

Amherst College

Student Code of Conduct

**The Honor Code, Community Standards, Policies,
and Conflict Resolution Processes**

Amherst College Student Resources

Student Affairs

Dean of Students

Angie Tissi-Gassoway, Chief Student Affairs Officer & Dean of Students
207 Keefe Campus Center (413) 542-2337
studentaffairs@amherst.edu

Student Accessibility Services

211 Converse Hall (413) 542-2337
accessibility@amherst.edu

Student Care

202 Converse Hall (413) 542-2337
atew@amherst.edu

Community Safety Team

38 Woodside Ave. (413) 542-2723
communitysafety@amherst.edu

Housing & Operations Team

38 Woodside Ave. (413) 542-2723
osaops@amherst.edu

Residential Engagement & Wellbeing Team

38 Woodside Ave. (413) 542-2723
Keefe Health Center (413) 542-5671
rew@amherst.edu

Office of Community Standards

Keefe Campus Center, Lower Level (413) 542-5527
communitystandards@amherst.edu

Student Engagement & Leadership Office

Keefe Campus Center, 102 (413) 542-8317
studentactivities@amherst.edu

Center for Religious and Spiritual Life

Cadigan Center
Keefe Campus Center, Lower Level (413) 542-8149
hblum@amherst.edu

Class & Access Resource Center

204 Keefe Campus Center (413) 542-2612

Center for International Student Engagement

102 Keefe Campus Center (413) 542-2612
cise@amherst.edu

Multicultural Resource Center

112 Keefe Campus Center (413) 542-5372
mrc@amherst.edu

Queer Resource Center

213 Keefe Campus Center (413) 542-5964
qrc@amherst.edu

Women's & Gender Center

211 Keefe Campus Center (413) 542-5667
wgc@amherst.edu

Center for Community Engagement

102 Keefe Campus Center (413) 542-5140
cce@amherst.edu

Office of Environment Health & Safety

Facilities Building, 6 East Drive
Emergency (413) 542-2111 / Non-Emergency (413) 542-8189
ehs@amherst.edu

Office of Financial Aid

B5 Converse Hall (413) 542-2296
finaid@amherst.edu

Office of the Registrar

101 Converse Hall (413) 542-2226
registrar@amherst.edu

Office of the Controller (Billing/Payroll)

College Hall, Second Floor (413) 542-2101

Academic Support

Class Deans

201 Converse Hall (413) 542-2337
Kiara Vigil, Dean of New Students kvigil@amherst.edu
Jess Caldwell-O'Keefe, Class of 2026 jecaldwellokeefe@amherst.edu
David Schneider, Class of 2025 deschneider@amherst.edu
Charri Boykin-East, Class of 2024 cjboykineast@amherst.edu

Loeb Center for Career Exploration & Planning

College Hall, First Floor (413) 542-2265
careers@amherst.edu

Moss Quantitative Center

Science Center, D111 (behind Science Library) (413) 542-8331
jbinnes@amherst.edu

Peer Tutoring: Student Accessibility Services Office

211 Converse Hall (413) 542-2337
accessibility@amherst.edu

Writing Center

210 Frost Library (413) 542-2139
writing@amherst.edu

Health, Wellbeing, & Safety

Center for Counseling and Mental Health

Scott House, Hitchcock House, and Smith House (413) 542-2354
(Counselor available by phone 24-hours/day)
counsctr@amherst.edu

Student Health Services

Keefe Health Center

95 College Street (413) 542-2267
(Advice nurse available by phone 24-hours/day)
healthservice@amherst.edu

Amherst College Police Department/ACEMS

Service Center, 6 East Drive
(413) 542-2111 (Emergency) (413) 542-2291 (Business)

Administrator on Call

(413) 542-2111
(Available 24-hours/day via ACPD)

Director for Civil Rights and Title IX Coordinator

Laurie Frankl
105 Converse Hall (413) 542-5707
lfrankl@amherst.edu

Center for Women & Community (off campus)

180 Infirmary Way, UMass (413) 545-0800
(24-hour rape crisis hotline)
ewcmail@admin.umass.edu

Amherst College

Student Code of Conduct

Amherst College Student Resources -----	0
Student Affairs-----	1
Academic Support-----	2
Health, Wellbeing, & Safety-----	3
Preface -----	6
Chapter I. College Standards -----	6
Section 1. Amherst College Honor Code -----	6
1.0. Preamble-----	6
1.1. Statement of Intellectual Responsibility-----	7
1.2. Statement on Respect for Persons-----	8
1.3. Statement of Freedom of Expression and Dissent-----	8
1.4. Statement of Student Rights-----	8
Section 2. Examples of Violations of the Student Code of Conduct -----	9
Section 3. Interim Title IX Policy -----	13
Section 4. Alcohol and Other Drugs -----	14
Section 5. Hazing -----	17
Section 6. Fraternities & Sororities -----	19
Section 7. Residential & Community Life -----	20
Section 8. Service & Support Animals -----	26
Section 9. Fire & Life Safety -----	29
Section 10. Traffic & Parking -----	44
Section 11: Student Leadership & Organizations -----	45
Chapter II. Conflict Resolution Processes -----	49
Introduction to Conflict Resolution Processes -----	49
Resolution Pathways -----	50
Adaptable Conflict Resolutions (ACR)-----	50
The Community Standards Adjudication Process (CSAP)-----	50
The Interim Title IX Policy-----	50
The Resolution of Student Grievances with Members of the Faculty-----	50
The Resolution of Student Grievances with Administrators, Staff, or Visitors-----	50
Section 12. Adaptable Conflict Resolutions (ACR) & The Community Standards Adjudication Process (CSAP) -----	50
Terms-----	50
Review of Reported Behavior and Pathways Analysis-----	53
Investigation Process-----	53
Investigation Report-----	55
Adaptable Conflict Resolution-----	55
Acknowledgement of Harm-----	56
Considerations for Adaptable Resolutions-----	56
Adaptable Conflict Resolution Options-----	56

Adaptable Resolution Agreement Finalization-----	57
Community Standards Adjudication Process (CSAP)-----	57
Initiation of an Adjudication-----	57
Responding to a Complaint-----	59
The Community Standards Review Board-----	60
Preparation for a Panel Hearing or an Administrative Hearing-----	61
CSRB Hearing Procedure-----	63
Appeals Process-----	64
Records-----	65
Non-Title IX Sexual Misconduct Addendum-----	65
Section 13. Interim Title IX Grievance Process-----	66
Section 14. College Sanctions and Corrective Actions-----	66
Section 15. The Resolution of Student Grievances with Members of the Faculty-----	68
Section 16. The Resolution of Student Grievances with Administrators, Staff, or Visitors-----	73
Chapter III: Select College Policies-----	73
Section 17. Consensual Sexual Relations Between Faculty Members and Students-----	73
Section 18. Involuntary Withdrawals-----	74
Section 19. Student Records-----	74
Section 20. Image Release Policy-----	76
Section 21. Legal Aid-----	76
Section 22. Jury Duty-----	76
Section 23. Weapons Policy-----	77
Section 24. Unmanned Aerial Systems (“Drones”) & Model Aircraft Policy-----	77
Section 25. Posting Policy-----	78
Section 26. Facility and Grounds Use Policy-----	82
Section 27: Protests and Free Expression Policy-----	84
Section 28: Authorization to Provide Distance Education-----	84
Complaints Regarding Distance Education-----	85
Distance Education General Grievance Procedure-----	86
Amherst College Distance Education Student Complaint Form-----	86
Section 29: Nondiscrimination and Harassment Policy-----	87
Section 30. Glossary-----	87

Preface

Dear Amherst College students, faculty, staff, family, and friends,

Students' lives at Amherst College are vibrant and complex webs of intellectual and interpersonal pursuits. The College has developed resources across many decades to provide for a campus environment that nurtures discourse through research, dissent, skepticism and debate. We expect that our students will actively engage with these resources and with each other toward a better understanding of self and communities, local and distant.

Our pluralism of ideas and passions will inevitably, on occasion, lead to conflicts that detract from our constructive educational climate. Whether in the classroom, on a playing field, or within a residence hall, unresolved conflict is the focus of an adjudication's goal of employing transparent and equitable procedures that fuse rights and responsibilities. We believe in a process that holds students accountable in a manner that respects their adulthood and their self-determination to make decisions based on as much information and relevant factors as possible.

Keep this code close by and become familiar with its contents. Even if you are never a party to an adjudication yourself, your understanding of the rights and responsibilities that all students share will increase dialog and awareness about how we might best live, study, and learn together.

Chapter I. College Standards

Section 1. Amherst College Honor Code

The responsible administrator for this section is College Council. The Committee of Six holds approval authority.

1.0. Preamble

Amherst College, as a place of teaching and learning dedicated to promoting intellectual and social growth in its students, depends for its effective operation on the personal concern of its members for each other and on the concern of all to maintain the community standards of conduct set forth in this statement. It is each student's responsibility to contribute to an environment of trust that protects the freedom of all to exchange ideas and to grow. Only in such trust and freedom will it be possible for students to live together and learn from one another.

Every student enjoys the right to full participation in the academic and social life of the College, regardless of race, color, religion, national origin, ethnic identification, age, political affiliation and/or belief, sexual orientation, gender, gender identity, gender expression, economic status or physical or mental disability. Any instance of failure to realize this expectation undermines the ability of the College to achieve its purposes and diminishes the educational experience of each of its members.

The Amherst College Honor Code consists of the *Statement of Intellectual Responsibility*, the *Statement on Respect for Persons*, the *Statement of Freedom of Expression and Dissent* and the *Statement of Student Rights*. It is collectively shaped and upheld by students, faculty and staff. At least every fourth academic year, the College Council will review the current Honor Code and, if appropriate, will propose changes to the Honor Code to the campus community. The revised Honor Code will be voted on by the students and, if it passes, by faculty. If it is not favored by the majorities of both, then the current Honor Code will stay in effect while the College Council reviews it again the following year, and it will remain in effect until an alternative version is passed by the majorities of both the students and faculty.

The Dean of Students may publish statements and establish standards as appropriate to further the principles embodied by the Honor Code and/or to comply with applicable legal requirements. Similarly, the Dean of Students may make changes to the Community Standards Adjudication Process as appropriate to address behavior that violates principles embodied by the Honor Code and/or to comply with applicable legal requirements. The Dean of Students will keep the College Council informed of all such actions.

By matriculating at the College, students acknowledge that they have read the Honor Code, including all related statements and standards, and understand their obligations to subscribe to its principles, to respect the rights of other members of the College community and to avoid behavior that violates the community standards embodied in it.

Any student's behavior alleged to violate the principles of the Honor Code, or rules of behavior elsewhere in the *Student Code of Conduct* or in other documents of the College, and that is determined by the College to warrant adjudication, will be thoroughly investigated in a manner that protects the rights of all parties to the issue. If a complaint is filed against a student for an alleged violation of the Honor Code, the responding student is entitled to have the complaint resolved through the adjudicatory processes described below. If the student is found responsible at the conclusion of this process, appropriate sanctions will be assigned.

1.1. Statement of Intellectual Responsibility

Every person's education is the product of their intellectual effort and participation in a process of critical exchange. Amherst College cannot educate those who are unwilling to submit their own work and ideas to critical assessment. Nor can it tolerate those who interfere with the participation of others in the critical process. Therefore, the College considers it a violation of the requirements of intellectual responsibility to submit work that is not one's own or otherwise to subvert the conditions under which academic work is performed by oneself or by others.

ARTICLE 1. STUDENT RESPONSIBILITY

Section 1. In undertaking studies at Amherst College, every student agrees to abide by the above statement.

Section 2. Students shall receive copies of the Statement of Intellectual Responsibility with their initial course schedules at the beginning of each semester. It is the responsibility of each student to read and understand this statement and to inquire as to its implications in their specific course.

Section 3. Orderly and honorable conduct of examinations is the individual and collective responsibility of the students concerned, in accordance with the above statement and Article 2, Section 3, below.

ARTICLE 2. FACULTY RESPONSIBILITY

Section 1. Promotion of the aims of the Statement of Intellectual Responsibility is a general responsibility of the faculty.

Section 2. Every member of the faculty has a specific responsibility to explain the implications of the statement for each of their courses, including a specification of the conditions under which academic work in those courses is to be performed. At the beginning of each semester, members of the faculty will receive, with their initial class lists, a copy of the Statement of Intellectual Responsibility and a reminder of the duty to explain its implications in each course.

Section 3. Examinations shall not be proctored unless an instructor judges that the integrity of the assessment process is clearly threatened. An instructor may be present at examinations at appropriate times to answer questions.

1.2. Statement on Respect for Persons

Respect for the rights, dignity and integrity of others is essential for the well-being of a community. Actions by any persons that do not reflect such respect for others are damaging to each member of the community and hence damaging to Amherst College. Each member of the community should be free from interference, discrimination, intimidation, sexual harassment or disparagement in the classroom; the social, recreational and residential environment; or the workplace. Any behavior which constitutes sexual harassment or other verbal or physical abuse of any member of the community for reasons that include, but are not limited to, race, color, religion, national origin, ethnic identification, age, political affiliation or belief, sexual orientation, gender, gender identity, gender expression, economic status or physical or mental disability will be regarded as a serious violation of the Honor Code, and anyone found responsible for such behavior will be sanctioned (please see also Section 3, *Interim Title IX Policy*; Section 13, *Interim Title IX Grievance Process*; and Section 17, *Consensual Sexual Relationships Between Faculty Members and Students*).

1.3. Statement of Freedom of Expression and Dissent

Amherst prizes and defends freedom of speech and dissent. It affirms the right of teachers and students to teach and learn free from coercive force and intimidation and subject only to the constraints of reasoned discourse and peaceful conduct. It also recognizes that such freedoms and rights entail responsibility for one's actions. Thus, every student bears the responsibility to protect the rights of all to express their views, so long as there is neither use nor threat of force nor interference with the rights of others. Demonstrated cases of disruption of classes (whether, for example, by the abridgment of free expression in a class or by obstructing access to the place in which the class normally meets) or similarly of other academic activities will be regarded as serious breaches of this Statement and community standards and will receive appropriate sanctions. Please also see the Amherst College [Statement of Academic and Expressive Freedom](https://www.amherst.edu/mm/82605). (<https://www.amherst.edu/mm/82605>)

1.4. Statement of Student Rights

Subject to respect for the rights of others, every student enjoys the assurance of the full exercise of those rights expressed in the Honor Code and the preceding three Statements, including, but not limited to, the following specific rights:

1.4.1. The right to engage in the free exchange of ideas.

1.4.2. The right to protest and to dissent in a peaceable manner and to join with others in other nonviolent forms of common action.

1.4.3. The right to complain of injustice and to bring grievances to the appropriate offices of the College without fear of retaliation.

1.4.4. The right to attend functions and to utilize College facilities, subject to prescribed rules.

1.4.5. The right to reasonable peace and quiet in residential and academic facilities and to an atmosphere conducive to work and study.

1.4.6. The right to privacy in one's assigned room, subject to compliance with the College's regulations, and to the security of one's own property and property furnishing the common and public spaces at the College.

1.4.7. The right, when participating in any aspect of life of the College or traveling among the Five Colleges, to be free from harassment for reasons of one's race, religion, national origin, ethnic identification, age, political affiliation and/or belief, sexual orientation, gender, gender identity, gender expression, economic status or physical or mental disability.

Section 2. Examples of Violations of the *Student Code of Conduct*

The responsible administrator for this section is the Office of Community Standards. Student Affairs has approval authority.

2.0. Introduction

Any of the behaviors described in the *Student Code of Conduct* may constitute a violation of College practices or policies. The *Student Code of Conduct* does not comprehensively list all possible behaviors, activities, or situations that might constitute violations of the *Student Code of Conduct*. The Office of Community Standards will determine whether a particular behavior may constitute a violation depending on the circumstances and context in which that behavior occurred.

The College will not tolerate acts of retaliation (see Section 2.28.) against any individual who initiates a report or complaint to the College or who participates in any College adjudication process. Given the potential impact on individuals or the community, parties may be subject to Supportive, Temporary, or Emergency Measures (see Section 12).

2.1. Harm to Persons

2.1.1. Any conduct that causes physical or emotional harm, regardless of intent, or any conduct that endangers the wellbeing, health, or safety of any person.

2.1.2. Any conduct that threatens physical or emotional harm or any conduct that threatens to endanger the wellbeing, health, or safety of any person.

2.1.3. Any harassment, bullying, doxing, or intimidation of any person.

2.1.4. Conduct or a pattern of conduct—not of a sex-based, gender-based, or sexual nature—(including actions/behavior of a physical, verbal, graphic, written, or electronic nature) which places any person in reasonable fear of physical harm, emotional harm, or which harasses, bullies, or intimidates any person. For conduct of a sex-based, gender-based, or sexual nature, see Section 3, *Interim Title IX Policy*.

2.1.5. Any public exposure, which includes deliberately and publicly exposing one's intimate body parts. Any public urination, defecation, or public sex acts.

Amherst College understands that slander, libel, defamation, and disparagement are harmful behaviors. These matters may not be resolvable by College processes; however, we can work to support a student navigating these matters. The College can work with community members to access resources that may resolve these types of matters.

