such a person violates the policies of the College. [CV4.3]

Free Speech & Assembly - MCLA embraces a student's right to free speech and assembly and recognizes an exercise of one's freedom of expression can contribute to individual and community learning. [CV4.4]

- All students have a right to demonstrate on College premises provided no such demonstration shall materially disrupt class, work or other College business or involves substantial disorder or invasion of the rights of others.
- Students are prohibited from blocking free entry to or free exit from buildings, interfering with free movement or presenting obstacles to regular College activities. Interfering with free movement is defined as any physical denial or restriction of a person's ability to freely reach or leave a given geographical area. Obstacles are defined as physical devices, bodies or signs causing interference with free movement or sounds preventing normal oral communication.
- Any demonstration within a Campus building may take place only during normal operating hours of the building, and any demonstration in a building or area is limited to the number of persons the area can reasonably accommodate on grounds of public safety, as determined by a College official.
- There shall be no interference with a demonstration on the grounds of content of speech, except for any speech or demonstration that incites immediate violent actions, represents a clear and present danger to the campus community, is motivated by hate or bias and may constitute a violation of state law.
- No student shall intentionally and substantially interfere with the freedom of expression of another person on College premises or at College sponsored activities.
- Violation of this Policy constitutes a violation of Campus conduct and may subject a student to dismissal from the College or such lesser sanctions as may be deemed appropriate by the College.

Noise – Students may not intentionally make or cause to be made any noise above the level of the activity commonly associated with the environment of the campus. In assessing whether a student behaved in accordance with this community standard, factors such as the time of day, day of the week, and place of the alleged violations will be taken into consideration; that is, greater care to control unwanted noise will be expected during weekdays, near the library and classroom buildings, and at examination times than on weekends or at athletic events. Generally, any intentionally created noise that inhibits the ability of others to study, teach, sleep and enjoy the intended use of the campus and its facilities will be presumed to be against this standard of behavior. Likewise, any noise generated from within a building that travels within and/or beyond the building such as the sounds transmitted through a radio or stereo are also presumed to be against this standard of behavior. [CV4.5]

General Regulatory Statement - Disciplinary procedures may be the necessary consequence of student misconduct occurring on or off the campus. This misconduct may include instances wherein students violate local, State or Federal laws. Students also have a special obligation to live harmoniously in the North Adams community. Therefore, behaving in a way, which disrupts or has the potential to disrupt community relations, may result in disciplinary procedures against a student or student group. [CV4.6]

Violation of Residence Area Community Guidelines – Failure to comply with the Residence Area Community Guidelines is a violation of the Community Standards. [Click here for Guidelines] [CV4.7]

Interference with Fire/Medical Emergency – Falsely reporting a fire or medical emergency or other dangerous condition, or any interference with the response of any emergency personnel. [CV4.8]

Violation of the Residency Requirement - MCLA's on campus residency policy requires that all first time, first-year students live on campus and participate in a College meal plan for three years unless they are living at home with their family within a specified community distance. Student who enter MCLA as transfer students with prior college experience will receive a one, two or three-year residency requirement commensurate with the number of credits completed at the time of transfer. The Office of Admission assigns the appropriate residency requirement for all students at the time of admission. [CV4.9]

Violation of the Emotional Support Animal Guidelines – Failure to comply with the guidelines set forth in having an emotional support animal is prohibited. The Fair Housing Act defines an emotional support animal (ESA) as any animal that provides emotional support, well-being, or companionship that alleviates or mitigates symptoms of a disability. ESA's are not limited to dogs and can be other species of animal. ESA's are not considered service animals. They are not individually trained. They are commonly known as companion, therapeutic or assistance animals. [CV4.10]

- Individuals who are living in college housing can request to have an ESA with them as an accommodation for a substantially limiting disability. Requests have to be supported by documentation from a medical professional who has an established relationship with the individual requesting the ESA and be approved by the Disability Resource Office.
- To begin the approval process please complete and return the On-campus Housing Accommodation Form or contact the Disability Resource Office at (413) 664-5334 for assistance. Once approval has been granted, individuals must complete the second part of this process through Residence Life & Housing BEFORE they can bring their approved ESA to campus.

Integrity: MCLA students exemplify honesty, honor and a respect for the truth in all of their dealings. [CV5]

Misrepresentation of Information – Furnishing false information, records, or ID to College officials acting within the scope of their duties. Any student who knowingly withholds information or offers false information during either an investigation or Conduct Review Process shall be considered to have violated College policy and standards of behavior. [CV5.1]

- **Personal Misrepresentation** – Representing one's self as another person with or without that person's permission, or representing one's self improperly, and not by error, as any other member of the community. This includes, but is not limited to, altering, possessing, manufacturing, distributing, lending, use and/or attempted use of false identification. [CV5.1.1]
- **Official Misrepresentation:** Representing the College, any student group, or any official College entity without the explicit prior consent. [CV5.1.2]

Complicity/Implied Consent – If a student is aware of or in the presence of a violation of College policy and the student remains in the presence of and/or fails to take reasonable actions to stop the violation, the student gives implied consent to the violation and becomes a party in the violation. A student present when/where one or more violations are occurring also chooses to accept the consequences of being in violation of College policy. Anyone who creates an opportunity or encourages another person to violate regulations may be deemed equally responsible to other individuals in the Conduct Review Process. [CV5.2]

Gambling – Any gambling which is prohibited by Massachusetts law is also prohibited on College property. [CV5.3]

Failure to Comply – Failure to comply with authorized directive from MCLA Officials or law enforcement officers during the performance of their duties. [CV5.4]

- Students are required to comply with the reasonable directives from MCLA staff and faculty in performance of their duties, such members include, but not limited to, College Faculty, College Staff, Campus Police, Residence Directors, and Resident Advisors.
- Students must show/hand over their College ID or State ID upon request from any College official and/or law enforcement officer.
- Letters of Reprimand and other similar actions through the Conduct Review Process should be considered directives to discontinue a particular behavior(s). Repeated failure to complete with these directives may result in further action through the Conduct Review Process including, but not limited to, a Dean's hold on the student's account.

Violation of Use of College Logo – No one may use the name of the College, its logo, seal, trademarks or other forms of official representation in ways suggesting they are affiliated with, endorsed by or represent the College without authority granted to them by the College. [CV5.5]

Violation of Use of Computing or Other Electronic Resources - The unauthorized use of computing resources is prohibited including, but not limited to, duplication of copyrighted material, unauthorized access to or alteration of records, unauthorized use of electronic communication equipment or networks, and assisting others in any of these actions either intentionally or unintentionally. Students are expected to use campus computer and electronic resources (such as e-mail, voice mail, computers, programs, and software) in responsible ways and in a manner consistent with the mission of the College. For complete usage guidelines see Tech Help webpage. [CV5.6]

Social Inclusion: MCLA students are just and equitable in their treatment of all members of the community and act to discourage and/or intervene to prevent unjust and inequitable behaviors. [CV6]

Harassment – Repeated or pervasive use of written, verbal, or electronic expression or physical act(s) or gesture(s), or any combination thereof, directed at a person that places that person in reasonable fear for their physical safety or interferes with the ability of a person to work, learn, live, participate in, or benefit from the services, activities or privileges provided by the College. [CV6.1]

Hazing – Any act that willfully or recklessly endangers the mental, emotional, or physical health and/or safety of any student or other person for the purpose of initiation, admission into, affiliation with, or continued membership in any group regardless of the person's consent to participate. This includes, but not limited to: [CV6.2]

- Coerced consumption of, including but not limited to, any food, alcoholic beverage, liquid, drug, or any other substance that subjects a person to an unreasonable risk of harm.
- Brutality of a physical nature including but not limited to, paddling, whipping, beating, branding, forced calisthenics, and/or exposure to the elements.
- Acts intended to cause mental stress including but not limited to, sleep deprivation, transportation and/or abandonment, confinement, forces exclusion from social contact, forces contact that could reasonable result in embarrassment, or any activity that is designed to shame and/or humiliate.
- Coerced activities including but not limited to, violations of any laws, violations of MCLA policies, and/or personal servitude.
- Failing to intervene, prevent, discourage, and/or report acts of hazing.