2.2. Bias-Based Interference with Educational or Employment Opportunities

Conduct that is directed at an individual or group of individuals on the basis of their actual or perceived race, national or ethnic origin, color, religion, sex or gender (including pregnancy, sexual orientation, gender expression, and gender identity), age, disability, genetic information, military service or any other characteristic or class protected under applicable federal, state or local law that causes an interference with the affected person or group's educational or employment opportunities (see Section 1.2, *Statement on Respect for Persons*).

2.3. Disruption of College Function

Conduct that disrupts or interferes with the functioning of the College, the performance of the duties of College personnel or other College business or activities, including, but not limited to, studying, teaching, research, or administration.

2.4. Academic Integrity

Amherst College considers it a violation of the requirements of academic integrity to submit work that is not one's own or otherwise to undermine the conditions under which academic work is performed by oneself or by others.

Violations of academic integrity include, but are not limited to, academic dishonesty, including the fabrication, falsification, or forgery of academic work; cheating; plagiarism, including ghostwritten or contracted work; or the facilitation of other academic violations.

2.5. Reasonable Request Compliance

Failure to comply with a reasonable request by an official or agent of the College (*i.e.*, requested meetings with staff or faculty, instructions from the Community Safety Team, other Community Living staff, Amherst College Police Department, *etc.*).

2.6. False Testimony

All participants in College adjudications are required to be truthful.

2.7. Participation in the College Adjudication Processes

Participants in adjudication processes are required to participate throughout the process unless the Office of Community Standards provides a written exemption. Participation is described in the Community Standards Adjudication Process (Section 12) and the Interim Title IX Grievance Process (Section 13).

2.8. Abuse of College Equipment and Facilities

2.8.1. Abuse or destruction of buildings, equipment, or property belonging to the College.

2.8.2. Disregard for the rules governing the use of or access to College facilities and services.

2.9. Use of Computers and Networks

Students must comply with the College's [Acceptable Use Policy](#). Theft or other abuse of College computing facilities and networks, including, but not limited to:

2.9.1. Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.

2.9.2. Unauthorized transfer or deletion of a file or other digital content.

2.9.3. Use of another individual's identification and password, regardless of whether permission was granted by the holder of the account.

2.9.4. Use of computer facilities or networks to interfere with the work of another student, faculty member, or College official.

2.9.5. Use of computing facilities or networks to send obscene or abusive messages (see Section 2.1, *Harm to Persons*).

2.9.6. Use of networks or computing facilities to interfere with normal operation of the College computing system.

2.10. Vandalism

Causing physical damage to the buildings, furnishings, or other property of another person or the College.

2.11. Theft

Theft or attempted theft of personal or College property, including intellectual property. Theft includes a student who accesses or attempts to access privileges or services to which the student is not entitled.

2.12. Weapons, Explosives, Ammunition

Possession, use, or distribution of firearms, ammunition, explosives, or other weapons (see Section 9, *Fire and Life Safety*, and Section 23, *Weapons Policy*).

2.13. Alcohol and other Drugs (see Section 4, *Alcohol and other Drugs*)

2.13.1. The cultivation, manufacture, storage, transportation, possession, use, distribution, sale, or trade of illegal drugs, as well as substances that are generally recognized as dangerous and detrimental to the individual and community.

2.13.2. The unlawful distribution, possession, social sharing, or non-prescribed use of prescription drugs.

2.13.3. The unlawful possession, use, purchase, promotion, manufacture, or distribution of alcohol or other legal drugs.

2.13.4. Possession and/or use of devices for the rapid, high-risk consumption of substances including but not limited to games with alcohol, funnels, beer pong accessories, beer bongs, luges, *etc.*, regardless of age.

2.14. Fraud

2.14.1. Altering, forging, or contributing to fraudulent use of College documents, identification (IDs), or other official, non-College records.

2.14.2. Altering or forging the signature of any College official on a College document or other official, non-College records.

2.14.3. Use of another person's College identification card, regardless of whether permission was granted. This subsection does not preclude students from assisting another student from obtaining sick meals (see <https://www.amherst.edu/mm/52296>).

2.14.4. Providing false, deceitful, or misleading information to a College official or agent.

2.15. Self-Identification

Giving false information, refusing to identify oneself, or refusing to present College identification to a College official.

2.16. Motor Vehicle Use

2.16.1. Inappropriate operation of a motor vehicle on campus, including while intoxicated (see Section 10, *Traffic & Parking*).

2.16.2. Inappropriate use or operation of College-owned or leased vehicles, no matter the location.

2.17. Fire & Life Safety

Fire and life safety policy violations (see Section 9, *Fire & Life Safety*).

2.18. Hazing

Violation of the Commonwealth of Massachusetts law or Amherst College policy prohibiting the practice of hazing (see Section 5, *Hazing*).

2.19. Fraternity & Sorority Policy

Violation of fraternity policies (see Section 6, *Fraternities & Sororities*).

2.20. Residential & Community Life

Violation of Section 7, *Residential & Community Life*.

2.21. Trespass

Accessing College buildings, portions of buildings, construction sites, restricted-access equipment, or vehicles, or other restricted locales or structures where the restrictions are locally posted or have been made public.

2.22. Surreptitious or Unauthorized Observable Recording of Others

2.22.1. Audio and/or video recording of classes without advance approval from the instructor or as part of an approved disability accommodation.

2.22.2. Any other audio and/or video recording of any individual without that individual's knowledge or permission (see *MA General Law Part 4, Title I, Chapter 272, Section 99*).

2.22.3. The distribution of any recording without permission.

2.23. Drones & Model Aircraft Policy

Violations of Section 24, the Unmanned Aerial Systems ('Drones') & Model Aircraft Policy.

2.24. Posting Policy

Violations of Section 25, the Posting Policy.

2.25. Violations of College Policy

Conduct that violates policies, rules, and procedures posted by College departments and offices whether found in this Code or not.

2.26. Violations of Law

Conduct that violates local, state, federal, or otherwise applicable laws, statutes, regulations, codes, or ordinances, domestically, or internationally.

2.27. Complicity or Facilitation

2.27.1. Complicity with, facilitation of, or failure of any student to appropriately address known or obvious violations of the *Student Code of Conduct* or law.

2.27.2. Complicity with, facilitation of, or failure of any student group to appropriately address known or obvious violations of the *Student Code of Conduct* or law by its members.

2.28. Retaliation

Adverse action or threatened action taken or made, personally or through a Third-Party, against someone who has reported alleged violations of the Code, or has been the subject of a report, or any other individual (*e.g.*, an adjudicator, witness, or advisor) because they engaged with an established disciplinary process. Retaliation does not apply to reports made or information provided in good faith, even if the facts alleged in the report are determined not to be accurate. Some examples of retaliatory behavior can include: direct or indirect coercion, harassment, intimidation, threats, interference, or improper influence of another.

Section 3. Interim Title IX Policy

In May 2020, the U.S. Department of Education released new regulations that change the scope of sexual misconduct that falls under Title IX and which govern the investigation and grievance processes required for Title IX matters. This *Interim* Title IX Policy and *Interim* Title IX Grievance Process are based on those new regulations; both apply to students, faculty, and staff. Concerns of sexual misconduct that do not fall under this policy, due to the required narrowing of scope of behaviors covered by Title IX, continue to be prohibited by the College and may be adjudicated under the College's Non-Discrimination and Harassment Policy.

The College encourages the reporting of all forms of sex- or gender-based concerns. The College is committed to creating and to continually fostering a community of our care, fairness, dignity, and respect. The Amherst Title IX office is available to support all members of the community in matters related to sexual misconduct.

In accordance with the U.S. Department of Education's Office for Civil Rights guidance, the *Interim* Title IX Policy and *Interim* Title IX Grievance Process are effective as of August 14, 2020; they will only apply to reported Title IX Prohibited Conduct that is alleged to have occurred on or after August 14, 2020. Reported incidents of sexual misconduct that are alleged to have occurred before August 14, 2020 will be subject to the College's Sexual Misconduct Policy in place at the time of the alleged incident and will be investigated and adjudicated according to the processes in place for the 2019-2020 academic year.

The full policy can be found here: <https://www.amherst.edu/mm/631784>.

Contact Laurie Frankl, Director of Civil Rights & Title IX Coordinator, 413-542-5707, for more information.

Section 4. Alcohol and Other Drugs

The responsible administrator for this section is the Office of Community Standards. Student Affairs has approval authority.

4.0. Introduction

Given the academic, and social pressures inherent in college life, some students seek relief from stress through use of alcohol or other drugs (AOD). The misuse of AOD undermines the academic mission of the College, and it is often illegal. The use of illegal drugs and alcohol misuse correlates with a host of problems on campus, such as lowered academic accomplishment, sexual violence, and vandalism. The College considers the misuse of AOD a public health problem and works to reduce AOD misuse among students. The College further recognizes that alcoholism and drug addiction are illnesses that are not easily resolvable by personal effort and may require professional assistance and/or treatment.

Amherst College provides education and counseling programs to improve students' understanding of the risks associated with substance use. Those students concerned about their own substance use or who are worried about a friend can seek assistance with complete confidentiality at Health Services, the Center for Counseling & Mental Health, Religious and Spiritual Life, the Confidential Resource Provider, or Health Education.

The College understands that students make their own choices about AOD. However, the College will not ignore violations of state or federal law or the Amherst College regulations elaborated in this policy. When a student violates the policy on AOD or the law, a member of Student Affairs meets with the student to discuss the situation, College policies, and how to collaboratively move forward. Student Affairs may communicate with other College officials as appropriate regarding a student's violation.

Students are reminded that Massachusetts law prohibits the purchase or consumption of alcoholic beverages by those under the age of 21. The purchase, sale, or consumption of many drugs is also prohibited by law, and violations can result in prison sentences.

Any student under the influence of intoxicants or drugs is fully responsible for their acts. All provisions of the *Student Code of Conduct*, including the full range of possible sanctions, will be applicable in these cases. A plea of mitigating circumstances due to the consumption of alcohol or drugs will not be accepted in disciplinary hearings.

The following policy outlines AOD violations of Massachusetts law and Amherst College policy and summarizes the range of possible sanctions for such violations. Violations of the AOD policy result in sanctions such as exclusion from higher-risk activities involving alcohol and parental notification, and may include denial of campus residence or a Housing Selection Process consequence. In some instances, violations may result in temporary suspension or referral to the Community Standards Review Board for adjudication.

4.1. AOD Under Massachusetts Law

4.1.1. A person must be at least 21 years of age to legally purchase alcoholic beverages in Massachusetts.

4.1.2. Purchase of an alcoholic beverage by an underage person or any arrangement with another person to procure such drinks is a crime punishable by a mandatory \$300 fine.

4.1.3. Willful misrepresentation of one's age or the age of another person in order to purchase or receive alcoholic beverages (*i.e.*, the use of a fake ID) is a crime punishable by a fine of up to \$300 or by imprisonment of up to three months or both. The Amherst College Police Department is required to report violations of this law to the Registry of Motor Vehicles in the state in which the student's vehicle is registered.

4.1.4. Any person who purchases for or furnishes a drink to someone underage commits a crime punishable by a fine of up to \$2,000 or by imprisonment of up to one year or both.

4.1.5. No person may serve an alcoholic beverage to anyone who is obviously inebriated.

4.1.6. For operating a motor vehicle under the influence of AOD, the state of Massachusetts has set the legal limit for alcohol concentration in the blood at below .02% for anyone under 21 and .08% for anyone 21 and over.

4.1.7. Federal, state, and local sanctions for unlawful possession or distribution of illicit drugs range from probation and forfeiture of property to fines and imprisonment.

4.2. AOD Under the Town of Amherst Bylaw

General Bylaws of the Town of Amherst are found at:

<https://www.amherstma.gov/DocumentCenter/View/1967/Town-of-Amherst-General-Bylaws>

4.2.1. Open Containers of Alcohol: No person shall consume any alcoholic beverage nor possess or transport any open can, bottle or other container containing any alcoholic beverage outdoors on any town street, sidewalk, way and public property including, but not limited to, parking lots, parks, school playgrounds, recreation areas or conservation areas (Special Town Meeting—February 26, 1986 – Art. 51).

4.3. AOD Under the Amherst College *Student Code of Conduct*

4.3.1. If the Dean of Students, the Director of Community Standards, or designee learns that a student has been convicted of driving while intoxicated at any time between first enrollment at Amherst and graduation, whether in the vicinity of campus or anywhere else, that student will be denied parking privileges, and thus the capacity to keep a car on campus, for the remainder of their stay at Amherst, in addition to other possible sanctions.

4.3.2. Kegs are not prohibited on-campus except during College-organized or College-sponsored events.

4.3.3. Hard Alcohol: Hard alcohol (30% ethanol or greater) may only be possessed, stored, or used in bedrooms assigned to persons who are 21 or more years of age. Consequently, hard alcohol is not permitted for possession, storage, or use in lounges, hallways, or other parts of residence halls or other buildings on campus except when the College has expressly authorized it. Examples of exceptions include College-organized tent parties and other College-sponsored events.

4.3.4. Possession of drug paraphernalia (pipes, bongs, hookahs, *etc.*) is prohibited. Alcohol paraphernalia associated with rapid, high-risk consumption (funnels, beer pong tables, *etc.*) is prohibited.

4.3.5. All prohibited substances and paraphernalia may be confiscated and destroyed by campus authorities.

4.3.6. Smoking cannabis, tobacco, vaping devices, or other related devices that create smoke or vapor in campus buildings is prohibited. Cannabis in any form is not permitted on-campus.

4.3.7. It is the responsibility of individuals and student groups to ensure that legally possessed alcohol is not stored in an unsupervised manner in which someone underage may access it.

4.3.8. No College funds may be used to purchase alcohol or to support fundraisers to raise money to purchase alcohol. Funds may be used to pay for TIPS-certified student staff required for beverage service.

4.3.9. Students are expected to follow all posted signs and instructions of the Amherst College Police Department and the Amherst College Athletics Department.

4.3.10. Events with alcohol must follow College guidelines published by Student Affairs: [Student-Hosted Event Policy](https://www.amherst.edu/mm/655585) (<https://www.amherst.edu/mm/655585>).

4.3.11. If registering a tent for an event on campus where alcohol will be served, the registrant must obtain liability insurance that includes liquor liability. For more information, visit the tent policy and registration form on the Environmental Health and Safety webpage (<https://www.amherst.edu/mm/122652>).

4.3.12. No person is permitted to use alcohol or other drugs where there is increased safety risk, including but not limited to porches, balconies, stairwells, or roofs.

4.4. AOD Medical Amnesty Statement

Amherst College is concerned about the use and misuse of alcohol and other drugs in our community. Substance misuse affects the entire College community. The College's primary concern with AOD use is the safety and wellbeing of our students. Students are expected to abide by Massachusetts law and College policies. For students who choose to consume alcohol, the College expects that they do so in moderation to avoid compromising personal safety.

Amherst acknowledges there may be times when students may face medical emergencies involving AOD use. In these situations, the College expects students to request emergency medical assistance for oneself or someone who may be suffering from a serious medical condition, including alcohol poisoning.

Symptoms of alcohol poisoning can include: unconsciousness or unresponsiveness, disorientation or confusion, slow breathing, vomiting or choking and cold or pale skin. If the affected student is on campus, contact the Amherst College Dispatch Center (ACPD) at (413) 542-2111. The appropriate first responder will respond and evaluate the student. In most instances, Amherst College Emergency Medical Services (ACEMS) will respond with at least two fully certified Emergency Medical Technicians (EMTs). The Community Safety Assistant (CSA) team will also respond to collect basic information, and help when necessary, but will otherwise maintain a respectful distance. In the case of the patient needing higher evaluation and transport to the hospital, ACEMS will dispatch Amherst Fire Department (AFD), who will provide an ambulance staffed with paramedics. ACPD will respond in cases where AFD has been dispatched, a crime has been committed, or at the request of ACEMS. As long as the patient is physically and mentally capable of doing so, they can always refuse further care. If further medical assistance is deemed necessary, the College encourages the student to accept transportation to the hospital for medical attention.

Because the safety and welfare of students is the College's priority, the College has instituted a medical amnesty policy covering alcohol and other substances – including, but not limited to, cannabis, cocaine, heroin, and fentanyl. This policy is applicable to the following parties: 1) student requesting medical assistance for oneself; 2) student requesting medical assistance for another person; and 3) student for whom medical assistance was provided.

When responding, the College will consider the student's decision to request medical assistance, and in most cases, view the act of seeking medical assistance as good judgment, therefore not deserving of the typical range of AOD sanctions. Thus, if it is determined that the medical amnesty policy applies to a situation, the students involved will not be subject to a violation of the AOD policy. Referral for AOD education may apply.

This policy does not protect students who repeatedly violate College policies. The Dean of Students, Director of Community Standards, or designee also have discretion to determine that this policy does not apply in more serious situations, including criminal possession of drugs, property damage, violence, *etc.*

Section 5. Hazing

The responsible administrator for this section is the Office of Community Standards. Student Affairs and Amherst College Athletics have approval authority.

5.0. Introduction

Amherst College encourages student participation in athletics and student organizations. Such involvement enriches the College experience and can contribute significantly to the social and leadership development of Amherst College students. Antithetical to that experience and to the mission of the College is the practice of hazing, which is a violation of College policy and may also be a violation of state law.

Students, faculty, staff, and family and guardians of students should acquaint themselves with the information and links in this section so that they may identify possible occurrences of hazing and understand consequences of such behavior. If you suspect that someone is being hazed, you are encouraged to contact Student Affairs (413-542-2337).