In accordance with Chapter 665 of the Massachusetts Acts of 1987, the organization of or participation in hazing is illegal. Hazing means any conduct or method of initiation into any student organization which willfully or recklessly endangers the physical or mental health of any student or other person. (see Hazing Law M.G.L. 269.17)

Violation of Sexual Harassment, Sexual Assault, Domestic Violence, Stalking, and Retaliation Policies and prohibited conduct as set forth in the State University EO Plan [CV6.3]

For additional information about MCLA's Title IX Sexual Harassment Policy or the Equal Opportunity, Diversity and Affirmative Action Plan, please contact: The Interim Title IX Coordinator, Heather Quire, Student Affairs, Amsler Campus Center 305, (413) 662-5231

Violation of Policy Against Discrimination, Discriminatory Harassment and Retaliation Policies - No student shall be denied or deny the rights or privileges of a member of the College Community or other individual on the basis of a protected class such as race, color, religion, gender, gender identity or expression, age, sex, sexual orientation, national origin, ancestry, disability, marital status, military status, or genetic information in the admission to and participation of the University's academic programs, activities, services, or employment. [See Addendum #3] [CV6.4]

For complete information about MCLA Title IX & EO policies and procedures, please refer to the Equal Opportunity, Diversity, and Affirmative Action Plan. [Additional Information in Addendum #2 & Addendum #3]

The Student Conduct Program

MCLA Student Conduct Program Mission

The MCLA Student Conduct Program is committed to fostering an inclusive campus community that promotes active and responsible citizenship through an educational and developmental process that values respect, responsibility, and accountability for all members of the MCLA community.

MCLA Student Conduct Program Goals

- Promote a consistent, fair, and timely student conduct process that encourages participation of the campus community while holding students accountable for their choices.
- Educate the campus community about student's rights and responsibilities as a member of the MCLA community.
- Assist students in seeking out resources for learning and living that enhance the student's overall well-being and help students think critically in their decision-making.
- Facilitate on-going comprehensive conduct related training for students, staff, and faculty that are involved in the student conduct program.
- Develop and maintain a comprehensive assessment strategy regarding all aspects of the student conduct program and engage in regular assessment of the student conduct program to aid in informed decision-making about policies, procedures, and overall community engagement of the student conduct program.

MCLA Student Conduct Program Outcomes

As a result of going through the student conduct program, students will be able to:

1. Explain why College policies exist and why the College community is concerned about their choices.
2. Understand the impact of their behavior and decision-making on themselves and the community.
3. Communicate their personal responsibility for their behavior within the College community.
4. Identify ways to address their actions(s) so that their choices do not negatively impact their educational goals and success in the future.

MCLA Student Conduct Program Philosophy and Principles of Community

The student conduct program at MCLA is to be developmental and educational in nature and not intended to punish students; rather, it exists to protect the interests of the campus community and to challenge those whose decision-making is not in accordance with MCLA policies, and to encourage choices to be a positive member of the community. Outcomes are intended to educate and challenge student's ethical decision-making and align with the values of the MCLA community.

Members of the MCLA community are to be respectful, responsible individuals who are held accountable for their choices and actions. All members of the faculty and staff strive to create and support an educational environment that promotes student growth and development.

The College recognizes the rights of all individuals to express themselves in words and actions and encourage civil discourse so long as they do so without infringing upon the rights of others or violating the policies outlined in the Community Standards. There must be a willingness and commitment among all individuals in the MCLA Community to associate in a way that allows individual freedom, rights, and privileges to coexist with reasonable order. Members of the College community assume a respect for these basic principles that enable the College to accomplish its mission.

MCLA Student Conduct Program Authority and Responsibility

Daily responsibility for good conduct rests with the students as individuals. All members of the campus community are expected to use reasonable judgment in their daily campus life and to show due concern for the welfare and rights of others. The ultimate responsibility and authority to enforce the Student Conduct Program resides with the President of Massachusetts College of Liberal Arts. The President may, and has, delegated responsibility for the administration of the Student Conduct Program to the Dean of Students. The Dean of Students, in turn, delegates the authority to authorized and responsible staff for the implementation and enforcement of the policies and procedures. This responsibility includes formulating and implementing appropriate policies and procedures, in conjunction with other appropriate College bodies, for the

consideration of conduct complaints, infractions, and the imposition of outcomes in an efficient, consistent, legal, and equitable manner which supports the Colleges' educational mission. The College reserves the right to take any necessary and appropriate action to protect the safety and well-being of the campus community.

The Student Conduct Program was established in accordance with the concept of "due process." Due process, as used herein, shall mean generally that the student will be notified of a complaint alleging any violation of College policy; be provided the opportunity to review the complaint; and be given an opportunity to respond to the complaint before a decision is rendered. The decision of responsibility is based on the "preponderance of information", which means it is more like than not that a policy violation occurred and any outcomes will be proportionate to the severity of the violation and to the cumulative conduct history of the involved party.

The College retains conduct jurisdiction over students who choose to take a leave of absence, withdraw, or have graduated, for any misconduct that occurred prior to the leave, withdrawal or graduation. A hold may be placed on the student's ability to re-enroll, conduct certain transactions and/or participate in College events. All outcomes must be satisfied prior to re-enrollment eligibility. In the event of serious misconduct committed while still enrolled but reported after the accused student has graduated, the College may invoke these procedures.

Off Campus Conduct Statement

The College cannot, as a practical matter, monitor or control the off-campus conduct of MCLA Students, nor does it attempt to assume any duty to do so. However, if a College official receives notice of non-college-affiliated, off-campus conduct that is inconsistent with College policies, the College may take actions against the student(s) involved under the Conduct Review Process. This will more than likely happen if the off-campus conduct or a student involved appears to present a danger to students or others, the behavior does not align with the MCLA Community values, and/or reflects negatively on the student's ability to participate in College-related activities including class or otherwise negatively affects the interests of the College. This can include notice of an alleged violation of the law. Depending upon the circumstances, interim measures may be imposed until the conclusion of the Conduct Review Process.

With respect to off-campus, College-affiliated excursions, events, programs, such as sports-related travel, study abroad, field trips, etc. the College will hold students accountable for compliance of all College policies and/or expresses community standards outlines in off-campus event.

Statement of Non-Discrimination

MCLA is committed to a policy of non-discrimination, equal opportunity, diversity and affirmative action, and dedicated to providing educational, working and living environments that value the diverse backgrounds of all people. MCLA does not discriminate in admission or access to, or treatment or employment in, its educational programs and activities on the basis of race, color, religion, national origin, age, disability, sex, gender, sexual orientation, gender identity, gender expression, genetic information, marital or parental status, or veteran status. MCLA prohibits discrimination or discriminatory harassment on all of those bases. Such behaviors violate the MCLA's Policy Against Discrimination, Discriminatory Harassment, and Retaliation, will not be tolerated, and may result in disciplinary action up to and including termination or expulsion.

It is also MCLA's policy to provide each student, employee, and other person having dealings with the institutions an environment free from sexual harassment and all forms of misconduct on the basis of sex. MCLA prohibits rape, statutory rape, sexual assault, incest, sexual harassment, domestic violence, dating violence, stalking, and retaliation. These behaviors violate MCLA's Title IX Sexual Harassment Policy, will not be tolerated, and may result in disciplinary action, up to and including termination or expulsion.

MCLA's Non-Discrimination, Discriminatory Harassment and Retaliation Policy and Title IX Sexual Harassment Policy apply in all College programs and activities, including, but not limited to, athletics, instruction, grading, housing, and employment. They apply to all members of the campus communities, including, but not limited to, students, faculty, librarians, staff, visitors, contractors, and applicants for employment or admission. They also apply to off-campus conduct and conduct that takes place in online or virtual spaces, when such conduct negatively affects a community member's experience in the College environment.

MCLA has appointed an Equal Opportunity Officer ("EO Officer") to oversee its compliance with its Policy Against Discrimination, Discriminatory Harassment, and Retaliation, as well as the state and federal non-discrimination and equal opportunity laws. Anyone with questions, concerns or complaints regarding discrimination, discriminatory harassment, or retaliation may contact the EO Officer.

MCLA has appointed a Title IX Coordinator to oversee compliance with its Title IX Sexual Harassment Policy. 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. Reports may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator. Such a report may be made at any time (including during non-business hours) by using the reporting options available at the time of the report. Reports do not constitute a formal complaint unless they meet the criteria specified in the Title IX Complaint and Resolution Procedures.

The U.S. Department of Education
Office for Civil Rights
33 Arch Street, 9th Floor
Boston, MA 02119-1424
(617) 289-0111/Fax (617) 289-0150
TDD (877) 521-2172
OCR.Boston@ed.gov

or

MCLA Interim Title IX Coordinator and EO Officer
Heather Quire (students) | Christopher Hays (employees)
Mail: 375 Church Street North Adams, MA 01247
Phone: 413-662-5231 | 413-662-5597
Email: Heather.Quire@mcla.edu | Christopher.Hays@mcla.edu

For complete information about MCLA's Non-discrimination policies and procedures, please refer to the Equal Opportunity, Diversity, and Affirmative Action Plan.

Student Conduct Program Student's Rights and Responsibilities

The following student's rights and responsibilities are granted to all students going through the Student Conduct Program and who have been charged with an alleged violation.

- The right to be treated with respect, dignity, and compassion by College officials and by all persons involved in the Conduct Review Process.
- The right to have the opportunity to review all college policies. A student is responsible for knowing all policies as listed in the Community Standards, including those that may occur through encouragement or neglect.
- The right to be informed by written notice, delivered electronically, of the alleged violation(s) and also the date, time, and place of the meeting/hearing.
- The right to review documentation and respond to the information in documentation presented at the time of the meeting/hearing.
- The right to participate in the meeting/hearing or remain silent. If the student chooses to remain silent, the conduct review process will move forward.
- The right to have the level of responsibility determined based on "preponderance of information" standard, which means it is more likely than not the violation occurred.
- The right to request an appeal on the finding(s) and/or outcomes(s) issued based on the appeal criteria. Appeals may only be granted if at least one of the two specific criteria are met. (See Appeal Process section)

Statement of Evidentiary Standard of Responsibility

Students should be aware that the Conduct Review Process is different from criminal and civil court proceedings. The Conduct Review Process is not based on, nor is it intended to mirror, the rights or procedures in civil or criminal court proceedings. The Conduct Review Process procedures are intended to be fair, but does not include the same due process protections afforded by the courts. The decision of responsibility is based on the "preponderance of information," which means it is more likely than not that a policy violation occurred and any outcomes will be proportionate to the severity of the violation and to the cumulative conduct history of the student.

Conduct Review Process

The path of a case will be determined by the Dean of Students.

Filing a Report: When an incident occurs, an incident report is filed by a student, faculty, or staff member who becomes aware of, observes, or is the alleged victim of the incident. This report is reviewed and, if appropriate, the student or student organization is directed to go through the Conduct Review Process.

Review of Report: Review of all alleged violations is overseen by the Dean of Students whose role is to identify those acts that may be in conflict with College policies. Alleged violations are determined by the Dean of Students and then assigned to an appropriate conduct officer. Generally, two (2) business days' notice is given prior to a meeting/hearing. If circumstances necessitate, the meeting/hearing may be scheduled immediately. Written notice, delivered electronically of the date, time, location, and alleged violation(s) is sent using the case management system and/or the student campus email account. If the

student fails to attend the meeting/hearing, a decision will be made in the student's absence.

Interim Measures: The Dean of Students, or designee, may impose an interim measure before the completion of the conduct review process if there is a reasonable belief that:

1. A student's own safety and/or well-being is at risk;
2. A student poses a threat to the health and/or safety of any member of the College community;
3. A student poses a threat of disruption or interference with the normal operations of the College.

Interim measures may include, but are not limited to:

- **Interim Suspension from the College** - While interim suspension status is in effect, a student is denied access to classes, activities, and facilities pending resolution of the case or completion of the conduct review process.
- **Campus Restriction** - While campus restriction is in effect, a student is allowed access to classes; however, access to other activities, campus facilities, and campus property may be denied.
- **No Contact Order** - While a no-contact order is in effect, a student is instructed not to engage in either direct or indirect contact with the Complainant(s) and witnesses. Methods of contact include, but are not limited to, verbal exchange, telephone, email, text message, letter, and communication via another party on the student's behalf. No Contact Orders are ordinarily put in place for all students involved and electronic written notice will be given to all parties.

Following the imposed interim measure, the Conduct Review Process will continue as soon as practical with the appropriate path for the case. The interim measure will remain in effect until the student is notified, in writing, that the interim measure has been discontinued or until a final determination is made following the completion of the Conduct Review Process. A hold may be placed on a student with an interim measure in place.

If a student fails to comply with interim measures, further disciplinary action may occur.

Inappropriate behaviors that will not be tolerated: The following is a partial, but not extensive list of inappropriate behaviors which may lead to the student's suspension or dismissal from the College once a determination of responsibility has been made. While not an exhaustive listing, students should use this list as a general reference. Immediate interim suspension from the College may occur whenever the accused student's behavior is judged as a compromise to safety.

Acts against persons, including, but not limited to:

- Hate crimes
- Murder
- Rape
- Physical assault
- Stalking

Acts against property, including, but not limited to

- Arson
- Destruction of property including electronic property medium
- Illegal occupation of a building

Jeopardizing the safety of self and/or lives of others, including, but not limited to:

- Creating or false reporting of bombs
- Hazing
- Inciting a riot
- Resisting arrest
- Tampering with fire or safety equipment including pulling a false fire alarm
- Driving under the influence of alcohol or drugs
- Third offense involving alcohol following progressive discipline for the first two offenses
- Possession and/or use of illegal drugs; Illegal alcohol or drug distribution
- Possession or discharge of illegal weapons

Preliminary Meeting

In some cases, it may be appropriate for the Dean of Students, or a designee to meet or speak with students who may have relevant knowledge about an incident. This investigative process allows the responding staff member to gain information to make decisions about proceeding with the Conduct Review Process.

Types of Case Resolution

- **Informal Resolution:** An informal resolution may transition into a formal meeting/hearing for any reason including new information learned during an informal meeting or when an informal resolution cannot be reached.

Example of informal resolution can include:
    - Educational letter, conversation, or agreement
    - Mediation. If mediation is deemed appropriate, contact will be made to all parties involved and an explanation of the process will be offered. If accepted by all parties, mediation will be viewed as an alternative solution. Should an agreement not be possible, the incident may be pursued through a conduct review meeting/hearing. All agreements reached through mediation are binding. If at any point the agreement is not fulfilled, the negligent party may face further conduct action. Mediation is not an option in cases of sexual misconduct.
- **Letter of Reprimand**: A letter of reprimand may be sent to a student as a notice of a violation that has been documented. The letter of reprimand will instruct the student to refrain from repeating a behavior and will be placed in the student's file. No further action will occur. This is a matter of record keeping and notice of a student's decision-making pattern for a certain violation(s). Students receiving multiple Letters of Reprimand in an academic year may be subject to further disciplinary action.
- **Conduct Review Meeting**: The Dean of Students, or designee, will conduct the Conduct Review Meeting. This meeting is to be educational in nature. The student may take responsibility for the alleged violations or not. The goal of the meeting is to make a decision about responsibility and discuss the impact of the behavior(s) on the student and the MCLA community. This type of meeting can be for any level conduct case. The goal of the hearing is to make a decision about responsibility and discuss the impact of the behavior(s) on the student and the MCLA community.
- **Administrative Meeting**: The Dean of Students, or designee, will be the Administrative Conduct officer. This meeting is to be educational in nature. The student may take responsibility for the alleged violations or not. The goal of the meeting is to make a decision about responsibility and discuss the impact of the behavior(s) on the student and the MCLA community. This type of meeting can be reserved for higher level cases and/or for a student's whose conduct history is at a higher level. The hearing may be scripted and recorded as a matter of college record.
- **College Hearing Board Hearing**: The Dean of Students will appoint three (3) MCLA Faculty/Staff members who have been trained in the Conduct Review Process to comprise the College Hearing Board. One of the College Hearing Board members will be designated as the chairperson. This type of hearing can be utilized for higher level cases and/or for a student's whose conduct history is at a higher level. The goal of the hearing is to make a decision about responsibility and discuss the impact of the behavior(s) on the student and the MCLA community. The hearing may be scripted and recorded as a matter of college record. After a decision has been made by the College Hearing Board, the chairperson will fill out documentation needed and turn all case materials back to the Dean of Students. The decision letter will be written from the Dean of Students to the student.