5.1. Definition

Amherst College defines hazing more broadly than Massachusetts General Law to include any activity that is part of an initiation or admission into a group or is required for continued acceptance in a group and that encompasses one or more of the following:

- physically or psychologically embarrasses, demeans, degrades, abuses, or endangers someone regardless of that person's willingness to participate;
- categorizes members of the group based upon seniority or standing or otherwise emphasizes the relative power imbalance of newer members;
- involves the consumption of alcohol, drugs, or other substances;
- removes, damages or destroys property;
- results in the disruption of College or community activities, the educational process, or the impairment of academic performance; and/or
- violates a College policy and/or a state law.

This definition pertains to behavior on or off campus and applies whether or not the participants or others perceive the behavior as "voluntary." The implied or expressed consent of any person toward whom an act of hazing is directed does not relieve any individual, team, or organization from responsibility for their actions nor does the assertion that the conduct or activity was not part of an official organizational or team event or was not officially sanctioned or approved by the organization or team.

Longstanding team or organizational traditions that are carried over from year-to-year sometimes constitute hazing. Discontinuing inappropriate traditions can be especially difficult because of pressure from within the group or from alumni. Such pressure, however, is not an excuse for unacceptable behavior; the College expects students to adhere to College policy and state law.

Some incidents of hazing are more serious than others. Generally, the greater the actual or potential physical or psychological harm, the more severe the hazing. Hazing incidents typically involve the planners and organizers, bystanders (those who participate but were not hazed or involved in the planning or organizing), and victims (those who were hazed). All involved are responsible for their behavior, but consequences will typically differ based on the seriousness of the incident and one's level of responsibility, planning, or participation.

5.2. Adjudication

Violation of the hazing policy may subject an individual or student group to adjudication by the College through the

Conflict Resolution Process, with penalties up to and including suspension or expulsion for individuals and revocation of organizational recognition and funding or forfeiture of a season or disbandment in the case of a student group. See Chapter II, *Conflict Resolution Processes*, for additional information.

5.3. Examples of Hazing

No policy can address, in specific fashion, all possible activities or situations that may constitute hazing. The determination of whether a particular activity constitutes hazing will depend on the circumstances and context in which that activity is occurring, and that determination will be made by Student Affairs.

Examples of mild to more severe hazing include, but are not limited to, any of the following activities that are part of an initiation or admission into a group or required for continued acceptance in a group:

- physical or verbal abuse of any kind or implied threats of physical or verbal abuse;
- branding or other body markings;
- encouraging or requiring a person to consume alcohol, drugs, unusual substances or concoctions;
- encouraging or forcing a person to violate Massachusetts law or College policy such as total or partial nudity in public, theft, or trespassing;
- confining a person or taking a person to an outlying area and dropping that person off;
- servitude such as encouraging or requiring a person to run personal errands, cook, clean, *etc.*;
- requiring a shaved head or other haircut;
- stunt or skit nights with degrading, crude, or humiliating games or acts;
- “mind games” or creating real or perceived psychological uneasiness or harm;
- encouraging or requiring public stunts or buffoonery;
- encouraging or requiring the wearing or carrying of apparel or items likely to subject the wearer to embarrassment, ridicule, or harm;
- encouraging or requiring members to participate in inappropriate scavenger hunts or road trips;
- depriving a person of sleep;
- expecting certain items to always be in one’s possession; and
- requiring new members/rookies to perform duties not assigned to other members. Note: duties like carrying water to practice can be a first-year responsibility if other team members have similar responsibilities or all responsibilities are rotated among team members.
- encouraging or requiring the participation of activities that are expected to demean other members of the group or of the campus community

A failure to address and/or report an act of hazing committed against another individual may also be considered an abuse of power and a violation of this policy.

Note: Hazing does not include actions or situations that are subsidiary to officially sanctioned and supervised College activities such as athletic training and events (*e.g.*, running extra laps at practice).

5.4. Resources

All Amherst students have access to a variety of resources provided by the College that provide crisis intervention services, counseling, academic support and medical services.

Amherst College Student Affairs: <https://www.amherst.edu/mm/64900>

Amherst College Counseling Center: <https://www.amherst.edu/mm/46312>

Amherst College Student Code of Conduct: <https://www.amherst.edu/mm/531270>

Amherst College Keefe Health Center: <https://www.amherst.edu/mm/64968>

StopHazing.org: <http://www.stophazing.org/>

5.5. Massachusetts Hazing Law

Massachusetts Hazing Law Section 17: Hazing defined

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter269/Section17>

Massachusetts Hazing Law Section 18: Failure to report hazing

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter269/Section18>

Massachusetts Hazing Law Section 19: Issuance to students

<https://malegislature.gov/Laws/GeneralLaws/PartIV/TitleI/Chapter269/Section19>

Section 6. Fraternities & Sororities

The responsible administrator for this section is the Amherst College Board of Trustees. The Amherst College Board of Trustees has approval authority.

Trustees' Statement, February 1984

On and after Feb. 25, 1984, no resource of the College (physical, staff or monetary) shall be used or employed, directly or indirectly, in any procedure relating to rushing, pledging, initiating or otherwise admitting to or maintaining membership by any student of the College in any fraternity, sorority or other social club, society or organization (however denominated).

On and after July 1, 1984, every building owned or leased by the College and used by the College to house one or more students then attending the College shall be subject to rules and regulations of the College of general applicability from time to time in effect allocating residential space, and no fraternity, sorority or other social club, society or organization (however denominated) shall be permitted to participate, directly or indirectly, in the allocation process.

Nothing in these resolutions shall be deemed to prohibit the use of any building owned or leased by the College for meetings (including social functions, subject to rules and regulations of the College of general applicability) held by honorary clubs, societies and organizations, such as Phi Beta Kappa and Sigma Xi.

Nothing in these resolutions shall be deemed to prohibit the use of any building owned or leased by the College for a residential use directly related to the educational program of the College (such as a "language house") solely by reason of the fact that social functions, subject to rules and regulations of the College of general applicability, may occur there from time to time.

Adopted by vote of the Board of Trustees, Feb. 24, 1984.

Trustees' Reaffirmation on the 1984 Resolution on Fraternities Resolved on April 4, 2014

The Board reaffirms the 1984 Trustees' Resolution on Fraternities. In addition, effective July 1, 2014, student participation in off-campus fraternities and sororities and fraternity-like and sorority-like organizations is prohibited. Violations will be subject to appropriate penalties, including suspension or expulsion from the College.

Adopted by the Board of Trustees, Amherst College.

Section 7. Residential & Community Life

The responsible administrator for this section is Community Living. Student Affairs has approval authority.

In addition to the information below, each student is expected to follow the expectations shared in their Residential Agreement.

7.0. Introduction

Residential Engagement & Wellbeing aims to facilitate the development of safe, informed, inclusive, and engaged residence hall communities. Our communities foster an environment of support, the provision of peer advice, conflict resolution, and referrals to individuals and groups. We champion the *Student Code of Conduct* towards the cultivation of a neighborly residential experience.

7.1. Occupancy

Students enrolled in both fall and spring semester may remain in College housing during Winter Recess but must notify the Housing & Operations Team of their intention to remain. Students who are assigned to fall semester housing only must vacate their assigned room immediately after the final examination period in December.

7.2. Room Assignment and Room Change Requests

The College reserves the right to assign a resident to another room or residence hall. Prior to reassignment, Residential Engagement & Wellbeing staff will attempt to consult with the student and/or explain to the student the reasons for the move. In the event of an emergency, the College reserves the right to increase occupancy, so long as such a measure conforms to health and safety regulations.

Students who wish to consider changing their room assignment must contact Residential Engagement & Wellbeing via their locally-assigned Community Development Coordinator or other professional staff member to inquire about the possibility of a move. All moves must be approved and coordinated by the Residential Engagement & Wellbeing and the Housing & Operations Team. These teams reserve the right to assign a resident to another room or residence hall. Prior to reassignment, staff will attempt to consult with the student and/or explain to the student the reasons for the move. In the event of an emergency, the College reserves the right to increase occupancy, so long as such a measure conforms to health and safety regulations.

7.3. Room Condition Inventory

Room Condition Inventory is conducted by staff for every space prior to move-in each August. Students assigned to each room are held accountable for leaving rooms in the written condition when moving out. Students agree to reimburse Amherst College for damages and defacement of the space they occupy during the term of their contract exclusive of normal wear. If there are any discrepancies or concerns with the room inventory, they should be reported to the Housing & Operations Team (osaops@amherst.edu).

7.4. Student Room Furniture

Student rooms are equipped with essential furniture. An inventory of this furniture and its physical condition will be made at the beginning and end of each school year or when a student vacates a room. The College may require personal furniture and furnishings to be removed, at the student's expense, from any residence where, in the judgment of Environmental Health and Safety staff, there is a potential fire, health, or housekeeping hazard. Waterbeds, inflatable pools, and similar furniture are not permitted, because of the strain imposed on the building structure and the danger of water damage. All personally owned furniture and furnishings must be removed from student residences at the time they are vacated at the end of the school year. Any items remaining after that date will be disposed of by the College at the student's expense.

7.5. Inspections

College officials retain the right of access to students' rooms at all times.

College officials may periodically inspect students' rooms to check the condition of safety systems, structure, and furnishings.

During vacations, efforts are made under the authority of the Director of Residential Engagement & Wellbeing to recover from residence hall rooms misappropriated College property.

During the academic year, Facilities and members of the College community make periodic room inspections to determine hall or furniture damage. When reasonably practical prior notification of entry will be given to students. At all times a note will be left if a Facilities professional entered a student's assigned room for maintenance work.

7.6. Energy Conservation

Facilities are actively involved in energy conservation. Energy problems should be reported to the Service Center at (413) 542-2254 or servicectr@amherst.edu. Students should call (413) 542-2644 for answers to questions pertaining to energy conservation. The following is a general outline of energy conservation procedures.

7.6.1. Heating

The standard room temperatures on campus are 68 degrees Fahrenheit during occupied times and 64 degrees during unoccupied times. Students should first try to control the temperatures of their rooms by adjusting thermostats, rather than opening windows. If you do not know how to adjust the thermostat, please call the Service Center at (413) 542-2254 for assistance. If your room is too hot even with the thermostat turned all the way down, please call to have the system repaired. Opening your window to compensate for a radiator that won't shut off wastes a tremendous amount of energy and can cause damage to pipes.

If/When you leave for Winter Recess, please make sure your windows are shut tightly and your curtains drawn and leave your radiator turned on to the setting that was most comfortable for you during the year. Every residence hall has a central thermostat that will allow the building to be set to a lower temperature, allowing the College significant energy cost savings for the few vacation weeks.

7.6.2. Windows

Students are asked to report broken, loose, or drafty windows. Storm windows are designed as an extra layer of insulation. The concept of additional insulation works only if exterior and interior windows are closed and tightly fitted. Locking windows helps ensure tight fitting. Window shades can be used as additional insulators during colder months. Keep shades down as much as possible during the day and at all times during the night. Closed shades can prevent up to 25 percent of the energy loss. If windows are loose or leaking, call (413) 542-2254.

7.6.3. Electricity

Common sense applies very directly to the conservation of electricity. Students should use the smallest appliance that will perform the requisite function and turn off electrical appliances when they are not in use or when leaving an area for more than five minutes. Refrigerator doors should remain shut. When doing laundry, students should not overload dryers.

7.6.4. Water

As with electricity, the first rule of water conservation is, "If you aren't using it, turn it off!" Leaving the water faucet running while you brush your teeth or shave can waste up to 10 gallons of clean water per person daily. Along the same line, turning showers down or off while applying soap can save many gallons of water daily. Dripping faucets and toilets that run continuously can waste hundreds to thousands of gallons of water per day and should be reported immediately to the Service Center at (413) 542-2254. Remember, even a few gallons of water saved per person per day add up to a lot of water in a town of 35,000 people—or in a country of 318 million!

7.7. Gender-inclusive Housing

Residential Engagement & Wellbeing and the Housing & Operations Team are committed to providing inclusive residential communities. The following assist our office in creating better-informed first-year assignments.

When making room assignments, we carefully consider the preferences you indicate on your First-Year Housing Questionnaire. Because assignments are guided by many factors, we may not be able to meet all preferences you indicate in your Questionnaire. We expect that all students will respectfully share residence halls and contribute to a residential living community that fosters a welcoming and inclusive environment.

Gender-Inclusive Restrooms:

In each first-year residence hall, there are single gender as well as gender-inclusive restrooms. The restrooms are distributed such that a student would have to travel a limited distance, (such as one floor level) depending on the restroom preference. To learn more about gender-inclusive restrooms, please visit the Queer Resource Center's website.

Floor Preference:

Students may indicate whether they prefer to live in an all-women, all-men, or gender-inclusive community or may indicate that they have no preference. While Housing & Operations endeavors to place as many students as possible in communities that meet their preference, physical hall limitations prevent a guarantee that all requests can be fulfilled.

LGBTQ+ Affirming Space Preference:

Students who value maintaining space in their rooms that is welcoming and affirming to LGBTQ+ students (*i.e.* persons who identify as lesbian, gay, bisexual, pansexual, asexual, transgender, non-binary, or genderqueer, queer, or questioning, *etc.*) may be considered as roommates for others with the same or similar values.

7.8. Laundry

There is no laundry service provided directly by the College, though there is a preferred outside vendor that offers a wash, dry, and folding service. Within residence halls and houses, washers and dryers are available for use by any student. There are also several laundromats and dry cleaners in town. The College does not provide linens; students must provide their own.

7.9. Vending

Dining Services and Residential Engagement & Wellbeing work together to bring you vending options in each of our residence halls and many academic buildings. Students can use cash, or AC\$ in all the vending machines. We work directly with our vendor to offer a variety of snacks, beverages and other items. If you have any questions about vending, concerns about the machines, or would like to make suggestions, please reach out to valentine@amherst.edu.

7.10. Storage

Information about Amherst College student storage can be found at [Storage | General Housing Information \(https://www.amherst.edu/mm/658395\)](https://www.amherst.edu/mm/658395).

7.11. Bicycle Storage

Information about Amherst College student bicycle storage can be found at the Bike Registration Program.

7.12. Guests

Students enjoy the privilege to invite guests to their assigned bedroom or suite to which they are assigned, as well as the common areas in the host's assigned residence hall or other common areas in other halls to which the host has authorized access. A guest is any person who is not assigned to the bedroom or suite in which they are present. Therefore, a guest may be an Amherst College student who lives in another room or off-campus, or any non-student. All guests are limited to a maximum stay of three consecutive nights. The host must receive unambiguous approval for any guest's stay with all roommate(s) or suite-mates as appropriate. Guests who drive to campus must register their vehicles with Amherst College Police Department. Abuse of this policy may result in the abridgment of this privilege to host guests for a specified period of time, or indefinitely.

7.13. Courtesy and Quiet Hours

The right to reasonable peace and quiet in the residence halls generally supersedes the right to make noise.

Courtesy hours are observed 24-hours a day throughout all residence halls. When asked by another resident or staff member to reduce the noise level, residents are expected to immediately comply as a courtesy to other community members.

Quiet hours are in effect Sunday through Thursday from midnight to 8:00 am, and Friday and Saturday from 2:00 am until 10:00 am. During these times, noise should not be heard outside of a resident's room when their door is closed. Some changes to quiet hours may be made to a resident's individual community by working with Residential Engagement & Wellbeing.

Gatherings in common spaces should also follow quiet and courtesy hour expectations.

7.14. Move-out Deadline

First-year students, sophomores, and juniors are required to vacate the day after spring semester examinations end. Graduating seniors may stay until 5:00 pm on the day of Commencement but may be asked to move from their rooms to a consolidated area and make rooms available for parents and families during Commencement week. Note: The dates and times in the section are subject to change and, if changed, will be posted with as much advance notice as possible.

7.15. Commencement/Reunion Housing

Commencement and Reunion workers and other students authorized by Student Affairs to remain on campus will be relocated—they will not remain in the rooms to which they were assigned during the spring semester. Questions about housing during Commencement week should be directed to osaops@amherst.edu.

It is important that students comply with deadlines so that rooms can be cleaned and prepared in time for Commencement and Reunion use. If necessary, the College will pack and clean those rooms not vacated in time at the student's expense.

7.16. Personal Liability Insurance

The College assumes and accepts absolutely no responsibility for the loss or damage to personal property of any occupant of College housing. Each individual assumes responsibility for insurance of personal property as well as its safe storage and maintenance.

7.17. Damage Accountability

Students are held responsible for damage to their rooms and to any College property therein. Students are expected to report all damages to their rooms, common rooms, hallways, bathrooms, and other areas of the residence, whether accidental or otherwise, to their Community Advisor, so that repairs can be made. Damages may also be reported directly to the College's Service Center at servicectr@amherst.edu.

In case of reckless or intentional damage, the person(s) responsible may be subject to sanctions that include financial restitution. Students will also be held accountable for damage caused by their guests (see Section 7.12, Guests). In addition, costs associated with discharged fire extinguishers and items damaged in, or missing from, the lounges or common areas may be charged to the responsible student.

7.18. College-Owned Furniture

The assigned residents of each room will be held accountable for missing or damaged furniture, for the condition of the room, and for any College property that was relocated to a room without permission.