Steps in the Conduct Review Process

The steps below specify the procedures that must be followed when determining if a violation has occurred and assures that due process is followed. The Guardian Case Management System will be used as the official management software for conduct. In the event the case management system is unavailable, all communication shall be sent to student's MCLA email address.

1. **Notice** - Students will receive a letter electronically from the appropriate College staff member, informing them of a conduct meeting/hearing to discuss the incident. Students must be given at least two (2) business days' notice for administrative hearings and preliminary meeting. The student will need to respond within 1 day (24 hours) if there is a schedule conflict. If no notification is received from the student, the meeting/hearing will proceed as indicated on the Notice of Violation.
2. **Attendance** - If the student fails to attend the meeting/hearing, the review will be made in the student's absence. Additionally, the student forfeits the right to appeal the decision and/or outcome of the case.
3. **Meeting/Hearing** - A conduct officer will review the incident report(s), documentation and/or related information with the student and the student will have the opportunity to share information regarding the incident. Since the meeting/hearing focuses on what happened with the purpose of determining whether policy violations have occurred, character statements, character witnesses, and letters of support that do not pertain to the incident in question cannot be considered. Students should only share information that pertain to the incident.
4. **Finding and Outcome** - Based upon the information presented, the conduct officer or conduct board will determine if the student is responsible or not responsible for the alleged violation(s). Outcomes are considered only after responsibility has been determined and is based solely on the severity of the violation and a student's previous conduct record. The decision of the case will be subject to final review by the Dean of Students, or designee.
5. **Notice of Outcome** - Students will receive a letter electronically notifying the student of the results of the meeting/hearing no later than three (3) business days following the meeting/hearing. Additional time may be needed if the case is complicated in nature.
6. **Appeal** - The Student has the right to appeal based on appeal criteria within (3) three business days of the decision letter. (See Appeal Process Section for appeal criteria)

Procedural Advisor
A student may have an advisor accompany them to any scheduled conduct review meeting/hearing. The advisor may be any individual of the student's choosing who is allowed to be present on the MCLA campus, except another student with a pending conduct complaint in a potentially related matter. The advisor's role with regard to meetings/hearings is strictly limited to directly advising and/or accompanying the student advisee or complainant to the hearing. An advisor's presence is contingent upon following this procedure.

Advisors may not:

(a) address any person involved in the hearing except for the student they are advising, or
(b) disclose any student record information obtained through the student conduct process except as permitted by law. Confidentiality is paramount.

Advisors who do not comply with these requirements may be dismissed by the case officer, required to immediately leave, and will not be allowed to participate in future proceedings unless authorized by the Dean of Students. In the event an advisor is dismissed from a scheduled proceeding, the proceeding will continue as scheduled. The student may request to have a different advisor, if available, for the duration of the case and any additionally scheduled proceedings.

Appeal Process
The College has implemented procedures for students to appeal. Appeals are not re-hearing of the facts of the case, but rather an examination of the procedure and/or outcome. General dissatisfaction with the outcome of a conduct case or an appeal for mercy is not an appropriate basis for an appeal. The outcomes(s) resulting from a case decision will be considered on hold until the decision is affirmed, modified or reversed in the appeals process. Additionally, only a student who has participated in the hearing process and has been found responsible for violating a policy may file a written appeal. If a student fails to attend a meeting/hearing, that student forfeits their right to appeal the decision rendered by the conduct officer or conduct board.

An appeal must be made in writing via the Appeal function in the Guardian Case Management System within (3) business days of the notification of the outcome of the case to the parties involved in the original decision and should include the grounds for the appeal and all relevant information. Character statements, character witnesses, and letters of support that do not pertain to the incident in question cannot be considered. The decision to consider the appeal is a separate action from actually determining the appeal. If the appeal officer determines that the appeal does not meet any of the criteria for appeal, the student will be notified in writing via Case Management System and/or College email address within three (3) business days after the appeal request has been submitted.

The possible criteria for appeal are:

A. The original meeting/hearing was not conducted according to established procedures or had significant procedural errors or irregularities that denied the student(s) a fair meeting/hearing.
B. The student has new information that was not reasonably available prior to the original meeting/hearing and that information is likely to substantially changed the outcome of the meeting/hearing.

All requests for appeal must outline the following:

Any appeal based on criterion "A" must include all of the following:

- Citation of specific procedural errors or irregularities with appropriate reference to the Conduct Review Process;
- Reason(s) why procedural error was not mentioned in the original meeting/hearing;
- Reason(s) why correction of error can contribute to a decision other than that which was originally made.

Any appeal based on criterion "B" must include all of the following:

- Nature of the new evidence;
- Name(s) of anyone who will present this evidence;
- Reason(s) why evidence was not discussed at original meeting/hearing;
- Reason(s) why evidence can contribute to a decision other than that which was originally made.

The appeal officer may take the following actions after considering or determining an appeal:

- Remand the matter to the original conduct officer to be reheard in whole or in part. At the discretion of the appeal officer a different official or meeting/hearing method may be designated;
- Affirm the original decision and outcome(s);
- Reverse the original decision and outcome(s);
- Affirm or reverse the original decision in part and/or alter the outcome(s) which could increase or decrease the severity of the outcome(s).

If an appeal meets at least one of the appeal criteria, the assigned appeal officer will review case related information. A notification of the decision regarding the appeal will be made to the student in writing via Case Management System and/or College email address. The appeal decision will normally be rendered within (5) five business days of the written appeal. The decision of the appeal officer is final and effective immediately, the case is closed. All outcomes must be completed as stated in the original Notice of Outcome and/or Notice of Appeal Decision letter.

Additional Conduct Review Process Guidelines

- All meetings/hearings will be held in closed session. Individual recording of case related materials, meetings, and hearings is prohibited by involved parties, witnesses, and advisors including but not limited to taking pictures, screenshots of documents, voice recording, video recording, etc. Failure to comply may result in additional disciplinary action.
- During summer, vacation periods, and in extenuating circumstances including but not limited a natural disaster and/or global pandemic, the Dean of Students may approve alternative arrangements for individuals to participate in meetings/hearings including, but not limited to, the use of audio or video conferencing technology.
- If at any time during the course of a conduct meeting/hearing, any person exhibits behavior or language that is disruptive or threatening, that person may be dismissed with the process continuing without their presence or input.
- If requested in advance, and determined to be an appropriate and reasonable accommodation through Disability Services, notices, reports and/or written materials can be provided in an alternate format.
- The Dean of Students exercises discretion over the admission of any person into a meeting/hearing.
- A conduct officer or conduct board may record the meeting/hearing if it is deemed appropriate for the purpose of appeals or a matter of college record. This will be determined by the Dean of Students. All individuals will be notified.
- For higher level conduct review, a meeting/hearing script may be used to help with consistency of process.
- The student can make an impact statement. This can be written ahead of time or within 24 after the meeting/hearing. If written in advance, the impact statement can be submitted to conduct officer after being read during the meeting/hearing. The impact statement should address how this incident impacted them and how the possible outcome may impact them. It does not have to admit a level of responsibility.
- The student can present witness statement(s) in the meeting/hearings by giving prior notice to the Dean of Students and such statements one (1) business day in advance of the meeting/hearing for approval to be added to case information. Character witness statements will not be accepted.
- If a student is found responsible, the conduct officer or conduct board reviews the student's full conduct record to decide if an outcome should be more severe based upon past history. This information is not used to determine a student's responsibility for alleged violations.
- Cases of alleged sexual harassment, sexual assault, domestic violence, dating violence, stalking, and/or retaliation will be referred to the Title IX Coordinator to be resolved under the Title IX Sexual Harassment Policy Complaint and Resolution Procedures found in the Equal Opportunity, Diversity and Affirmative Action Plan (EO Plan). The EO Plan was approved by the Massachusetts Board of Higher Education on September 28, 2018 and updated on August 14, 2020.