7.18.1. A fee will be assessed to the assigned residents of a room for any/every item of misappropriated or damaged College property.

7.18.2. Removed furniture must be stored in accordance with College storage policies and returned to the room before the student moves out. Failure to return any College furniture will result in a replacement fee per item. Students are not permitted to remove College-issued furniture without prior written approval by Accessibility Services or other relevant College authority. **No student, except those with prior written approval by Accessibility Services or other relevant College authority, may remove or store outside the student's assigned room, any College-issued furniture.**

7.18.3. In the event that common-area furniture is moved and left outside a student residence, a \$50-per-item moving fee, plus the cost of repairing any damage to the furniture, will be assessed to responsible members of the community or shared evenly among all students who live in the affected community.

7.18.4. Students are not permitted to use cinder block bed risers.

7.18.5. Common Area Lounge Furniture

Furniture not authorized for the room in question is considered stolen property. Students found in possession of it will be adjudicated. Room inspections for stolen or missing furniture will be conducted periodically.

7.19. Keys

Concerns with keys should be reported to the Locksmith at (413) 542-2254. When leaving (i.e., taking a leave, leaving for the summer or study away period, or other status change) the College for any reason, your room key **MUST** be returned unless otherwise directed. Students responsible for lost key(s) or who do not return a key at checkout, will be assessed a lock charge:

- Single Room - \$75
- Double-Occupancy Room - \$77
- Triple-Occupancy Room - \$79
- Any Suite Configuration - \$150

For fire safety, maintenance, and security reasons, private locks may not be installed or used in College residences. Students who install private locks on their doors will be assessed a \$75 charge for removal.

7.20. Billing

Students who wish to receive more information about items on their bills should telephone the Office of the Controller at (413) 542–2101 or contact Housing & Operations (413) 542-2161 or osaops@amherst.edu.

7.21. Solicitation

Non-student vendors are prohibited from selling, soliciting, or making deliveries in College residences without prior authorization from the Office of Residential Engagement & Wellbeing and the Amherst College Police Department. Students are expected to verify if a non-student vendor is authorized to be present on-campus by contacting the Student Engagement and Leadership Office.

Students may not operate a business, profit-making enterprise, nor sell in College residences (see Section 11).

7.22. Ceilings and Walls

In general, pictures, tack boards, and other decorative items may not be fastened directly to the walls or woodwork of the residence rooms, as this causes costly damage to the surface material. Most rooms contain picture moldings from which such items can be hung, and others are equipped with built-in tack boards. For additional information see Section 9.3., Ceilings and Walls. The following guidelines have been prepared by Facilities:

7.22.1. Students should not hang anything on doors, wood-paneled walls, or woodwork.

7.22.2. Students may use push-pins (not thumbtacks), in reasonable numbers, to affix items to the walls. When a student moves out of a room, they should pull out the push-pins. Push-pins will work on walls unless there is very hard plaster underneath.

7.22.3. If a room has painted wallpaper over very hard plaster, there is no recommended way of affixing items to the wall that is guaranteed not to cause damage.

7.22.4. Students are not permitted to use nails to affix anything to the walls for any reason.

7.22.5. Students are not permitted to paint the walls or ceilings of their rooms. Financial restitution will be assigned to a student's account if this subsection is violated.

7.22.6. Curtains must not be used as bedroom, common room, or hallway dividers under any circumstances, whether the curtains are fire-safe or not.

7.22.7. Students who use dart boards may not place them near doorways or hallways where a dart may strike someone. Students are also encouraged to avoid charges for dart holes in walls by investing in a 4-foot by 8-foot piece of Homasote (costing around \$12) on which to mount the dartboard.

7.23. Satellite Dishes and Antennae

Satellite dishes and antennae are not permitted and may be removed by Facilities. A fee for removal will be incurred by the student.

7.24. Defenestration

No objects may be dropped, thrown, or propelled from windows, as serious injury may occur to persons below. College adjudication may be initiated against any person or residence community involved in defenestration.

7.25 Abandonment of Personal Belongings

College staff invest significant planning and person-hours in the transition between academic sessions and summer session. Many offices collaborate to set student departure dates in order to balance students' academic and logistical needs with other College functions (cleaning, repairs, and general preparations for new residents).

For any period of residency, students will be informed, well in advance, of their departure deadline. If a student faces unexpected or exceptional circumstances that pose a clear challenge to respecting the departure deadline, that student should contact Housing and Operations (osaops@amherst.edu) for assistance **in advance** of the departure deadline, and with as much notice as possible.

Should a student leave their room by the departure deadline (including mid-semester leaves), but fail to plan for the removal of some or all of their personal belongings from their room or other portions of the residence hall, these items will immediately be considered abandoned. College staff will not store personal belongings (including those that might belong to other persons). College staff will not initiate logistical arrangements to mail, ship, or otherwise relocate abandoned belongings. The College will not reimburse nor compensate in any other manner, a student who abandons items in their assigned room or in any other portion of a residence hall.

Section 8. Service & Support Animals

The responsible administrator for this section is Accessibility Services. Student Affairs has approval authority.

8.0. Introduction

Accessibility Services oversees student requests for assistance animals at the College. For information or clarification about requesting an assistance animal and submitting documentation for review, contact Accessibility Services at (413) 542-2337 or accessibility@amherst.edu. Documentation should be submitted to Accessibility Services no later than 14 days in advance of the deadlines and other procedures specified by the Office of Housing & Operations. Please carefully review all rules and requirements that apply to the use of assistance animals on college property. Alleged violations of this Section are resolved through the College's Conflict Resolution Processes (see Chapter II, *Conflict Resolution Processes*). Accessibility Services and Community Standards may enforce emergency or interim measures related to assistance animals (see *Section 8.9, Removal of Animal*).

8.1. Definitions

Assistance Animal: Either a service animal or support animal as defined below.

Service Animal: Any dog that is individually trained to do work or perform tasks for an individual with a disability.

Support Animal: Animals that provide emotional support or comfort that alleviates one or more identified symptoms or effects of a person's disability. Unlike a service animal, a support animal does not require training. Support animals include domesticated animals traditionally kept in the home, such as a dog, cat, small bird, hamster, gerbil, other rodent, fish, or turtle. Reptiles (other than turtles), barnyard animals, monkeys, kangaroos, and other non-domesticated animals are not considered common household animals.

Pet: an animal kept for ordinary benefit and companionship

8.2. Domain/Housekeeping

8.2.1. All support animals must be spayed/neutered if species-appropriate. Mating pairs of animals may not be kept.

8.2.2. All animals must be housebroken if species-appropriate. For species that cannot be housebroken, the animal will not have free (uncaged/uncrated) access to the residence hall bedroom or other spaces.

8.2.3. Food for the animal must be properly stored in clean, impenetrable, sealed containers (such as plastic containers with locking lids), not to exceed five gallons. Bags, cardboard or fiberboard containers are not permitted for bug, rodent, and other housekeeping related reasons. Costs associated with remediation of any infestation of the housing with insects, rodents, or mold as a result of improper food storage may be charged to the owner's account.

8.3. Residence Hall Responsibilities and Acknowledgements

8.3.1. All animals must be caged/crated when not being held or handled by the owner, or when the owner is not present in the residence hall room with the animal. This is for the safety of the animal as well as others, particularly in the event of a building emergency.

8.3.2. Support animals may only be in the owner's assigned residence hall room. Support animals are not allowed in any other portion of the residence hall, including common spaces or other student's rooms.

8.3.3. Service animals are permitted to accompany the individual with a disability in all public areas on campus. Under limited circumstances a service animal may be excluded from a certain area where the animal's presence may cause a fundamental alteration to the nature of the service or program provided in the area.

8.3.4. If a roommate or suitemate objects to the animal's presence for reasons other than medical (medical objections are resolved per Conflicting Disabilities Section 8.3.5.), Community Living will work to resolve the conflict, which may require one or more students, including the Owner, to be relocated. Note: If a person with the animal was assigned housing prior to a person with a concern, the person with the animal may not be reassigned.

8.3.5. Conflicting Disabilities: Students with medical condition(s) that have a health or safety-related concern about exposure to an animal in the residence hall should immediately contact Community Living. Documentation of a medical condition will be required via Accessibility Services. Community Living and Accessibility Services will work to resolve a conflict, considering the conflicting needs and/or accommodations of all persons involved.

8.4. Owner Control

8.4.1. All animals must be under the control of its owner at all times. A support animal that is outside of the owner's residence hall room must have a harness, leash, or other tether, at all times.

8.4.2. No animal may be left in an owner's room unattended for more than 6 hours at a time; stricter rules may apply to some species. Owners are required to sleep in the room with the animal each night. All animals must be removed from the College premises during any recess/break period where the owner has not been given permission to remain in campus housing.

8.4.3. The owner is required to notify any persons (staff, other students, *etc.*) entering your room, of the presence of the animal.

8.5. Animal Behavior

The animal must be well-behaved at all times, whether in your residence hall room or anywhere else sanctioned on campus, and cannot pose a risk to the health or safety of others.

8.6. Vaccinations/Health

8.6.1. All animals must be current on species appropriate vaccinations required in the Commonwealth of Massachusetts, and the Town of Amherst. It is the owner's responsibility to know and understand these ordinances, laws, and regulations. A copy of the vaccinations must be submitted to Accessibility Services prior to the animal coming to campus. It is the owner's ongoing responsibility to make sure the vaccinations have not lapsed, and to

provide updated paperwork to Accessibility Services prior to bringing the support animal to campus and prior to taking residency in a new housing assignment.

8.6.2. If required by local or state law for the species of animal, the animal must wear a rabies vaccination tag.

8.6.3. Measures should be taken at all times to maintain flea, tick, and odor control. All animals must be bathed and groomed regularly. The owner is responsible for making all reasonable efforts to remove animal fibers that have been shed (hair, fur, nails, scales, feathers, *etc.*).

8.7. Waste Removal

8.7.1. The owner is responsible for cleaning up after the animal's waste, and should always carry sufficient and appropriate equipment to clean up after the animal. Waste must be properly bagged and discarded.

8.7.2. It is the responsibility of the owner to pick up all animal waste, including feces, vomit, and diarrhea.

8.7.3. Waste must be placed in a plastic bag or other suitable container that is sealed or tied closed. After proper packaging, the waste must be placed into a dumpster outside of the building.

8.7.4. The animal waste must not be disposed of inside the building, or in proximity to an entrance/exit door.

8.7.5. It is the owner's responsibility to reasonably remove any animal fibers that have been shed. Owners must recognize the fibers could be shed directly from the animal, or inadvertently transferred by the owner. For example, it is understandable the animal fibers will cling to the owner's clothing and could be transferred to other people, furniture or to laundry washers or dryers.

8.8. Financial and Other Obligations

8.8.1. An owner who has an animal in their residence hall room is financially responsible for property damage caused by the owner's animal, including but not limited to, cost of repairs, replacement or cleaning of facilities or furnishings, and any bodily injury or personal injury caused to other persons by the animal. The cost of repairing damages caused by the animal may be charged to the owner's account.

8.8.2. If Amherst College is required to assume responsibility for the animal due to the illness or incapacitation of its owner, emergency evacuation, or because the owner abandons the animal, all costs incurred by Amherst College will be charged to the owner's account.

8.8.3. The owner is required to submit a rehoming plan to Accessibility Services for the animal, in the event its owner can no longer take care of it.

8.8.4. In the event that an animal must be removed from campus, the owner will be responsible for all expenses associated with the removal.

8.8.5. By bringing an animal to campus, the owner understands and agrees that the owner is solely responsible for the wellbeing and actions of the owner's animal, and the owner further agrees that neither the Trustees of Amherst College nor any of its employees are responsible for any loss, damage, injury, or death caused by the owner's animal or sustained by the owner's animal, even if such loss, damage, injury, or death is partly caused by the College or its employees.

8.9. Removal of Animal

There are several reasons why it may be necessary to remove an animal from campus. It is the responsibility of the

owner to remove the animal from campus. Failure to remove the animal promptly may result in other disciplinary action under Section 12. Examples include, but are not limited to:

- 8.9.1.** The animal is out of control, displays vicious behavior
- 8.9.2.** The animal is disruptive (unreasonable noise, running around, nipping, biting, scratching, *etc.*)
- 8.9.3.** The animal is not housebroken
- 8.9.4.** The owner is not properly disposing of waste, bedding, fibers, or litter
- 8.9.5.** The animal is insufficiently cleaned or groomed (offensive odor, fleas, ticks, *etc.*)
- 8.9.6.** The animal is not appropriately restrained
- 8.9.7.** The animal is not appropriately vaccinated or up to date on vaccinations
- 8.9.8.** The animal is being mistreated or abused

Section 9. Fire & Life Safety

The responsible administrator for this section is the Environmental Health and Safety Office. The Environmental Health and Safety Office has approval authority.

9.1. Candles and Open Flame/Combustion Devices

Open-flame devices, except for cigarette lighters and matches, are prohibited in residence halls. Candles for religious services and birthday parties must be approved in advance by either the Environmental Health and Safety or the Amherst College Police Department. Additional information and resources about candles can be found on the [Environmental Health and Safety website](#).

- 9.1.1.** If lit or previously-burned candles or incense are found or reported, they will be confiscated.
- 9.1.2.** The use of any smoking material(s) is not permitted in any Amherst College building or academic, residential or support area, including outside assemblies and gatherings. Smoking must be done outside, at least 25 feet away from the main windows and doorways of any building.

9.2. Carbon Monoxide Detectors

Amherst College has recently installed additional carbon monoxide detectors in all residence halls that use gas or oil for heating and/or wood for fireplaces. These detectors were installed as required by the Commonwealth of Massachusetts for your protection, as carbon monoxide is a colorless, practically odorless gas that is generated through incomplete combustion or inadequate ventilation, such as might occur when, for example, a chimney flue is not opened.

9.2.1. Carbon monoxide is a cumulative poison, which, at low concentrations, will cause flu-like symptoms, or, at higher concentrations, will impair vision and coordination and lead to headaches, dizziness, confusion, nausea and possibly even death. The detectors are typically placed 5 feet above the floor, as required. This placement makes the units accessible to building occupants. The detectors are connected to each building's fire alarm system, as well as heating systems. Pressing the "test" button will send an alarm to Amherst College Police Department, will shut down the heating system as is required and will initiate a response by Amherst College Police Department, Environmental Health and Safety and Facilities.

9.2.2. Carbon monoxide detectors are life safety devices. Damaging or using the detectors improperly will result in adjudication, as well as potential restitution charges for labor by Facilities staff.

9.2.3. If the alarm sounds, contact Amherst College Police Department at (413) 542-2111.

9.2.4. If the carbon monoxide alarm activates, it indicates that the level of carbon monoxide is at or above 35 parts per million, which is well below hazardous concentrations.

9.3. Ceilings and Walls

In accordance with the requirements of the Massachusetts Fire Prevention Regulations, ceilings and walls in student rooms and common areas in any building are not permitted to have greater than 20 percent of any surface covered with combustible material such as paper, posters or other wall hangings. Ceiling and wall hangings must be fire retardant. Additionally, the following expectations apply:

9.3.1. Items cannot block or partially obstruct a smoke detector.

9.3.2. Items cannot block or partially obstruct a fire alarm horn or strobe.

9.3.3. Items cannot interfere with the operation of a sprinkler system.

9.3.4. Items cannot be hung from sprinkler heads or piping.

9.3.5. Curtains and other draperies cannot be used in rooms as dividers. Curtains and other draperies used as designed must be flame resistant and tagged as such.

9.3.6. Students are responsible for the cost of repairing any damage caused by their failure to abide by these policies.

9.4. Fire Reporting Procedure

The following procedure should be followed if a fire is discovered:

9.4.1. Close the door to contain the fire

9.4.2. Alert people in the area

9.4.3. Pull the fire alarm (located by the exit doors) and call the Amherst College Police Department at (413) 542-2111

9.4.4. Extinguish the fire extinguisher (if trained), the fire is small and you feel comfortable or Evacuate to your designated accountability area

9.5. Fire Evacuation Procedure

When evacuating the building, the most direct possible means of egress should be used.

9.5.1. Before opening a door, a person should feel the door with the back of the hand.

9.5.2. If the door is hot or if fire or smoke can be seen in the corridor, students should not pass through and should instead stay in the room. Students should pack towels (preferably wet) under the door to prevent smoke entry, telephone the Amherst College Police Department at (413) 542-2111 and report their location. If a telephone is not available, students should go to the window and wave a brightly colored cloth to attract attention. Students should open but not break the window. If a window is broken, smoke may enter from the floor below.

9.5.3. If the door is cool, a student should open it slowly and, if there is no smoke, proceed to the nearest exit. If the smoke is light, students should crawl, low to the ground, to the closest exit. If smoke is encountered along the way, an alternative escape route should be chosen. Students should make sure doors close behind them, to prevent the spread of smoke.

9.5.3.1. Once outside, students should proceed to the pre-designated area, 50' away from the building and doors, to make sure that they are accounted for. Each residence hall has a designated area, as well as an alternate shelter for inclement weather. If occupants were unable to get out of the building or if they cannot be found, this should be reported to the Amherst College Police Department officer, who will arrive on the scene as soon as possible.