Outcomes/Educational Outcomes

There are a variety of possible outcomes you may receive if you are found responsible for violating a College policy. These outcomes range from disciplinary standing outcomes to educational outcomes to interventions.
When a student is found responsible for a violation of the policies within the MCLA Community Standards, any of the following types of outcomes may be assigned. Outcomes should be appropriate to the policy violation(s) for which they are assigned. When considering the outcomes to be imposed, a range of factors may be considered, including the:

- nature, context, and severity of an incident,
- developmental needs of the student,
- level of accountability and responsibility taken by the student,
- level of cooperation from the student,
- need to stop the misconduct and prevent its recurrence,
- need to remedy and address the impact or effects of the conduct on others,
- conduct history of the student,
- best interests of the College community, and
- any other aggravating, mitigating, or relevant factors.

Types of Outcomes:

Educational Outcome - Students are expected to reflect upon their decisions and to be mindful of how their future choices and actions may impact themselves, others, and the College community.
Educational outcomes may include the following:

- Educational information provided to the student to review.
- Judicial Educator module – online module that relates to the violation of the incident.
- Participation or completion of a project, class, or other activity to build awareness or knowledge relevant to the nature of the offense or oneself, including research papers, personal reflections, workshops, organizing events, designing community education, or preparing an action plan.
- Mentorship with a specific person on campus.
- Requirement to attend, present and/or participate in a program related to the violation. It may also be a requirement to sponsor or assist with a program for others on campus to aid them in learning about a specific topic or issue related to the violation for which the student was found responsible. Audience may be restricted.
- Restorative actions - Requiring a student to engage in actions to investigate the impact of a violation and repair the harms resulting from misconduct on other members of the community. These actions may include letters of apology, drafting and implementing a plan of resolution, engaging in community events that build positive community.
- Mental Health/Medical Assessment and/or Treatment -Requirement that a student seek a mental health, medical, substance use, or threat assessment from Counseling Services or Health Services, or other appropriate professional and follow through with the recommendations of the professional.
- Additional or alternate Educational Outcomes maybe created and designed as deemed appropriate to the violation.

Letter of Reprimand - A letter that makes a matter of record any incident that reflects unfavorably on the student behavior and is in violation of the policies outlined in the Community Standards. Please note that further violations of College policy may result in further disciplinary action.

College Warning - Formal notice and censure that a student's actions violated a College policy, that such actions are not acceptable in our community, and that further misconduct, or any other violation of a College policy, may result in more serious disciplinary action. Students are expected to reflect upon their decisions and to be mindful of how their future choices and actions may impact themselves, others, and the College community. This warning is in effect for 6 months (from incident date), if no other violation occurs in that 6-month time period, the warning is no longer counted in student conduct history.

Residence Area Probation - A status imposed on a student for a specific period of time to allow students to reflect upon their choices and behavior and to demonstrate the ability to abide by College policies and expectations. Any additional College policy committed during the probation period may result in additional or more serious outcomes, including residential suspension or expulsion, College suspension, or College expulsion.

College Probation - A status imposed on a student for a specific period of time to allow students to reflect upon their choices and behavior and to demonstrate the ability to abide by College policies and expectations. Any policy violations committed during the probation period may result in additional or more serious outcomes, including residential suspension or expulsion, College suspension, or College expulsion.

Campus Restriction - Restrictions or prohibitions on a student's entry or access to particular locations, premises, or events, or on a students' contact with another member of the College community. While campus restriction is in effect, a student is allowed access to classes; however, access to any activities, campus facilities, and campus property is denied.

Housing Relocation – At times it is best to relocate a student to another part of the residence area. This change in housing assignment will be done in consultation with Residential Programs & Services.

Financial Restitution - Restitution is monetary compensation required of students who have taken, misused, damaged, or destroyed College, public, or private property or services. Amounts charged to students may include cost to repair, replace, recover, clean, or otherwise account for the property or services affected.

Student Account/Disciplinary Hold (Dean's Hold)– A hold may be placed on the student account. Students with a hold may not be able to receive grades, transcripts, diplomas, or be allowed to enroll in future classes at MCLA. Holds will remain in place until the outcome is completed or course of action is resolved. Students may also have a hold placed for missing official paperwork such as immunization document or not completing compliance modules.

Community Service Hours – Community service hours may be assigned. The following may be assigned:

- Complete a specific number of hours with a specific department/office or campus under the direct supervision of the department/office head.

- Complete a specific number of hours in the town of North Adams under the direct supervision of the Director of Civic and Community Engagement or designee.

Withdrawal of Recognition/Dissolution - Student groups may be disbanded and College recognition withdrawn for a specific time period or permanently. Further, disciplinary action taken against a student group leader(s) may result in the organization receiving outcomes involving loss of recognition and/or privileges.

Administrative Fine - Fines are punitive monetary costs intended to dissuade students from violating the policies outlined in the Community Standards. Failure to pay a fine will result in a registration/graduation hold on the student's account.

Alcohol and Other Drug (AOD) Level System: MCLA is committed to taking specific action in cases involving alcohol and/or drug violations. This Alcohol and Other Drug Level system is progressive however there are instances where lower levels may be bypassed due to the nature of the incident.

AOD Level Status	Outcomes
AOD Level 1* Typically given 1st offense for presence of/ minimal disruption to the community.	Educational information may be provided College Warning (status 6 months) Parental Notification may occur Level 1 status remains for 6 months (no additional violations = status removed)
AOD Level 2* Typically given as 1st offense for actively engaging in AOD consumption.	Educational information may be provided Educational Outcome: Judicial Educator #8 or #9 or related topic Residence Area Probation or College Probation (1 year) Additional Educational Outcome(s) may be assigned Parental Notification may occur Level 2 status remains for 1 year (no additional violation = status removed)
AOD Level 3**	Educational information may be provided Educational Outcome: Judicial Educator #15 or related topic College Probation (1 year) On-campus Alcohol and Other Drug (AOD) referral to Counseling Services Additional Educational Outcome(s) may be assigned Parental Notification may occur Level 3 status remains for 2 years (after 1 year of no additional violation status decrease to Level 2, if no additional violations happen after 2 years = status removed)
AOD Level 4**	Residential Suspension or Expulsion, Suspension from the College, or Expulsion from the College Parental Notification may occur

* A first incident in which medical treatment/transport may result in automatic placement on Level 2. Any additional incident in which medical treatment/transport may result in level increase of levels if already on a level.

* If campus police charge a student with a citation for an appearance in court for alcohol or drug related violation, an automatic placement on Level 2 or higher.

* Off-Campus Police/Authorities are involved may result in automatic placement on Level 2 or higher.

** Drug Sale &/or Distribution may result in automatic Level 3 or Level 4.

NOTE: One part of the College's compliance with the 1989 Drug Free School and Campuses Regulations (Drug-Free Schools and Communities Act, Public Law 101-226) and the policies of the Massachusetts Department of Higher Education is to set alcohol and illegal drug conduct code standards. In response to findings of code violations, the College will typically apply a minimum mandatory sanction. As minimum and mandatory these outcomes are aimed to provide an opportunity to examine one's choices in light of complying with College standards as well as the Federal and State mandates and serve as a deterrent to future violations.

Fire Safety Level System: MCLA is committed to taking specific action in cases involving fire safety violations, which include covered smoke detectors, tampering with fire safety equipment, and or smoking/vaping in buildings. This Fire Safety Level system is progressive however there are instances where lower levels may be bypassed due to the nature of the incident.