9.6. Emergency Evacuation Procedures for Persons with Disabilities

If an occupant, resident or visitor with a disability is located on the ground floor of a building, they should exit through the closest appropriate means of egress. If the person is located above or below the ground floor, the elevator should not be used. Rather, the person should stay in the office or room, or comply with specific examples listed below.

The person should call Amherst College Police Department at (413) 542-2111; give the dispatcher their name, exact location, room number and telephone number; and remain by the phone until contacted by the Amherst College Police Department. Firefighters will assist persons who are unable to evacuate.

Persons with hearing impairments can be assisted out of the building, provided that they are made aware of the activation of the fire alarm.

Persons with visual impairments can be safely helped out of the building, provided that someone is there to assist them and that most of the other building occupants have already left the building. The evacuation of persons with disabilities at the same time as everyone else might increase the risk of accident or otherwise endanger all persons trying to vacate the building.

Persons with mobility impairments should, in most cases, remain in their rooms until assisted by the Fire Department. Untrained occupants should not attempt to carry people from the building. This could cause stairway restriction for other evacuees and may also result in serious injury.

9.7. Fire Alarms and Drills

All faculty, staff and students are required to evacuate a building during a fire alarm. If a fire alarm sounds, doors to rooms should be closed and students should proceed to the closest exit. If smoke hampers a means of egress, persons should seek an alternative route.

Fire drills at Amherst College will be conducted at least twice during the academic year. Fire drills are performed to familiarize occupants in the building with the sounds of the fire alarm, to verify that the system is working as required and to test the evacuation systems for faculty, staff and students.

9.7.1. Building occupants should not use elevators to evacuate the building as smoke will rise into the elevator shafts, placing everyone inside at serious risk. The stairs should be used to evacuate safely. If other people who may be unfamiliar with the alarm are observed in the building, they should be advised of the fire alarm and advised to evacuate.

9.7.2. Never force a person to leave or become confrontational. When outside the building, notify an Amherst College Police Department officer. Everyone should proceed to a pre-designated assembly area, at least 50 feet away from the building. Persons should not stand in front of or near the entrances to the building, obstructing firefighters' access to the building. Faculty and staff are required to have an accountability system in place, as they are responsible for their respective students in class or their staff at work.

Persons must not reenter the building until the fire alarm has been silenced and the Amherst College Police Department or the Amherst Fire Department has indicated that it is safe to reoccupy.

9.8. Fire Doors, Escapes, and Exits

All means of egress and components must be properly maintained at all times, in accordance with the requirements of the State Building and Fire Prevention Regulations.

9.8.1. Means of egress shall include, but are not limited to, corridors, doorways, fire escapes, interior and exterior stairwells, and exterior sidewalks that lead to parking lots or streets. Corridors and stairwells in residence halls have the following life safety equipment: emergency lighting, exit signs, fire extinguishers, fire alarms and smoke detectors.

9.8.2. Tampering with or otherwise damaging this equipment could cause a serious accident or injury and make it difficult for persons to evacuate the building during an emergency.

9.8.3. Corridors in residence halls are required to be free of hazard and obstruction. Corridors, fire escapes, hallways, and interior and exterior stairwells cannot be used for the placement or storage of combustible material (including boxes, cardboard and/or paper), bicycles, furniture or any item or equipment that would hinder a safe means of egress or firefighting operations.

9.8.4. Corridors, fire escapes, hallways and stairwells, cannot be used as runways for extension cords, telephone wires or television cables that could create a personal injury hazard. Fire escapes cannot be used for the placement or storage of bicycles, equipment, grills, *etc.* Items left in the corridors may be removed and destroyed by the College.

9.8.5. Fire doors in corridors and stairwells, except smoke-activated fire doors that close when the fire alarm is activated, cannot be chocked or otherwise held open.

9.9. Fire Extinguishers

Fire extinguishers are strategically located on campus, based on the types of hazard present. Typically, a Type A Pressurized Water (PW) extinguisher is placed in a corridor of a residence hall for use by emergency response personnel, such as an Amherst College Police Department officer, firefighter or other trained person, such as a custodian, Resident Counselor, *etc.*

9.9.1. Only persons who have been trained to use a fire extinguisher shall do so, and only if the fire is small in size and the users are not placing themselves or anyone else at risk.

9.9.2. Persons who are not trained shall simply close the door to the room where the fire is located (if possible) and evacuate the building, as indicated above.

9.9.3. Dry Chemical (ABC) fire extinguishers are placed in areas where cooking is done or where flammable liquids are present, such as in a laboratory or vehicle.

Special care should be taken when using this type of fire extinguisher for a fire involving flammable gases and liquids, as there is a possibility of personal injury. Do not use this type of extinguisher unless you have been trained and you are sure it is safe to do so.

Fire extinguishers have a specific purpose on campus and have been successfully used to extinguish small fires before the arrival of the fire department. Fire extinguishers must be free of obstruction and shall not be tampered with, as they are often used by Amherst College Police Department, trained faculty, staff and students, as well as the Amherst Fire Department before attack lines can be pulled off the fire engine.

9.9.4. Fire extinguisher training is available, upon request, through the Office of Environmental Health and Safety.

9.10. Fireplaces

Amherst College inspects fireplaces in common areas. Only fireplaces found to be in proper working order can be used.

9.10.1. Fireplaces located within individual student rooms are not to be used.

9.10.2. Resident Counselors can contact Environmental Health and Safety for training before the fireplace is used.

9.10.3. In order to use a fireplace on campus, in accordance with the requirements of the Amherst Fire Department, persons must first be trained. Fireplaces must have screens, tools, metal ash buckets and fire extinguishers in place before being used. Affixed to the mantel or wall by each operational fireplace is a sign that indicates, as a reminder, how the fireplace is to be used. The sign is not a substitute for training. It also identifies the type and age of the firewood and the proper equipment to be kept on hand.

9.10.3.1. Refer to [Fireplace Safety Training](#) on the Environmental Health and Safety website for additional information and requirements.

9.10.4. Fireplaces are not to be used for cooking.

9.11. Furniture

Student rooms are furnished with fire-code-compliant furniture and mattresses. An inventory of this furniture and its physical condition will be made at the beginning and end of each school year. Personal furnishings brought in by students are often not fire-code-compliant and will not be permitted if they fail to meet minimum requirements, such as CAL 117, CAL 133 or NFPA 701. A tag with appropriate code-required information will appear on the article of furniture.

9.11.1. If, in the judgment of the Environmental Health and Safety, there is a potential fire or related health or safety hazard, the item shall be removed at the student's expense.

9.11.2. Any items remaining after that date will be disposed of by the College at the student's expense.

9.11.3. Furniture not authorized for the room in question is considered stolen property.

9.11.4. Room searches for stolen or missing furniture may be conducted periodically.

9.11.5. Waterbeds and similar furniture are not permitted, because of the strain imposed on the building structure and the danger of water damage.

9.11.6. All personally owned furniture and furnishings must be removed from student residences at the time the residences are vacated. The College's lounge furniture cannot be used to enhance student rooms or off-campus apartments.

9.12. Holiday Decorations

In accordance with the Massachusetts Fire Prevention Regulations, the following decorative items shall not be permitted in Amherst College buildings, including residence halls:

9.12.1. Candles, incense or open-flame devices, unless previously approved by the Office of Environmental Health and Safety (EH&S),

9.12.2. Live cut trees or other sawn trees,

9.12.3. Live cut wreaths or other decorative wreaths,

9.12.4. Cornstalks or shucks,

9.12.5. Cotton or confetti,

9.12.6. Dry moss or leaves,

9.12.7. Hay or straw,

9.12.8. Paper streamers,

9.12.9. Sawdust or wood shavings,

9.12.10. Tree branches or leaves.

9.12.11. Only UL- or fire marshal-approved artificial trees, wreaths and lighting for indoor use may be used in academic or residential buildings. If used, lights may not be run over ceiling tiles or grids or through walls or doorways.

9.12.12. Lights must be hung below the ceiling, using a non-conductive material (*e.g.*, string or tape).

9.12.13. Lights may not restrict means of egress and can be removed by the College Fire Marshal or Environmental Health and Safety Manager if a hazardous condition exists.

9.12.14. No more than three sets of lights can be attached to a single extension cord.

9.12.15. Lights must be turned off whenever the area is unattended.

9.13. Failure to Evacuate

Except for emergency response agencies, all occupants in the building must evacuate when a fire alarm has been activated. Individuals or groups failing to evacuate will be subject to criminal prosecution.

The Amherst College Police Department and/or the Amherst Fire Department can perform floor and building sweeps for the health and safety of the residents. Residents found in their rooms during fires or fire alarms will be reported to Student Affairs. Amherst College has adopted this approach to help prevent “false-alarm apathy.”

9.14. Fire Department Access

Persons who intentionally block or otherwise hamper the duties of the Amherst Fire Department or Amherst College Police Department during a fire or medical emergency will be subject to criminal prosecution.

No vehicle, except for emergency response apparatus or cars, may park in a designated fire lane or in front of a hydrant. Amherst College is not responsible for any damage to a motor vehicle that obstructs the response of the Amherst Fire Department or other emergency response agency.

9.15. Fire Detection and Suppression Equipment Tampering

Unauthorized modifications of or tampering with the fire detection and/or suppression system (including fire extinguishers) in any building or room will result in criminal prosecution.

9.16. Fire Drills

Fire drills at Amherst College will be conducted at least twice during the academic year. Fire drills are performed to familiarize occupants in the building with the sounds of the fire alarm, to verify that the system is working as required and to test the evacuation systems for faculty, staff and students.

9.17. False Fire Alarm

Any person who, without proper justification, turns in a false fire alarm by activating a pull station or calling in a report of fire may be subject to criminal prosecution.

9.18. Burning of Building Component(s) or a Building

Any person who sets fire, knowingly or accidentally, to components of a building (*i.e.*, doors, bulletin boards, furniture) and/or the building itself will face adjudication, expulsion from College housing and/or criminal prosecution. In addition, the responsible Individual(s) will pay for any damage or replacement costs.

9.19. Fire Hazards

Motorcycles, automobiles, mopeds, gasoline, propane, flammable liquids and other similar items are not allowed in buildings, other than those facilities specifically designed for that intended purpose, and shall be removed at the owners' expense. Fire hazards, such as those associated with poor housekeeping, electrical hazards and improper use of cooking equipment, are addressed in a later section.

9.19.1 Battery-assisted Vehicles

Battery-assisted vehicles (*e.g.*, Segways, hoverboards, electric scooters, electric bikes, *etc.*) are not permitted on campus without written permission from Student Health Services, Environmental Health and Safety, or Accessibility Services. Battery-assisted vehicles can be a hazard to pedestrians or other vehicles, they can damage infrastructure, and present a fire hazard to the community. Battery-assisted motor vehicles are permitted and are regulated by the [Amherst College Traffic and Parking policy](https://www.amherst.edu/mm/46625) (<https://www.amherst.edu/mm/46625>).

9.20. Smoke Bombs and Bomb Threats

Any person who possesses and/or activates a smoke bomb in a building without the permission of the Amherst College Police Department, or any person who initiates a bomb threat, will be subject to criminal prosecution.

Calling in a bomb threat or planting a bomb or other incendiary device will result in criminal prosecution.

9.21. Fireworks

Any person possessing and/or discharging fireworks on campus will be referred for criminal prosecution.

9.22. Smoking

The use of any smoking material(s) is not permitted in, or within 25 feet of, any building at Amherst College.

9.22.1. The 25-foot rule is in place to protect building entrants from having to walk through second-hand smoke and to prevent the introduction of smoke into the air intakes of the campus buildings. Smoking is not permitted in student rooms or inside any portion of a building.

9.22.2. Faculty, staff and students who are being adversely affected by smoking can contact the Office of Environmental Health and Safety or the Office of Human Resources.

9.23. Sprinkler Systems

Sprinkler systems are life safety devices designed to discharge up to 20 gallons of water per minute during a fire.

9.23.1. The glass bulb or fusible link, if broken by heat or physical damage, will permit water flow.

9.23.2. Do not obstruct or hang anything from the sprinkler head or associated piping.

9.23.3. Do not place any items above, in front of or within 18 inches of a sprinkler head. Normal activity around a sprinkler head will not cause activation.

9.23.4. Striking a sprinkler head with a ball, stick or other similar object may cause significant water damage in the building. Obstruction of, damage to or tampering with a fire suppression system, such as a sprinkler system or fire extinguisher, is illegal.

9.23.5. In addition to potential criminal charges, the responsible individual(s) will pay for any damage or replacement costs for damage, obstruction or tampering with a fire suppression system.

9.24. Storage

Storage areas are monitored by the Amherst College Custodial Department, the Office of Environmental Health and Safety and the Town of Amherst. These storage areas must be properly maintained for fire and safety reasons.

9.24.1. Aisles must be adequate in width and passable.

9.24.2. Housekeeping must be maintained.

9.24.3. Empty combustible boxes must be discarded.

9.24.4. Storage cannot be placed within 18 feet of a sprinkler system.

9.24.5. Improper articles and items, as referenced on the doors and in this manual, shall not be placed in storage areas.

The Office of Environmental Health and Safety shall monitor these areas for code compliance and, when necessary, require the correction of noncompliant conditions, which are referenced above, at the expense of the residence hall or specific person(s). Items improperly stored may be removed or destroyed by the College. If the storage area must be addressed by the Custodial Department, the cost for corrective actions will be charged to the residence hall or the individual(s) responsible.

9.25. Biohazards

The inappropriate or intentional discharge, containment, or collection of a biohazard, such as urine, fecal matter, or other bodily fluid, is a significant health concern that is strictly prohibited on campus. Bodily fluid cleanup must be immediately addressed, as it is a public health issue.

9.25.1. Students who require a sharps container for disposal of needles/syringes and other sharps can request a Sharps Container from the Office of Environmental Health & Safety by calling (413) 542-8189. EH&S will also pick up the containers when full for disposal through our Biohazardous Waste disposal company.

9.26. Bugs, Rodents, and other Pests

The presence of bugs, rodents and other pests is typically related to poor housekeeping practices, such as leaving food out or not disposing of waste. Amherst College has an Integrated Pest Management (IPM) Program which focuses on using environmentally appropriate pest-control practices, not fungicides, insecticides and rodenticides. The College has contracted with an outside pest-control company that inspects the campus at least weekly and when requested for a specific emergency.

- If faculty, staff or students wish to report pest-related problems, they should contact the Facilities Department at (413) 542-2254.
- If a bug, insect, pest or rodent problem is attributed, or thought to be attributed to, poor housekeeping practices, the Office of Environmental Health and Safety will inspect the area(s) involved and will initiate corrective action to reduce the hazards.
- If more aggressive housekeeping is required or if the timeline for cleanup has not been met by the occupant(s) of the room(s), Office of Environmental Health and Safety will request the response of the Custodial Department, who will rectify the adverse health conditions at the expense of the residence hall or individual(s) responsible.

9.27. Hazardous Materials

Waste disposal at Amherst College is closely monitored and regulated by the Massachusetts Department of Environmental Protection (DEP) and the United States Environmental Protection Agency (EPA). Significant fines and regulatory actions can be levied against the College for improper disposal of hazardous and other regulated materials or waste.

The following items cannot be placed into trash containers or dumpsters on campus:

- Appliances/electronics
- Batteries, including alkaline and rechargeable
- Computer monitors
- Concrete
- Hazardous materials, including asbestos, chemicals, paint and oils
- Light bulbs (except incandescent)
- Metal (including pipes)
- Pesticides
- Recyclable materials

- Rocks, soil and stone
- Tires

Persons wanting to discard or recycle any of the items listed above must contact the Recycling Office at (413) 542–5038. Individuals responsible for improper storage, use and/or disposal of hazardous materials and waste may be required to pay the cost of cleanup and disposal.

9.28. Mold and Mildew Health Effects

For many people, mold is a significant concern. For those who are sensitive to its presence, it may trigger an asthma attack or initiate an allergic reaction. It can instigate coughing, eye irritation (itching and watering of the eyes), nasal stuffiness, throat irritation and/or skin discomfort. People who are immuno-compromised could develop serious lung infections that may be difficult, if not impossible, to treat.

Procedures for Reporting Leaks, Mold, and Mildew

Amherst College faculty, staff, students and visitors should always report the following non-emergency conditions to the Amherst College Facilities Department at (413) 542–2254 or servicectr@amherst.edu:

- Water damage and leaks, regardless of cause or potential source, both inside and outside the building
- Any drain- or sewer-related issues
- Decaying leaves, mulch or similar outside organic material outside of buildings around doors, windows and ventilation systems
- Standing water within 10 feet of a building

If the above-referenced condition is an emergency, such as a broken or leaking pipe, and it occurs after hours (3:30 pm to 7:00 am or on the weekend), then contact the Amherst College Police Department at (413) 542–2291. Amherst College will initiate the most appropriate response, depending on the type of emergency.

9.29. Odors

All odors should be reported to the Amherst College Facilities Department at (413) 542–2254. If the odors indicate potential emergencies, such as something burning, smoke or a potential hazardous material, immediately remove yourself from the area and contact the Amherst College Police Department at (413) 542–2111.

9.30. Pets

Because many people are allergic to animals and residence halls do not provide adequate space or security for the humane care of animals, no pets other than small aquarium fish or amphibians are allowed in residence halls, College houses or apartments. Absolutely no rodents or other nonhuman mammals are allowed in the residence halls. Aquariums or other cages for permitted pets may not use heat lamps. Note: Exceptions exist for service and support animals. Please see Section 8, *Support Animals*, for more information.