FS Level Status	Outcomes
FS Level 1**	Educational information may be provided Possible Administrative Fine* College Warning (status 6 months) Level 1 status remains for 6 months (no additional violations = status removed)
FS Level 2**	Educational information may be provided Educational Outcome: Judicial Educator #10 or related topic Possible Administrative Fine* Residence Area Probation or College Probation (1 year) Additional Educational Outcome(s) may be assigned Level 2 status remains for 1 year (no additional violation = status removed)

FS Level 3**	Educational information may be provided Educational Outcome: Judicial Educator #5, #7, or related topic Possible Administrative Fine* College Probation (1 year) Additional Educational Outcome(s) may be assigned Level 3 status remains for 2 years (after 1 year of no additional violation status decrease to Level 2, if no additional violations happen after 2 years = status removed)
FS Level 4	Possible Administrative Fine* Residential Suspension or Expulsion, Suspension from the College, or Expulsion from the College Parental Notification may occur

* Administrative Fine: For every covered smoke detector in a room or apartment, each person found responsible will be charged an administrative fine of $100. This administrative fine will increase $100 for each time a student is found responsible for a covered smoke detector. Covering a smoke detector puts the lives of those living in the room, floor, apartment, block, and/or building as risk and is a serious offense – this fine is meant to be a deterrent to not put the safety of other students at risk.

** If campus police charge a student with a citation for an appearance in court for fire safety related violation, an automatic placement on Level 2 or Level 3.

Residential Suspension - Temporary dismissal from College-owned housing for a specified period of time and without financial reimbursement. After this period is concluded, the student may regain their ability to live in a residence area following an interview with the Dean of Students or designee. A residentially suspended student may not enter any College owned housing during this time. Return to housing will be on a space-available basis.

Residential Expulsion – Permanent expulsion from College-owned housing without financial reimbursement. A residentially expelled student may not enter any College owned housing for the remainder of their College career.

Suspension from the College – Temporary dismissal from the College for a specified period of time. After this period is concluded, the student may resume their studies following a satisfactory interview with the Dean of Students or designee. A suspended student may not engage in College activities, use any College facilities, or be on College property without express permission from the Dean of Students or designee. After this period is concluded, the student may regain their ability be readmitted following an interview with the Dean of Students or designee. A Suspension may be recorded on the student's transcript. Return to housing will be on a space available basis.

Expulsion from the College – Permanent dismissal from the College without the right to return. An expelled student no longer has the privileges of matriculated students and may not engage in College activities, use any College facilities, or be on College property. Expulsion is recorded on the student's transcript.

Disclosure of Outcomes/Conduct Verification

Graduate schools, professional schools, and MCLA College programs, field placement, position working at the college may request information to inquiry if the student is in good conduct standing. The Dean of Student or designee will review student conduct history to determine good conduct standing. All conduct verification requests should be submitted in writing to the Dean of Students.

Good Conduct Standing is determined as the following:

- Not on College Probation and/or
- Not on an AOD Level higher than level 2 and/or
- Not on a FS Level higher than level 2 and/or
- Not having a progressive conduct history that rises to the level of residential suspension, suspension from the college, or expulsion from the college.

For graduate schools or professional schools, it will be assumed that a request for a Dean's recommendation provides implied permission for release of this information. This is also true for transfer request forms. If a student is suspended from the College or expelled from the College, this is typically notated on the official transcript.

A student can request a meeting with the Dean of Students to review their conduct file and check disciplinary standing.

Community Standards – Addendum Section

- Addendum #1: Additional Alcohol and Drug Information and Resources
- Addendum #2: Title IX Sexual Harassment Policy and Information
- Addendum #3: Discrimination

Addendum #1: Additional Alcohol and Drug information and Resources

1. Pre-amble: Policy Principles

   MCLA is a community dedicated to the academic and personal development of its members and is committed to educational and social programs promoting these ends.

   The use of illegal drugs and abuse of alcohol at the College workplace, on College property or at College activities both on and off campus impairs the safety and health of community members, inhibits the personal and academic growth of students, and undermines the public's confidence in the College. Only in an environment free of illegal drugs and alcohol abuse can the College fulfill its mission of developing the professional, social, cultural, and intellectual potential of each member of its community. For these reasons, it shall be the policy of MCLA that all College activities, College property, and the College workplace shall be free of the use of illegal drugs and the abuse of alcohol. MCLA recognizes the definition below of alcohol and other drug abuse.

   The College considers substance abuse (alcohol and other drugs) to be a maladaptive pattern of substance use manifested by recurrent and significant adverse consequences related to the repeated use of substances. For example, there may be repeated failures to fulfill major role obligations, repeated use in situations in which it is physically hazardous, multiple legal problems, and recurrent social and interpersonal problems. Typically, these problems occur recurrently during the same 12- month period. In other words, criteria for substance abuse includes the harmful consequences of repeated use (as cited in the Diagnostic and Statistical Manual 5th edition, DSM V, 2013).

   Responsible use of alcohol will be allowed at College activities and on College property only under specified conditions. First, possession and consumption are limited to persons of legal age and are confined to particular locations and/or events. Second, events where alcohol is served, shall be managed through Campus Dining Services. Third, resident students who are of legal age shall observe the regulations controlling the possession, use or distribution of alcohol within residence areas. Students should refer to the policies related to Alcohol and Drugs previously stated in the Community Standards and the Guidelines for Community Living for these regulations.

   The College affirms that fundamental responsibility for personal behavior associated with the use of alcohol rests with the individual; however, the College will provide constructive leadership for promoting a positive environment for its members. In addition, the College will maintain and enforce rules and regulations deemed appropriate and necessary to preserve conditions essential to academic and personal well-being.

   The principle aims of College policy concerning the use of alcoholic beverages on Campus include:

   - Providing balanced support for activities and programs for those who, by choice or by law do not use alcoholic beverages.
   - Reducing pressures on those who do not wish to use alcohol in social settings.
   - Formulation and enforcement of regulations for social events and individual conduct encouraging responsible, moderate, and safe use of alcoholic beverages.
   - Providing for discipline of those whose use of alcohol is associated in any way with infringements of the rights of other community members to pursue academic, personal, and social endeavors.
   - Provision for information, educational programs, and counseling services to support community interests and values affected by social and individual use of alcohol, to minimize problems associated with alcohol use, and to assist all students in pursuing their goals for educational and personal development.
   - Provide opportunity for community-wide participation in the formulation, dissemination, and enforcement regulations.

2. Prohibited Conduct

   The students and employees of MCLA shall not unlawfully manufacture, distribute, dispense, possess or use controlled substances or alcohol on College property in conjunction with any College activity or in the College workplace. No alcohol shall be present at any employee or student meetings or events where College business related efforts are being conducted. Responsible use of alcohol is allowed in this policy and is limited by the three conditions listed in section 1. Any individual who violates this prohibition will be subject to disciplinary action in accordance with the

College's policies. Further, any employee or student employee must notify the Human Resources Director within five (5) days of being convicted of violating a criminal drug statute in the workplace. The College will notify appropriate authorities as required that an employee or student employee has been convicted of a drug- related offense within ten (10) days.

All College guests are expected to adhere to College policies throughout their visit to Campus or attendance at Campus events and programs.

3. Alcohol and Other Drugs: Effects and Abuse Prevention Resources

Substance abuse programs which apply to the College as both an educational institution and a workplace are designed to:

- establish and enforce clear policies for students and employees that promote an educational environment free from the abuse of alcohol and the use of illegal drugs
- educate all members of the Campus community about the health risks associated with the use of illegal drugs and the abuse of alcohol
- create a campus environment that promotes and reinforces healthy, responsible living and respect for community and Campus standards and regulations
- provide intervention for alcohol abusers and users of illegal drugs through counseling, treatment, and referral

Counseling Services and Health Services provide education on substance use and abuse. If students and employees have questions concerning the health risks associated with the use of illegal drugs and the abuse of alcohol, they should contact Counseling Services, Health Services, the Employee Assistance Program or personal health care providers.

4. Help and Information Concerning the Health Risks Associated with Drug and Alcohol Use

The use of drugs and alcohol, even infrequently, may damage one's health. A listing of the health risks associated with the use of alcohol and drugs is enumerated under Part 5 of this policy. Counseling Services, Health Services or one's health care provider can describe the effects specific substances have upon one's health.