9.31. Inspections

Most residence hall fires begin in a student room. The cause could be careless disposal of smoking material, cooking equipment, candles or improper lights or wiring. Residents often believe that a fire will not take place in their building because the dormitory is constructed of brick and/or concrete. While it is true that the exterior is fire-resistant, the contents inside are not. Wastepaper baskets, sheets, futons, wall hangings and furniture are fuel sources for a potential fire; if ignited, each will allow smoke and flame to spread throughout a room, floor or building. Ignition sources include, but are not limited to, candles, extension cords, halogen lamps, hotplates, incense, space heaters, and smoke material.

Amherst College will inspect each means of egress, electrical room, recycling closet, student storage area and individual room to help maintain a healthy and safe living environment for all building residents. In addition, if the College receives a health- or safety-related complaint about an area or room within a residence hall, the College can and will inspect to rectify the hazardous conditions at the residents' expense. The Amherst College Police Department, Environmental Health and Safety Office and/or Student Affairs can inspect, correct and, if necessary, confiscate any item found within an area or room that poses a risk to the occupants of the area, room or building.

Annually, in cooperation with the Town of Amherst's Office of Inspection Services, Amherst College will inspect all academic and residential buildings on campus to obtain a Certificate of Inspection, which is required by the Commonwealth of Massachusetts. During this inspection, a comprehensive survey of all code and related health and safety issues is performed, work orders and appropriate notifications for issues of noncompliance are generated and corrective actions are initiated.

Environmental Health and Safety can and will inspect individual rooms or areas for fire, health, safety and sanitation reasons with or without prior notification of the occupant(s), depending on circumstances related to the above-identified conditions or complaints.

9.32. Appliances

For fire, health and safety reasons, the following appliances are not permitted in student rooms:

- Air conditioners
- Coffee makers and coffee pots without automatic shutoff
- Crock-Pots/slow cookers
- Doughnut makers
- Electric frying pans
- Gas appliances
- Grills
- Halogen lamps
- Hamburger makers
- Hotplates
- Immersion heaters
- Microwave ovens
- Popcorn poppers with oil
- Power strips without built-in breakers or fuses
- Refrigerators larger than 4.5 cubic feet
- Space heaters
- Sunlamps
- Toaster ovens
- Waffle irons

For fire and safety reasons, the following are not permitted inside Amherst College buildings, academic or residential:

- Overloaded extension cords
- Overloaded electrical outlets
- Outdoor lights
- Decorative lights, improperly installed

Appliances found in violation of these regulations will be confiscated and returned only at the end of the academic year.

- A \$25 fee for handling and storage will be charged when the device is returned. The College will dispose of all unclaimed articles after a one-year holding period.

9.33. Confined Spaces and Tunnels

Signs usually identify confined spaces on campus. These signs bear the word “Danger” and identify the spaces as being “Permit Required” or “Non-Permit Required.” Regardless of whether a confined space requires a permit, access to these areas, which can include the steam tunnels, manhole covers, some attics, all crawl spaces and parts of elevators, is prohibited. These areas are or can be extremely hazardous. Once inside, you can become lost or injured or even die. Only trained and authorized personnel are permitted in these spaces.

- Unauthorized “Confined Space” entry can result in criminal prosecution.

9.34. Construction

Students may not construct partitions, subdivide their rooms, construct additions that increase fire loads, install or modify electrical wiring or plumbing or alter “means of egress” (emergency exits). Each of these modifications increases the risk of fire or personal injury accidents.

9.35. Electrical

- Electrical cords must not pass through walls, through floors or above suspended ceilings.
- Electrical cords must not run beneath carpets or across corridors or fire escapes. This type of placement could cause a fire or personal injury accident. If temporary wiring is required, the cord must be run along the wall, not across an aisle or above ceiling tiles. If elevated, cords must be held up with a non-conductive material, such as string or tape, and may not run above a concealed space such as a drop ceiling.
- Electrical and mechanical closets and rooms are hazardous locations. They are not to be used for general storage, and they must be kept clean at all times to reduce the risk of fire.
- Electrical panels shall be properly maintained. In accordance with the Massachusetts Electric Code, there must be at least 3 square feet of space around any and all electrical panels, boxes, disconnects, fuses and other associated equipment.
- Faculty, staff and students who have questions about electrical closets, disconnects, panels, rooms or service should contact the Amherst College Facilities Service Center at (413) 542-2254.

9.36. Elevators

Elevators must be used appropriately to prevent damage. Do not block elevator doors open, such as when moving in or out of a building. Doing so will cause the elevator to stop working and shut down, which will require the recall of the outside elevator company, at the expense of the occupants of the residence hall.

For safety reasons, students should not:

- use arms, legs or any body parts to block, hold or stop the elevator doors from closing.
- block the elevator doors with any object, such as luggage, furniture, *etc.* Doing so causes elevators to shut down.
- remove lightbulbs or any other fixtures in elevators.
- participate in horseplay or cause excessive movement within elevators.
- push the emergency call button located inside the elevator except in case of an emergency.

In case of an emergency, emergency phones inside the elevators are automatically programmed to contact the Amherst College Police Department when the phones are picked up.

9.37. Roof and Porch Access

For safety and regulatory reasons, students are not permitted on the balconies, excluding the Valentine balcony, or roofs of Amherst College buildings, including residence halls. Damage to the roofs, unknown structural integrity problems and missing guardrails and handrails make climbing or walking out on roofs very hazardous. Amherst College has indicated, by posting stickers on window sills, that access to roofs is prohibited.

9.38. Security Screens

For the safety of students, security screens have been installed on grade-accessible and roof-level windows or other elevated areas of campus housing.

9.39. Housekeeping

Poor or improper housekeeping practices are the cause of many health, safety and sanitation issues. The Office of Environmental Health and Safety will inspect buildings at least annually and when requested to do so because of a complaint.

Environmental Health and Safety will initially coordinate cleanup efforts with the occupants of the area, building or room. However, if the corrective actions cannot be made by the assigned time, or the conditions warrant immediate response of the custodial department, the cost for cleanup will be assessed to the residence hall or the individual(s) responsible.

9.40. Kitchens

It is the responsibility of the students to properly maintain the kitchens and associated areas of residence halls. Countertops, cupboards, cutting surfaces, dishwashers, floors, ovens, pots and pans, refrigerators, sinks and stoves must be cleaned at least daily to lessen the risk of food-borne illnesses, and to discourage unwanted bugs and rodents. Failure to keep the kitchen area in proper sanitary condition could result in closing the kitchen and/or locking out the stove.

- Prepared foods placed inside the refrigerator must be properly covered in a tightly sealed bag or container, labeled (which have been provided by EH&S) and dated for health reasons.
- Dry goods such as beans, flour, nuts and rice should be packaged in their original containers, and if in bags should be placed into heavy duty plastic containers with tight fitting cover. Cabinets with doors can be provided to prevent rodent access to these food items. Contact EH&S for assistance in acquiring the storage containers.
- Cooking is permitted only in recognized kitchens and kitchenettes on campus, in both academic and residence halls.
- Exhaust fans must be utilized whenever cooking is performed.
- In accordance with the requirements of the Town of Amherst, no grease-producing food—including butter, oils, hamburgers, *etc.*—may be placed upon a stove, unless the exhaust system above the stove has an approved fire-suppression extinguishing system.
- In accordance with Massachusetts Building Fire and Mechanical Code regulations, stoves that are no longer approved, because of location, exhaust capability or renovations, must be removed, as they are considered to be noncompliant.
- For fire-safety reasons, cooking is not permitted in offices or student rooms.

- Amherst College residence hall kitchens cannot be used to prepare food for sale. The Town of Amherst Board of Health regulates the sale and distribution of baked goods, foods with dairy products and other consumable items that can be considered “potentially hazardous foods.” Any kitchen or other food-preparation area must be inspected and approved by the Town of Amherst before consumable items can be made and sold. Inspections are conducted by Dining Services and/or Environmental Health and Safety. If conditions warrant, the inspectors will notify Student Affairs and request corrective action within a specified time frame. If conditions do not improve, Student Affairs will have the Facilities Department correct the adverse conditions and charge the residence hall for the overtime. If conditions remain uncorrected, the inspectors can ask Student Affairs to temporarily or permanently close down the problem area.
- Typically, the Amherst College Food or Health Inspector will grant a specified period of time for students to clean their respective areas or kitchens. The permitted time shall not exceed 24 hours.
- Cleaning supplies for maintaining the kitchens can be requested from the Custodial Department. Ask your custodian for the supplies, or call (413) 542-2367.

If the area or kitchen is not cleaned or otherwise addressed in the time frame allotted, the kitchen will:

- Be closed and locked by Amherst College Police Department, Environmental Health and Safety or the Facilities Department.
- Be cleaned by the Custodial Department (off-hours) at the expense of the residence hall or individual(s) responsible.

9.41. Laundries

Laundry rooms must be properly maintained to prevent fire, health and sanitation problems.

- Washers should not be overloaded.
- Dryer lint traps must be cleaned after each use.
- Clothing should be dried thoroughly and not left (wet) on the floor or shelf.

Improper use of the equipment, such as overloading the washer or not cleaning out the lint trap, can cause a fire, and leaving wet clothing in the room will cause odors and draw bugs, including silverfish. Damage to a washing machine, a dryer or parts attached to it will result in the individual(s) responsible or residence hall having to pay for repairs.

9.42. Camp, Cooking, and other Outside Fires

Amherst College will permit outdoor camp fires, provided permission has been obtained in advance, through the Office of Environmental Health and Safety. The request must be made in advance by email, at least 2 days before the event, in order to provide additional departments and offices on campus with the necessary information regarding the outdoor fire. Outdoor fires are for camp and cooking fires only. These protocols cannot be used for a bonfire, which requires a fire truck with firefighters and a permit from the Amherst Fire Department. Outdoor camp and cooking fires are for Outing Club functions, health and wellness activities, resident counselor events and other appropriate venues. Outdoor fires will not be permitted for events at which alcohol will be present for fire and safety reasons.

9.42.1. The specific site for the fire must be approved by EH&S. A metal fire pit is recommended over the conventional type campfire. The use of charcoal, lighter fluid and propane gas is prohibited for campfires. Propane can be used for cooking fires, provided the cylinder is approved by the cooking equipment manufacturer.

9.42.2. Outdoor camp and cooking fires can be canceled, even after approval if weather conditions would potentially increase risk of fire spread. Amherst College Police Department, Environmental Health & Safety and/or Student Engagement and Leadership can rescind the approval if weather conditions are not appropriate.

9.42.3. The fire must be attended at all times. The assigned person must have fire extinguisher training, provided or approved by either the Amherst College Police Department or Environmental Health & Safety.

9.42.4. Before starting any camp or cooking fire, a designated representative from the group or organization must notify the Amherst College Police Department at (413) 542-2291.

9.42.5. The event coordinator will be responsible for the health, safety and well-being of the attendees for the duration of the outdoor fire.

9.42.6. The fire should be allowed to consume the wood used for the event, so limit the amount of wood used. When the fire has burned itself out, the event coordinator or designated person (identified by the event coordinator) shall ensure that the fire has been completely extinguished or covered with sand. After the fire is completely extinguished, the event coordinator must notify the Amherst College Campus Police (413) 542-2291 that the fire is out.

9.42.7. Do not empty the coals or embers into any waste container (bag, box, dumpster or trash can), as it will increase the risk of a dumpster or trash can fire.

9.42.7.1. Coals and embers can be placed in the metal containers, which are located near fireplaces.

9.42.7.2. BBQ's, hibachis, or other fire holding containers must not be stored in or within 25 feet of the building.

9.42.8. Adherence to the above requirements is mandatory. Non-compliance could result in the group or College losing our ability to have any out- door type fires, as regulated by the Amherst Fire Department.

9.42.9. Amherst College Grilling Areas: In an effort to reduce the risk of fire, health and sanitation concerns with regard to the use of grills and the grilling areas on campus, Amherst College has developed a procedure for the use of the grill stations that coincides with other protocols that include, but are not limited to; Camp and Cooking Fire Procedures, Food Allergy Awareness Training, Food Preparation and Safety Training, and Food Preparation for Small Events.

9.42.9.1. In order to utilize the Grilling Area, faculty, staff and students must first obtain permission and the key to unlock the grills from the Office of Student Engagement and Leadership at (413) 542-8317. The request must be made at least 7 days in advance.

9.42.9.2. Persons wishing to cook on the grill for persons other than themselves shall first complete the following online EH&S training sessions;

a. Food Preparation and Safety Training

b. Food Allergy Awareness Training, and to review

c. Food Preparation for Small Events (<https://www.amherst.edu/mm/568733>)

d. Person(s) preparing foods shall follow proper hygiene practices referenced in the above documents, which includes aggressive handwashing practices with soap and water

e. Person(s) involved in food preparation at the grill shall not be under the influence of alcohol

f. Person(s) preparing food shall not have open wounds (abrasions, blisters, cuts or sores)

g. Food items being prepared on the grill (after being fully cooked) can be placed (with clean utensils) into a clean aluminum pan/tray (holding tray) for people to take from.

- Selection of grilled items shall be removed from the holding tray using clean utensils

- Items placed into holding tray shall covered/protected from dust, dirt, bugs and other potential causes of contamination

- Items placed into the holding tray shall be rotated to ensure that the first cooked is the first consumed.
 - Items that remain in the holding tray shall be discarded after not more than 1½ hours
- h. Board of Health requirements prohibit animals (with the exception of “service” dogs) from being in an area where food is being prepared and served. Animals must remain 20 feet from the grill area.

9.42.9.3. In accordance with the requirements of the Camp and Cooking Fire Procedures referenced above, it is possible, even after approval for use, that the use of the grill area may be rescinded for one of the following reasons, as directed by the Amherst Fire Department;

- conditions are too dry to permit an outdoor fire
- conditions may be too windy
- Contact the Amherst College Police Department (413) 542-2291 to confirm appropriate weather conditions.

9.42.9.4. It is the responsibility of the requester to make sure that the area has been properly maintained at the end of the event by performing the following;

- cleaning up the grilling surfaces and the areas around same
- discarding all unwanted food items, condiments and containers
- cleaning the grill racks with the brush/scrapper provided
- discarding of the used coals in the “hot coals” waste containers
- relocking the grills to concrete base

9.42.9.5. Failure to clean the area and grill may result in the requester’s having to cover the cost of cleaning the grill and surrounding areas and/or loss of future grill use. Any person(s) using the grilling area and equipment should report any damage or deficiencies to the Amherst College Service Center at (413) 542-2254.

Section 10. Traffic & Parking

The responsible administrator for this section is the Amherst College Police Department. The Amherst College Police Department has approval authority.

The rules and regulations set forth in this policy have been developed to control traffic movement and parking for all persons utilizing the parking lots, roads and ways at Amherst College.

Anyone operating a motor vehicle on property owned, operated, or controlled by Amherst College is subject to these regulations unless otherwise exempt by State and Federal laws, except as otherwise provided herein. The General Laws of the Commonwealth of Massachusetts and the Rules and Regulations of the Registrar of Motor Vehicles shall apply to the College campus and other lands of the College. It is the responsibility of all persons utilizing the College parking facilities to be aware of these regulations and obey such regulations.

The complete [Amherst College Parking Regulations](https://www.amherst.edu/mm/46625) are found here: <https://www.amherst.edu/mm/46625>.

Section 11: Student Leadership & Organizations

The responsible administrator for this section is the Student Engagement and Leadership Office. Student Affairs has approval authority.

11.0. Introduction

Student Engagement and Leadership provides opportunities to engage students in the Amherst community. This includes facilitating access to inclusive co-curricular activities, leadership and advising support, as well as tools to support organizations.

Joining a Registered Student Organization (RSO) helps students to gain access to various benefits on campus (listed below). RSOs promote community building, leadership, social development and wellbeing. If an organization doesn't currently exist, students are supported in registering new organizations during the open registration period each semester (<https://www.amherst.edu/mm/35311>).

Key roles: RSOs primarily interact with the following College resources.

Student Affairs: Student Affairs is the parent division to the Office of Student Engagement and Leadership and oversees all aspects of student life including residential, counseling, and engagement support.

Student Engagement and Leadership Office: Provides resources and advising for all areas of student engagement including oversight of Registered Student Organization activities.

AAS: Association of Amherst Students, the student government of the Amherst College student body. The AAS oversees the distribution of the Student Engagement and Leadership Fee and policies about its use. AAS Senators, sit on various College committees that help inform all areas of College policy.

Athletics: The Department of Physical Education and Athletics offers recreational, intramural, club, and intercollegiate activities. Club Sports is a subcategory of Registered Student Organizations that is overseen by the Director of Club Sports and supported in tandem with the Director of Student Engagement and Leadership.

Benefit: RSOs and Intramural groups obtain access to the resources below. Non-registered student groups may be denied certain campus resources

- Room reservations in Virtual EMS
- Student Engagement and Leadership funding [all students may access AAS Discretionary Funding (<https://www.amherst.edu/mm/78855>) regardless of organizational affiliation]
- Transportation resources
- Online presence: RSO groups have access to the HUB's resources, which helps organizations to share updates about their organization and manage their group members, promote events
- Access to Get Involved Fair: this resource is used to help with recruiting and making your organization more visible on campus

11.1. Definitions

Registered Student Organization (RSO): A RSO is a group of actively enrolled students at Amherst College who share a common purpose or interest. A RSO has been approved to operate by Student Engagement and Leadership. Additional information about Registered Student Organization can be found on the Club and Club Recognition (<https://www.amherst.edu/mm/480001>) page of the Amherst Association of Students (<https://www.amherst.edu/mm/78026>) website.