Help concerning drug and alcohol-related problems are available from several sources. Individuals in need of assistance, who know of someone who needs help or have questions concerning alcohol and drug abuse may contact any of the following:

- **Counseling Services**, MountainOne Student Wellness Center, (413) 662-5331
- **Health Services Office**, MountainOne Student Wellness Center, (413) 662-5421
- **MCLA Director of Human Resources**, Mark Hopkins Hall, (413) 662-5598
- **Drug and Alcohol Hotline**, Substance Abuse Division, Information and Referrals, (800) 327-5050
- **Alcoholics Anonymous**, For more information on local meetings, call Pittsfield (413) 443-0212, or Berkshire Intergroup (413) 448-2382. Each Saturday, The Transcript has a complete listing of all AA groups and other 12-step self-help groups.
- **Employee Assistance Program**, (413) 499-4481 or (800) 255-2599
- **Mental Health and Substance Abuse Services of the Berkshires**, (413) 499-1000
- **McGee Unit at Hillcrest Hospital**, 165 Tor Court, Pittsfield, MA, (413) 443-4761 or (800) 222-1664, Ext. 154
- **Narcotics Anonymous**, (413) 443-4377

5. Health Risks Associated with Use of Alcohol and Other Drugs
   a. Alcohol
      - addiction (particularly for individuals with alcoholism in their families)
      - every drinking episode results in some irreversible damage to brain cells
      - fetal alcohol syndrome (birth defects caused by women drinking during pregnancy)
      - increased risk of cirrhosis, ulcers, heart disease, injury by accident, cancer of mouth, esophagus, liver and stomach
      - blackouts
      - development of personality disorders
      - increased tendency to abusive behavior
      - impaired judgment may lead to life-threatening situations (physical alcohol/unwanted pregnancy)
      - loss of inhibitions
      - malnutrition and resultant damage to muscle, bone and other tissues

- circulatory impairment
- depression of central nervous system function
- increased effect of narcotics/tranquilizers when used together
- alcohol poisoning leading to possible coma and death

b. Marijuana
- psychological addiction depending on patterns of use
- stored in body fat for 4-6 weeks
- disruption of brain function is caused by a motivational syndrome (loss of energy and enthusiasm including short-term memory loss and impaired depth perception and time/space orientation)
- lung damage due to tar and other chemicals
- increased heart rate
- increased appetite which can lead to weight gain
- idiosyncratic constriction of air passages in lungs of asthmatics
- disruption of reproductive organ function in men and women

c. Stimulants (Ephedrine, Crystal Meth, Crack, Cocaine, Ritalin, etc.)
- extremely addictive
- development of overwhelming, uncontrollable compulsion to repeat use (with "crack" cocaine)
- central nervous stimulant
- increased heart rate, respiratory rate and blood pressure
- possible death-producing fibrillation of the heart
- possible death-producing seizures and strokes
- impairs judgment
- anxiety, restlessness, apprehension, hyperactivity, impulsiveness, exhaustion, delusional thinking
- increased tendency of abusive behavior

d. Inhalants (Diverse group of chemicals, including solvents, aerosols, gases, and volatile nitrites)
- depression of the central nervous system, can lead to death from a single use
- psychologically and physically addictive
- headache, muscle weakness, abdominal pain, nausea, vomiting, nosebleeds, tremors
- heart, lung, kidney, and liver impairment/damage
- brain and nervous system damage and paralysis

e. Heroin
- prolonged psychological dependence
- rapid tolerance and physical addiction
- depression in central nervous system, suppression of pain sensation and relief from anxiety
- possible collapsed veins and infections such as hepatitis, endocarditis, or HIV/AIDS due to
- needle infection transmission
- irregular heartbeat and breathing
- drowsiness which may progress to coma and death depending on dose
- possibility of severe health consequences depending on the inert chemicals with which the heroin is combined

The above information on health risks was compiled by the Health Services.

6. Criminal and Legal Sanctions Associated with Drug and Alcohol Use

The Department of Public Safety maintains a list of the legal sanctions associated with alcohol and drug abuse. In general, severe sanctions may be imposed upon an individual who manufactures, distributes or possesses controlled substances such as marijuana, cocaine, crack or prescription drugs. The penalties may be doubled for offenses occurring on or near the College. These penalties include fines and imprisonment.

The illegal purchase of alcohol, the illegal possession of alcohol or providing alcohol to minors carries penalties including fines and imprisonment. Specific references may be obtained from the Department of Public Safety.

Further, the Department of Higher Education's Alcohol Policy (BHE 99-02) incorporated into the guidelines for Campus safety and security and Campus codes of conduct adopted by the Board in May 1997, call on campuses to add to the list of zero tolerance offenses third offense underage possession or consumption of any alcoholic beverage following progressive discipline for the first two offenses.

Addendum #2: Title IX Policy and Information

The complete State University System EO Plan is on the MCLA website. Below is an outline of the policy as it relates to sexual harassment, sexual assault, domestic violence, dating violence, stalking, and retaliation.

MCLA is committed to creating and maintaining an environment where sexual harassment, sexual assault, domestic violence, dating violence, stalking, and retaliation are not tolerated, are strictly prohibited, and where all members of the College community are educated in preventing and reporting such incidents. All complaints of sexual harassment, sexual assault, domestic violence, dating violence, stalking, and retaliation will be investigated and, if substantiated, result in disciplinary action up to and including expulsion from the College. The College will provide a prompt, fair, and impartial investigation and resolution of any and all complaints.

Acts of sexual harassment are violations of Commonwealth law; the State University Equal Opportunity, Diversity, and Affirmative Action Plan; and Title IX. Any person charged with an act of sexual harassment may be prosecuted under Massachusetts criminal statutes. An MCLA student may also be sanctioned following a Title IX investigation in accordance with the State University Equal Opportunity, Diversity, and Affirmative Action Plan. These laws and policies are violated in the case of same sex conduct as well. If found responsible following a Title IX investigation, a student could be removed from College residence areas and/or suspended or expelled from the College. Even if criminal justice authorities choose not to prosecute an alleged respondent, disciplinary action may be pursued if the College believes a policy violation occurred.

For additional information about MCLA's Title IX Sexual Harassment Policy or the Equal Opportunity, Diversity and Affirmative Action Plan, please contact: The Interim Title IX Coordinator, Heather Quire, Student Affairs Amsler Campus Center 305 (413) 662-5231.
A written explanation of the rights and options will be provided to students or employees who report to the College they have experienced one of the aforementioned crimes.

Where to Receive Confidential Medical Assistance Individuals who feel they experienced sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation should report the matter to and seek medical and emotional assistance from any of the following offices or community agencies:

MCLA Health Services	(413) 662-5421	
MCLA Counseling Services	(413) 662-5331	
Berkshire Medical Center Satellite Emergency Facility – North Adams	(413) 664-5256	
The Elizabeth Freeman Center	24-hour hotline (413) 401-2425	A rape crisis center providing assistance and victim advocacy with offices in North Adams and Pittsfield

Where to Receive Non-Confidential, Private Assistance MCLA offers a variety of resources to those community members who have experienced sexual violence, sexual harassment, gender-based harassment, domestic violence, dating violence, stalking or retaliation. While the following resources are not bound by confidentiality, they will maintain one's privacy within the limited group of MCLA personnel necessary to address the matter presented.

MCLA Department of Public Safety	(413) 662-5100; ext. 5100 on Campus; 911	277 Ashland Street	The Department of Public Safety can also provide information concerning civil and criminal proceedings.
MCLA Interim Title IX Coordinator, Heather Quire	(413) 662-5231	Student Affairs, Amsler Campus Center 305	
Residence Life & Housing	(413) 662-5249	Flagg Townhouse 89	
Student Affairs Division Office	(413) 662-5231	Amsler Campus Center 305	

Addendum #3 Discrimination

The complete State University System EO Plan is available on the MCLA website. Below is an outline of the policy as it relates to Discrimination.
For additional information about MCLA's Title IX Sexual Harassment Policy or the Equal Opportunity, Diversity and Affirmative Action Plan, please contact: The Interim Title IX Coordinator, Heather Quire, Student Affairs Amsler Campus Center 305, (413) 662-5231.
A written explanation of the rights and options will be provided to students or employees who report to the College they have experienced one of the aforementioned crimes.