Athletics Team: An athletic team includes any of the teams recognized by the Department of Physical Education and Athletics and any intramural sports organization.

Student Group: The umbrella term for athletic teams, registered student organizations, and theme communities in the residence halls.

Non-registered Student Group: A group of students who share a common purpose or interest but have not completed the student recognition process. These groups are ineligible for the resources and benefits of an RSO; however, they are free to associate and assemble in accordance with College policies related to the privileges and responsibilities of enrolled students.

11.2. Policies

The Association of Amherst Students (AAS): <https://www.amherst.edu/mm/78026>

Association of Amherst Student Budgetary Committee: <https://www.amherst.edu/mm/78357>

Co-Sponsorship: Co-Sponsorship is a funding agreement to support an organization (RSO or non-RSO) or an individual's program on or off-campus. Co-sponsorship funds are offered through AAS, Student Engagement and Leadership, Campus Activities Board, and various departments on campus.

Durable Goods Policy: Student Engagement and Leadership provides limited storage areas in various locations on campus in support of group materials purchased either through the Association of Amherst Students (AAS) Budgetary Committee or the Office of Student Engagement and Leadership co-sponsorship funding. All items purchased through either source are the property of the AAS and Amherst College respectively. Student group leadership, designated through individual group rosters reflected through The Hub (thehub.amherst.edu) are the ultimate arbiters in how those items are stored and maintained across leadership transitions. In the case that a group is no longer in good standing with Student Engagement and Leadership for a year or more, all items purchased and/or stored in designated storage areas revert to oversight by Student Engagement and Leadership in conjunction with AAS approval for the repurposing and/or deaccessioning of purchased goods up to and including measures of recycling or disposal.

Once items have been identified by Student Engagement and Leadership as being in possession of a group no longer in good standing, Student Engagement and Leadership will reach out with reasonable efforts to communicate intentions of the aforementioned actions. Outreach will be made to currently enrolled students who are listed in the group's roster on their Hub page and given a week for a response. Students who are still enrolled and were previously on the roster for defunct groups have the right to suggest reuse or repurposing for a currently registered organization or independent activity registered through Student Engagement and Leadership and open to the whole student body. Final approval of those suggestions for repurposing is granted through Student Engagement and Leadership.

Facilities and Grounds Use Policy: This document sets forth principles for the use of Amherst College facilities and grounds. The intent of this policy is to promote responsible use of the college's facilities and grounds, enable the college to better know what events are occurring across campus, identify events that will necessitate logistical support (e.g., security planning, IT, etc.), and limit unauthorized uses by individuals who are not affiliated with the college. <https://www.amherst.edu/mm/575836>

FCC Expectations for Student Media Broadcast: Students who broadcast from Amherst College are expected to utilize the training received from Student Engagement and Leadership and the WAMH Executive Board. Additionally, federal law prohibits obscene, indecent, and profane content from being broadcast on the radio or TV.

Congress has given the FCC the responsibility for administratively enforcing these laws. The FCC may revoke a station license, impose a monetary forfeiture, or issue a warning if a station airs obscene, indecent, or profane material. The College may take disciplinary action against individual students—and/or against WAMH collectively as a student organization—for actions that the College determines are contrary to applicable FCC laws, regulations, and/or rules.

Fronting Policy: Student organizations are expected to fully participate in their programs and activities. As such, student organizations may not front for another cause and must follow the Amherst College Fronting Policy (<https://www.amherst.edu/mm/597479>).

Funding: Funding for student activities is facilitated primarily through the AAS Budgetary Committee through Club Budget and Discretionary allocations but can be supplemented in some cases through Student Engagement and Leadership Co-Sponsorship once AAS resources have been exhausted.

General Funding Guidelines: <https://www.amherst.edu/mm/480003>

Hazing Policy: Hazing members of an organization is a serious violation of state law and College policy. Student Organizations must follow the Amherst College hazing policy. <https://www.amherst.edu/mm/531894>

Illicit Activities: Amherst College students are expected to share with the College when they observe activities that seek to steal, defraud, or undermine the College's educational mission. Reports can be sent to the College (anonymously or not) through the College's reporting portal (<http://amherst.edu/go/reporting>).

Posting Policy: Campus advertising and posting is a privilege. Student Organizations must follow the Amherst College posting policy (<https://www.amherst.edu/mm/564496>).

RSO Open Membership: The AAS and Student Engagement and Leadership maintains an open membership policy by which any student expressing interest in the organization must, within reason, be able to take part in group activities to some extent. In the case of audition-based organizations, it is expected that any interested student must be able to audition.

For those organizations that have restricted skill-based membership that ultimately excludes participation in the group at some level (*e.g.* dance performance groups), they will not be permitted access to the AAS Club Budget or Discretionary fund. However, Student Engagement and Leadership will consider co-sponsorship requests on a case by-case basis for those groups included in this category.

RSO Names: RSOs are given the opportunity to change their name when they re-register their organization during the fall semester. If RSOs wish to change their organization's name, they can email studentactivities@amherst.edu to request a name change. Student Engagement and Leadership reserves the discretion to change RSO names at any time and for any reason.

Student Organization Storage: Amherst College has limited storage space and in general does not provide storage to student organizations. Petitions for storage space or for student organization office space can be sent to studentactivities@amherst.edu.

Timing

Events are eligible for Student Engagement and Leadership, AAS, and CAB co-sponsorships and space reservations (via EMS) throughout the academic calendar when classes are in session (this excludes events prior to the start of academic year and after the last day of classes for fall and spring semesters).

Travel Policy and Resources: Any RSO planning to travel domestically for group related activities (e.g. regional competitions, conferences) must register their plans for travel with Student Engagement and Leadership through their Hub page (<https://thehub.amherst.edu/>) and follow up with outreach to the Director for a meeting to discuss travel arrangements as well as viability for College sponsorship and potential AAS funding support. Please note that extracurricular travel does not supersede priority for academic responsibilities. Student Engagement and Leadership cannot advocate for alternative arrangements for academic deadlines or other responsibilities for RSO/student group travel.

In order for Student Engagement and Leadership to provide travel arrangements and funding support not provided through the AAS, students taking part in travel must complete a field trip waiver through Five College Inc. and initiated by the the Director (<https://www.fivecolleges.edu/riskmgmt/field-trips-domestic-travel/field-trip-waivers>)

Five College Inc. Domestic Travel Information:

<https://www.fivecolleges.edu/riskmgmt/field-trips-domestic-travel>

International Travel: International travel is not supported by AAS funding and requires special permission granted by the Director of Student Engagement and Leadership. A meeting with a member of the Five College Risk Management team as well as the Director is required before consideration of approval can be granted. Prior to approval, the following must be established with Student Engagement and Leadership and Five College Inc. Risk Management: health insurance, general liability, AIG Travel Guard, evacuation/repatriation. (https://www.fivecolleges.edu/riskmgmt/intltravel/student_intl).

Five College Inc. International Travel Information:

<https://www.fivecolleges.edu/riskmgmt/intltravel>

Visual Identity Toolkit: Student organizations have limited use of the College likeness and name when operating their student organizations, recruiting membership, marketing, and advertising events. Student organizations must follow the Amherst College [Visual Identity Toolkit](https://www.amherst.edu/mm/553318) (<https://www.amherst.edu/mm/553318>) when using the College's likeness, name, or reputation in their materials. The College reserves the discretion to limit use of its registered trademarks and/or service marks at any time and for any reason. This includes usages that, in the College's sole judgment, imply a connection to Amherst College.

11.3. Resources

Creating a Student Organization

<https://www.amherst.edu/campuslife/our-community/keefe/organizations>

Space Reservations: The Office of Student Engagement and Leadership utilizes the Virtual Event Management System (EMS) for all student event space reservations (Powerhouse, Ford Hall Event Space, Friedmann Room, O'Connor Commons). Event space reservations are prioritized for RSO use.

Virtual EMS:

<https://ems.amherst.edu/EmsWebApp/Default.aspx>

For all other reservable spaces - Booking Space at Amherst:

<https://www.amherst.edu/mm/35311>

Funding Sources: The AAS Budgetary Committee is the primary funding source for RSOs. In many cases, Student Engagement and Leadership is able to supplement remaining funding needs depending upon the nature of the request. In unique circumstances where the request is outside of the scope of what AAS and Student Engagement and Leadership can viably support while maintaining equity of access for others, the Director of Student

Engagement and Leadership may prescribe alternative sources of funding. Other sources should not be sought before exhausting the aforementioned primary sources.

Funding an Event:

<https://www.amherst.edu/mm/117500>

RSO Executive Board Resources:

[Template for RSO Constitution.docx](#)

HUB:

<https://thehub.amherst.edu/>

11.4. Student Profit-Making Enterprises

Amherst College does not permit students to operate businesses, profit-making enterprises, nor sell in College residences. The College does not permit the use of College resources for student-operated businesses or enterprises.

Chapter II. Conflict Resolution Processes

Introduction to Conflict Resolution Processes

Parties to conflicts are strongly encouraged to exercise their best will and seek to resolve disagreements as amicably and directly as possible. When a student is a party to a conflict, Student Affairs is available to help reach such resolutions. The following processes are available to students, faculty, and staff who need or desire the structure that a grievance process provides when direct resolutions are inappropriate or impossible. All reports made to Amherst College are reviewed and action is taken based on information known or learned about the report.

Any student who may require an accommodation to participate in a College process should contact Accessibility Services and the respective primary point of contact listed below. Any student who may require language translation or interpretation services should contact the respective primary point of contact listed below. Any staff or faculty member who may need these services should contact Human Resources.

All communications and notices required by these procedures may be made electronically, in hard copy, or in person. Conflict Resolution Processes will primarily be communicated through official College email. Students are expected to check their official College email on a regular basis.

Multiple factors influence the appropriateness of which of the resolution pathways might be initiated to resolve a conflict. The affiliation or role of the parties to a conflict is one such factor. Whatever factors may emerge as influential, College officials associated with each process can assist interested parties in making informed decisions.

Resolution Pathways

Adaptable Conflict Resolutions (ACR)

ACR is a voluntary, remedies-based, structured interaction between or among affected parties that balances support and accountability without traditional disciplinary action. ACRs include conflict coaching, facilitated dialogue, restorative circles or conferences, shuttle negotiation, mediation, and accountability circles. The primary point of contact for information about this procedure is Community Standards, communitystandards@amherst.edu.
<https://www.amherst.edu/mm/500781>

The Community Standards Adjudication Process (CSAP)

The CSAP can be initiated only against Amherst College students, Five College students enrolled in Amherst College courses who are alleged to have violated standards of academic integrity, or Amherst College student groups and only for allegations that are not covered by the *Interim Title IX Policy*. The primary point of contact for information about this procedure is Community Standards, communitystandards@amherst.edu.
<https://www.amherst.edu/mm/500781>

The Interim Title IX Policy

Amherst College students alleged to have engaged in sexual misconduct may be adjudicated by the Interim Title IX Grievance Process described in Section 13. The primary point of contact for information about this procedure is the Title IX Coordinator, (413) 542-5707. <https://www.amherst.edu/mm/335912>

The Resolution of Student Grievances with Members of the Faculty

If a student believes their rights under the Honor Code have been violated by a faculty member, they should consult the Dean of Students or the Provost and Dean of the Faculty at (413) 542-2334 about the procedures for resolving their grievances, as described in Section 15, *The Resolution of Student Grievances with Members of the Faculty*.
<https://www.amherst.edu/mm/80807>

The Resolution of Student Grievances with Administrators, Staff, or Visitors

If a student believes they have been aggrieved by a member of the administration or staff, they should consult the Chief Human Resources Officer at (413) 542-2372. See Section 16, *The Resolution of Student Grievances with Administrators, Staff, or Visitors* for additional details. The section of this code dealing with sexual harassment (Section 3, *College Sexual Misconduct Policy*) also provides guidance for students who believe that they have been harassed by members of the faculty, the administration, or staff. <https://www.amherst.edu/mm/41895>

Section 12. Adaptable Conflict Resolutions (ACR) & The Community Standards Adjudication Process (CSAP)

The responsible administrator for this section is the Office of Community Standards. Student Affairs has approval authority.

Terms

These terms in Section 12 apply only to Section 12 of this code. Some terms also exist in Section 13, but may be defined differently as required by policy and law. Additionally, terms defined in Section 30 apply to this section.

Administrative Hearing: An adjudicative hearing between a respondent and an administrator from Student Affairs, often a member of the Office of Community Standards. Administrative Hearings are one of two types of hearings, the other being the Panel Hearing, that are offered in the Community Standards Adjudication Process.

Advisor:

1. For matters covered by the Non-Title IX Sexual Misconduct Addendum, any person (including, but not limited to, a privately-retained attorney) may serve as an Advisor;
2. For all other matters, any person from the Amherst College community (current faculty, staff, administrators, or students) may serve as an Advisor.

Advisors may be present with their advisee during an administrative or panel hearing and at related meetings outside a hearing. Advisors do not address the Administrator or the panel during a hearing, nor do they speak on behalf of their advisee. Advisors may assist in preparing for the case and provide support throughout the process. Advisors are present to assist, advise, and support.

Aggrieved Party: A person directly impacted by the alleged behavior of a reported student or respondent.

Community Standards Review Board (CSRB): The CSRB is the College's adjudication board that hears allegations of academic integrity violations, discriminatory misconduct, interpersonal violence and harassment, and other community standards violations that do not relate to the Amherst College Title IX Policy. Composed of a pool of students, staff, and faculty, a panel of the CSRB will be convened when the nature, circumstances, and potential outcomes for a case require the augmented process that the panel hearing can offer.

Complaint: This is a written document that initiates the Community Standards Adjudication Process and contains sufficient information regarding the allegations of instances of violative behavior to permit the respondent to reasonably understand the allegations being brought against them and to permit them to adequately respond.

Complainant: Amherst College serves as the initiating party, or Complainant, of the Community Standards Adjudication Process.

Designees: Persons who might serve in place of another. All references to the Dean of Students and the Director of Community Standards in these processes include the dean, director, or their designee.

Honor Code: The Honor Code, represented in the *Student Code of Conduct* in Section 1, and authored by the College Council, represents Amherst College's core values language that authorizes the creation and stewardship of specific community standards and procedures that adjudicate or resolve alleged violations of those standards.

Institutional Action: A sanction issued to a student by the Community Standards Adjudication Process or the Title IX Adjudication Process that places the student on the status of disciplinary probation, suspension, or expulsion, or a decision issued by the Committee on Academic Standing that separates a student from the College by dismissal (see Section 14, *College Sanctions*).

Supportive, Temporary, or Emergency Measures: These measures are actions taken by the College that are intended to restore or preserve equal access to the College's educational program or activities, including the work environment. These measures may be available regardless of where the alleged conduct took place and regardless of whether or not aggrieved individuals choose to pursue a resolution through a College process. These measures may include, but are not limited to:

No Communication and Restricted Proximity Order (NCRPO);
Academic, employment, or residence modification;

Emotional support; and
Interim separation / investigative leave.

Even when a College community member does not specifically request these measures, the College may choose to implement them, at its discretion, in the interest of the safety and/or wellbeing of any individual and/or the broader College community. In considering and implementing these measures, the College will value the wishes of involved individuals, overall fairness, and every community member's equitable access to educational and/or employment opportunities. The Dean of Students or designee assigns these measures.

No-Communication and Restricted Proximity Order (NCRPO): The purpose of this College-issued order is to eliminate direct contact and reduce chance encounters between involved persons in a conflict. Simultaneously, this document is intended to provide sufficient structure and strategies for all involved persons to navigate the campus as regularly as possible. The NCRPO may or may not be the result of a College adjudication process and, therefore, may or may not be considered a sanction.

Non-Title IX Sexual Misconduct Adjudication Addendum: The Sexual Misconduct Adjudication Addendum (<https://www.amherst.edu/mm/648617>), for non-Title IX sexual misconduct matters, is a supplement to the Community Standards Adjudication Process, the Staff Grievance Policy, and the Faculty Grievance Process. Where language between the addendum and these processes differ, the addendum governs.

Official or Agent of the College: Any person from the Amherst College community (current faculty, staff, contracted employees, administrators, or students) serving in a role or function in support of a College program. For example, Community Advisors and Orientation leaders are agents of the College when engaging in activities directly related to those roles' responsibilities.

Panel Hearing: One of the two hearing types (the other being the administrative hearing) in the Community Standards Adjudication Process. Panel hearings are initiated when the nature, circumstances, and potential outcomes for a case require the augmented process that the panel hearing can offer. The panel is composed of the Chairperson and members of the Community Standards Review Board.

Respondent: An Amherst College student or a Five Colleges student with an academic relationship with Amherst about whose alleged behavior a complaint has been filed for adjudication in the Community Standards Adjudication Process. The respondent is found responsible or not responsible for each allegation made against them in the adjudication.

Sanction or Outcome: A status change, restriction, or requirement assessed by the Community Standards Review Board or a Student Affairs Administrator as the result of a College process.