1. Policy Statement on Affirmative Action and Non-Discrimination
   The Department of Higher Education of the Commonwealth of Massachusetts (DHE) is responsible, pursuant to Chapter 15A of the General Laws of the Commonwealth of Massachusetts, for the overall governance of the public higher education system, which includes the nine State Universities. MCLA is committed to maintain and promote a policy of non-discrimination on the basis of race, color, creed, religion, national origin, gender, age, disability, sexual orientation, gender identity, genetic information, marital status, political belief or affiliation, and veteran status.

   This policy incorporates by reference, and where applicable, the requirements of: Titles VI and VII of the Civil Rights Act of 1964; Title VI of the Civil Rights Act of 1968; Titles I and II of the Civil Rights Act of 1991; Title IX of the Education Amendments of 1972 and its regulations found at 34 C.F.R. part 106; Equal Pay Act of 1963; Civil Rights Restoration Act of 1988; Sections 503 and 504 of the Rehabilitation Act of 1973; Americans with Disabilities Act of 1990; Section 402 of the Vietnam-era Veterans Readjustment Act of 1974, Uniformed Services Employment and Reemployment Rights Act (USERRA); Age Discrimination Act of 1975; Age Discrimination in Employment Act of 1967, as amended; Family and Medical Leave Act of 1993; Federal Executive Order 11246 of 1965, as amended by Executive Order 11375 of 1967; Federal Executive Order 12900 of 1994; Federal Executive Order 13145 of 2000; Federal Executive Order 13160 of 2000; Federal Executive Order 13166 of 2000; Massachusetts Civil Rights Act; Massachusetts General Laws Chapters 151B, 151C, and Chapter 149; directives of the DHE, the Boards of Trustees of the State Colleges and the Commonwealth of Massachusetts; and other applicable local, state and federal constitutions, statutes, regulations and executive orders.

   Where to Get Help
   Students are encouraged to talk with the Equal Opportunity Officer, Student Affairs Division Office or other Student Affairs staff if they witness discriminatory behavior or if they feel they may be the object of discrimination. All Student Affairs staff are prepared to assist students who feel they have experienced discrimination. Students who have experienced discrimination or harassment as defined by these policies should file complaints with the Equal Opportunity Officer (Heather Quire, Student Affairs Amsler Campus Center 305, (413) 662-5231).

2. Policy Against Discrimination, Discriminatory Harassment, and Retaliation
   MCLA is committed to educating, training, and preparing our students to live and work in our increasingly global and diverse workforce. It is our commitment to take all possible steps to provide an inclusive and diverse learning, living, and work environment that values diversity and cultural tolerance and looks with disfavor on intolerance and bigotry. Any condition or force that impedes the fullest utilization of the human and intellectual resources available represents a force of destructive consequences for the development of our Commonwealth and ultimately, our nation.
   a. **Discrimination** - An intentional or unintentional act that adversely affects employment and/or educational opportunities because of a person's membership in a protected class or association with a member(s) of a protected class. Discrimination may be classified as either disparate impact (the result of an employment policy, practice or procedure that, in practical application, has less favorable consequences for a protected class than for the dominant group) or disparate treatment (employment practices, such as tests or educational requirements, that are fair and neutral on their face, but which are applied or administered in an unequal manner). A single act of discrimination or discriminatory harassment may be based on more than one protected class status.
   b. **Discriminatory Harassment** - A form of unlawful discrimination including verbal and/or physical conduct based on legally protected characteristics and/or membership in a protected class that: has the purpose or effect of creating an objectively intimidating, hostile or offensive work or educational environment; has the purpose or effect of unreasonably interfering with an individual's work or learning performance; or otherwise unreasonably adversely affects an individual's employment or educational opportunities.
   c. **Retaliation** - Taking adverse employment or educational action against a person who files claims, complaints or charges under these procedures or under applicable local, State or Federal statute, who is suspected of having filed such claims, complaints or charges, who has assisted or participated in an investigation or resolution of such claims, complaints or charges or who has protested practices alleged to have violated the

non-discrimination policy of the College, the Department of Higher Education or local, State or Federal regulation or statute. Retaliation, even in the absence of provable discrimination in the original complaint or charge, constitutes as serious a violation of this Policy as proved discrimination under the original claim, complaint or charge.

Prohibited Conduct

This Policy prohibits all conditions and all actions or omissions, including all acts of discrimination, discriminatory harassment, and retaliation denying or having the effect of denying any person their rights to equity and security on the basis of their membership in or association with a member(s) of any protected class. This policy reaffirms the values of civility, appreciation for racial/ethnic/cultural/religious pluralism and pre-eminence of individual human dignity as preconditions to the achievement of an academic community recognizing and utilizing the resources of all people.

In order to promote an atmosphere in which diversity is valued and the worth of individuals is recognized, the College will distribute policy statements and conduct educational programs to combat discrimination, discriminatory harassment, and retaliation.

The prohibited conduct contained in this Policy shall apply to and be enforced against all members of the College community, including, but not limited to, faculty, librarians, administrators, staff, students, vendors, contractors and all others having dealings with the institution.

3. Policy for Reasonable Accommodations for Persons with Disabilities
MCLA is committed to providing equal access to educational opportunities and employment for otherwise qualified persons with disabilities. The College recognizes that individuals with disabilities may need reasonable accommodations to have equally effective opportunities to participate in or benefit from educational programs, services, activities, and employment.
    a. **Individual with a Disability** - An individual with a disability is a person who has a physical or mental impairment substantially limiting one or more major life activities, has a record of such an impairment or is regarded as having such an impairment. Major life activities are activities an average person can perform with little or no difficulty such as walking, breathing, seeing, hearing, speaking, learning, and working.
    b. **Qualified Individual with a Disability** - A qualified student with a disability is someone who possesses the skills necessary to complete the essential academic requirements of a course and/or degree program, with or without reasonable accommodation. The essential academic requirements of a course and/or degree program are the knowledge and skills that must be acquired and demonstrated in order for a student to successfully meet the learning objectives of the course or degree program.
    c. **Reasonable Accommodation -** Modifications or adjustments to an application process, job, work environment, the way in which work is customarily performed or a course of study that permits a qualified individual with a disability to perform the essential functions of a position or to enjoy the benefits and privileges of employment or education equally with persons without disabilities. Reasonable accommodations in education may include, but are not limited to: in-class aids such as note takers; extended time for examination; quiet rooms or alternate locations for testing; alternatively formatted testing; alternatively formatted textbooks and other course materials; and/or access to assistive technology. Possible course reductions or substitutions on the basis of a disability will be carefully evaluated. Students with disabilities must meet the essential requirements of all academic degree programs.

    Any student of the College seeking reasonable accommodation for a disability may contact Cindy MacDonald, Assistant Director for Disability Resources in the Center for Student Success & Engagement for more information.

4. Complaint Procedures
MCLA has established complaint procedures to help resolve claims and complaints of discrimination, discriminatory harassment, and retaliation on our campus. These procedures will also specifically address claims and complaints of sexual harassment and failure to accommodate or to provide appropriate auxiliary aids and academic adjustments for a person with disabilities as prescribed by the ADA, the Rehabilitation Act, and Massachusetts General Laws Chapters 151B and 151C. The Discrimination Complaint Procedures serve as a system of review and resolution for both informal claims and formal complaints of discrimination, discriminatory and sexual harassment and retaliation on any of the above-mentioned protected bases. Any applicant for employment or admission or any member of the College community who believes they are the victim of discrimination or harassment may initiate an informal claim or formal complaint as outlined in the Discrimination Complaint Procedures, the full text of which is located on the College's

website and in the Equal Opportunity, Diversity and Affirmative Action Plan. Further advice or information may be obtained by contacting the Student Affairs Division Office or the Equal Opportunity Officer (Heather Quire, Student Affairs Amsler Campus Center 305, (413) 662-5231).

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