Student: Any person who matriculated at the College and is pursuing a degree from the College or any person who is not officially enrolled for a particular semester, but who has a continuing academic relationship with the College. Student status terminates when a person who has not yet received a conferred degree by Amherst College matriculates at another institution of higher education, on the date of a person's commencement, or upon the date of the expulsion of a person as the result of a College adjudication process. Additionally, the College may determine that an affiliated individual is a student, for the purposes of this Code, based on a review of that person's relationship with the College, as in the case of a Five College's student who is alleged to have engaged in academic dishonesty in an Amherst College course.

Witnesses: A witness is a person who has information that is directly related, as determined by the Office of Community Standards, to the facts of the conflict being adjudicated.

Review of Reported Behavior and Pathways Analysis

When Student Affairs receives information related to student behavior that may violate the *Code* or other College policies, appropriate administrators review that information. Based on this review, Student Affairs may:

- gather additional information,
- initiate supportive, temporary, or emergency measures,
- assign an investigator,
- assign an Adaptable Conflict Resolution administrator,
- assign a Community Standards Adjudication Process administrator,
- refer the report to the Civil Rights and Title IX Office,
- take no further action.

At any time the College may change pathways or end a process.

In determining a pathway, multiple factors will be considered by the College. These factors may include, but are not limited to: the wishes of those who have alleged experiencing harm, the nature of the alleged behavior, the seriousness of the alleged behavior, the presence of similar substantiated behaviors in the alleged student's College conduct records, the safety of the community, and other factors unique to a case that serve the College's educational purpose. At the discretion of the College, a student may be required to notify their parents, guardians, or emergency contact of the violations or alleged violations of the *Student Code of Conduct*. The Office of Community Standards may also discuss the matter with the parents, guardians, or emergency contact in its sole discretion and in compliance with the Family Educational Rights and Privacy Act.

Investigation Process

The Community Standards Adjudication Process (CSAP) is implemented by the Office of Community Standards and addresses allegations of the *Student Code of Conduct* violations. When the College believes that adaptable resolutions or restorations are inappropriate or infeasible, the CSAP is available so the involved persons can benefit from the structure that the process provides.

The Office of Community Standards (OCS), at its discretion, will initiate an investigation to gather additional data about reported behaviors.

Purpose of Investigations:

The purpose of an investigation is to gather information from available sources including, but not limited to, persons who were directly involved with the alleged misconduct, who have information directly related to the reported behavior, and to compile this information into a report.

Investigator:

The investigation will be conducted by a trained person who is either an Amherst College administrator or a contracted non-Amherst College person, as case volume and case nature requires. The College may assign one or more investigators. An investigator may not decide on an appropriate resolution pathway, serve as the administrator of an administrative hearing, serve as an ACR coordinator, nor chair or be a voting-member on a panel hearing of a case for which they served as the investigator.

Role of the Investigator:

The investigator will coordinate the gathering of information from the persons or entities who may have relevant knowledge of the allegations using any of the methods listed below. The investigator will take particular care to seek to understand the alleged experienced harm. The investigator will share information and descriptions of experienced harm, relevant to the allegations in the report, with the involved persons, when possible, for comment or rebuttal.

Relevant Information:

Relevant information is information that may assist an administrative hearing or panel hearing in determining whether it is more likely than not that a reported student is responsible for the alleged *Code* violations in the report.

Information Sharing:

College personnel will take reasonable steps to protect the privacy of persons and information. Involved persons should understand that the disclosure of information learned during an investigation or a hearing may compromise the integrity of the investigation and could also be construed as retaliation. For these reasons, the College expects that persons will not disclose nor re-disclose information learned during the course of the investigation or during a hearing. All persons are, of course, free to discuss their own personal experiences. The College will disclose limited information about outcomes to reporting parties about outcomes when appropriate.

Document/Records Review:

In addition to reviewing any documents submitted by involved persons, the investigator will determine whether to seek other records which may be relevant to the investigation, including, but not limited to: obtainable police records; electronic or other records of communications between involved persons or witnesses; or records of other potentially relevant information. In seeking to obtain such evidence, the investigator will comply with applicable laws and Amherst College policies.

Site Visits:

The investigator may visit sites or locations of potential relevance to the allegations in the report and record observations through writing or technological means.

Interviews of Involved Persons:

Involved persons are expected to be interviewed separately by the investigator. The investigator may offer the involved persons the opportunity to participate in more than one interview. Interviews may be conducted in person or by technological assistance. Involved persons who are Amherst College students will be expected to serve as witnesses if a complaint is generated after the investigation. Amherst College alumni and non-Amherst College Community reporters may serve as witnesses. If an involved person fails to meet and cooperate during an investigation, the investigation will proceed nonetheless.

Interviews of Witnesses:

The investigator will make a good faith effort to contact and interview any identified witnesses, including those persons no longer enrolled in or employed at the College and persons who may not have any affiliation with the College. Involved persons will have the opportunity to provide witness names to the investigator. The investigator may also interview any other person believed to have relevant information.

The investigator will inform each witness or other persons interviewed that they are prohibited from retaliating against the reporting person, any involved persons, or other witnesses. The investigator has discretion to decline to interview witnesses who are identified for the sole purpose of providing character evidence, to provide expert opinions, or those whom the investigator believes, after discussion with the requesting involved person, have no relevant information. Interviews may be conducted in person or by technological assistance.

Experts:

The investigator may contact any expert they determine is necessary to ascertain the facts related to the report or other information the investigator determines is necessary to assist an administrative hearing or a panel hearing in determining whether it is more likely than not that the reported person is responsible for the allegations in the report.

Mental Health Records:

The College will not require that students disclose medical and counseling records, which are privileged and confidential documents; such records cannot be shared with anyone other than the treating professional unless the patient agrees to disclosure. Therefore, students should be aware that there are legal implications to agreeing to share and produce privileged records in whole or in part. The production of partial records may lead to the waiver of privilege and the production of additional records. Students are encouraged to seek advice from a knowledgeable source about the possible consequences of releasing this type of information. A person who, after due consideration, believes that their own medical or counseling records would be helpful in determining whether misconduct occurred may voluntarily decide to present their own medical or counseling records to the investigator. The investigator will review the records and will use discretion to determine what information, if any, is relevant to the potential assessment of reported behaviors. Only the records deemed to be relevant to the assessment of reported behaviors will be included in the investigation report. If a person decides to produce such records, the records must be produced in their entirety. The production of excerpts or selected documents is unacceptable and will not be considered. A person who does not wish to provide substantive medical records may decide to voluntarily provide a verification of therapeutic or medical services to the investigator, confirming simply that such treatment occurred, but not providing any details regarding the treatment.

Investigation Report

Contents

The investigator may prepare a report summarizing and analyzing the relevant information determined through the investigation and referencing any supporting documentation or statements. The report may include: summaries of interviews with the involved persons, third-party witnesses, experts, and any other persons with relevant information; photographs, audio content, or video content of relevant sites or physical evidence; and electronic records and forensic evidence. The investigator may provide a summary of their impressions including context for the information. The investigator will not make a determination as to whether or not an alleged violation occurred; that decision is reserved for a panel hearing or an administrative hearing if a complaint is filed.

Report Review

Upon submission of the report to the Office of Community Standards, the Office will determine which of the following courses of action are appropriate:

- No further action
- Adjudication via an administrative hearing
- Adjudication via a panel hearing
- Referral to an Adaptable Conflict Resolution process
- Referral to Civil Rights and Title IX Office

Matters involving the Non-discrimination and Harassment Policy, significant community impacts, interpersonal violence, or cases where suspension or expulsion may be a potential sanction are more likely to be adjudicated via a panel hearing.

Adaptable Conflict Resolution

Adaptable resolution is a voluntary, remedies-based, structured interaction between or among affected parties that balances support and accountability without traditional disciplinary action. Adaptable conflict resolution is generally designed to allow a student to acknowledge harm and accept responsibility for repairing harm, to the extent possible, experienced by another member of the community. Adaptable conflict resolution is designed to eliminate the prohibited conduct, prevent its recurrence, and remedy its effects in a manner that meets the needs of the involved parties while maintaining the safety of the campus community.

ACR processes such as conflict coaching, mediation, facilitated dialogue, restorative circles, and accountability circles allow individuals involved in a conflict to have significant influence and control over the resolution process and outcomes.

Participation in an ACR process is voluntary and may or may not result in an agreement or resolution. When a mutually satisfactory resolution is reached and approved by the Office of Community Standards or the office that performed the ACR, the case is resolved. Resolutions reached through ACR may not be appealed.

If resolution is not achieved through an attempt at ACR and the matter involves a pending violation of the *Student Code of Conduct*, the Office of Community Standards may refer the matter to the Community Standards Adjudication Process.

Acknowledgement of Harm

If the responding student is in general agreement with the reported allegations; is in general agreement about how to resolve the conflict and restore the community, as represented by the Office of Community Standards; and the Office of Community Standards agrees that the allegations are appropriate for an adaptable conflict resolution, the responding student has the option of entering into an agreement. In resolution by agreement the responding student acknowledges the harm caused by their behavior and agrees to fulfill outcomes that are developed with the input of the responding student, the aggrieved parties, and the Office of Community Standards. All agreements will include information related to the allegations, the type of adaptable conflict resolution used, the parties involved in the resolution, the outcomes agreed upon, and the timeline for completing them.

Considerations for Adaptable Resolutions

The Office of Community Standards generally will agree to adaptable resolutions where the Office believes the conduct is appropriate for an adaptable resolution and when the following is recognized:

- The goal of the adaptable conflict resolution is to address prohibited conduct, identify harm caused to individuals and the community, and develop a resolution agreement that addresses that harm and prevents its recurrence.
- Participation is voluntary and participation may be documented in writing. Participation can end at any time. If a party withdraws from an adaptable conflict resolution, the process may revert to a hearing.
- The information gathered during an adaptable resolution cannot be used in any other College process, including a hearing, if the adaptable resolution ends.
- Adaptable conflict resolutions are most effective when the involved parties are able to have structured interactions and discuss their perspectives directly.
- The College will not pressure or compel any party to engage in mediation, to directly meet or confront another party, or to participate in any particular form of adaptable conflict resolution.
- Adaptable conflict resolutions should have tailored outcomes to meet the unique needs and interests of the involved parties.
- Adaptable conflict resolution agreements have outcomes designed to repair harm and prevent the recurrence of harmful behavior.

Adaptable Conflict Resolution Options

Adaptable resolutions may include one or more of the following approaches:

- **Conflict Coaching:** A one-to-one skill building session designed to support one's ability to engage in, manage, and resolve conflict. The focus is on supporting a student experiencing conflict in developing their own strategies of navigating that conflict prior to any intervention by the College into the conflict.

- Facilitated Dialogue: A structured and facilitated conversation between two or more individuals. The focus is often on providing a space for voices to be heard and perspectives to be shared. Depending on stated interests, the participants may sometimes work towards the development of a shared agreement, although working towards an agreement is not always the intended outcome.
- Restorative Circle or Conference Process: A facilitated interaction where the individuals who have experienced harm can come together with an individual(s) who assumes responsibility for repairing the harm to the extent possible. A circle or conference may include multiple members of the community to explore individual and community impact, harm, obligations, and opportunity for repairing them. Parties must agree on all those who will be present.
- Shuttle Negotiation: An indirect, facilitated conversation individually with the parties, and/or other participants to discuss experience and perspective and explore interests while working towards meeting expressed needs. This negotiated process does not require direct interaction between the parties or the parties and other participants, but rather, independently, with a coordinator.
- Accountability Circles: A facilitated interaction between a respondent and College staff designed to provide accountability, structured support, and the development of a learning plan. The focus of an accountability circle is to balance support and accountability for an individual who has acknowledged their obligation to repair harm and willingness to engage in an educational process.

Some outcomes that could result from ACR agreements include

- Alcohol or drug education classes
- Regular meetings with an appropriate College office or resource
- Permanent extension of a no communication and restricted proximity order
- Restriction from participation in specific clubs and/or organizations
- Restriction from participation in particular events
- Restrictions related to on-campus housing
- Completion of an educational plan
- Other collaboratively developed, educational opportunities

Adaptable Resolution Agreement Finalization

Any agreements reached in an adaptable resolution must be documented. For matters involving alleged violations of the *Student Code of Conduct*, the Office of Community Standards must approve the resolution before any agreement will be considered valid.

Failure to comply with agreements may result in a violation of the *Student Code of Conduct*. If no agreement is reached, the matter may be referred to the Office of Community Standards for further action. Once an agreement is approved, the parties are bound by its terms and cannot request a hearing or additional adaptable resolutions.

To fairly assess pattern or systemic behavior, the Office of Community Standards will maintain records of all reports and conduct referred for adaptable resolution.

Community Standards Adjudication Process (CSAP)

Initiation of an Adjudication

If an adjudication is warranted, the Office of Community Standards will initiate a CSAP administrative hearing or panel hearing on behalf of the College against students or student groups. The College retains full discretion to initiate or to not initiate an adjudication and, in all matters, the College is always the Complainant.

Reporting

Potential concerns should be reported as soon as possible. Only admitted students who have an ongoing academic relationship with the College can be named as respondents for adjudication.

Timing

Students who are named as respondents and who are not active in a semester because of a leave will have an opportunity to engage the CSAP before returning to an active semester or to delay their engagement with the CSAP until they are again active in a semester.

If the College adjudicates a respondent who is a second semester senior, the College will, in most instances, withhold that student's Amherst College diploma or the release of official transcripts pending the conclusion and outcome of the CSAP.

Contents of a Complaint

A complaint is a written document that initiates the Community Standards Adjudication Process and contains sufficient information regarding the allegations of instances of violative behavior to permit the respondent to reasonably understand the allegations being brought against them and to permit them to adequately respond. The complaint will indicate the name of the accused student(s); the date(s) or approximate date(s) on which the alleged behavior occurred; a description of the alleged behavior; and the location at which the alleged behavior occurred, if known. Further, the complaint will indicate which section(s) of the *Student Code of Conduct* the College alleges the respondent(s) violated. It is not required that the complaint reflect every detail included in an investigation report, if one was produced.

Jurisdiction

Amherst students have a responsibility to adhere to local, state, and federal laws while on campus or off campus. The College cannot protect Amherst students, nor other persons, from the consequences of violations of local, state, or federal law.

Amherst students are responsible for their actions and behavior, whether the behavior in question occurs on campus or in another location. In addition to the expectations set by the *Student Code of Conduct*, Amherst students are also subject to the regulations and procedures set forth in domestic or international study away programs.

Amherst College students, when studying or visiting on the campus of one of the Five Colleges or attending a College-related event for one of the Five Colleges, will be subject to Amherst College policies as well as the policies of the visited institution. In cases of academic integrity allegations, the institution that hosts the course will implement their own adjudication, and Amherst may separately adjudicate its students separate from the host institution's process.

The College reserves the right to initiate its own adjudication or restorative process, at its own pace, and regardless of the prospect or the pendency of civil or criminal proceedings, against a student accused of violating the *Student Code of Conduct*. A respondent who is also facing a criminal charge or the possibility of a criminal charge is advised to seek legal counsel at the student's expense before participating in any College adjudication.

Students who withdraw from the College after an adjudication has been initiated for an alleged violation of the *Student Code of Conduct*, but before the adjudication has been resolved in accordance with the CSAP, will be allowed to re-enroll only at the discretion of the Dean of Students or their designee.

Student Group Adjudication

A student group and its officers and membership may be held collectively and individually responsible when alleged violations of the *Student Code of Conduct* by the organization or its member(s):

- Take place at organization-sponsored or co-sponsored events, whether sponsorship is formal or tacit; or
- Have received the consent or encouragement of the organization or of the organization's leaders or officers; or
- Were known or reasonably should have been known by the membership or its officers.
- Hearings for student groups follow the same CSAP procedures. In any such action, individual determinations as to responsibility will be made, sanctions may be assigned collectively or individually, and those sanctions will be proportionate to the involvement of each individual and the organization.

Withdrawal of a Complaint

Prior to the date of an administrative or panel hearing, the College may withdraw the complaint. Withdrawal of the complaint will end the CSAP. The College will inform the respondent, aggrieved parties, and witnesses (as appropriate) in a timely manner of its decisions.

Responding to a Complaint

Notification to a Respondent

The person or persons against whom the complaint is filed are called respondents. Respondents will be notified that a complaint alleging violations of the *Student Code of Conduct* has been filed against them.

Information for Respondent

In addition to giving notice of a complaint to the respondent, the College will also request a meeting with the respondent to:

- provide the respondent with a copy of the complaint
- discuss the respondent's opportunity to submit a written response to the complaint within 72 hours
- discuss the nature of the complaint
- explain the CSAP
- explain the respondent's right to select an advisor as defined above, and at their own expense, if applicable
- explain the rights and responsibilities of the College and the respondent
- explain the prohibition against retaliation
- instruct the respondent not to destroy any potentially relevant documentation in any format
- refer the respondent to the location of relevant policies
- provide the investigation report if one exists

If a respondent refuses to meet or otherwise cannot meet with the Administrator within a reasonable period of time from the filing of the complaint, as determined by the Administrator, then the Administrator will provide the respondent, via electronic mail to the respondent's official Amherst College electronic mail address, a copy of the complaint in addition to the information in the list above in *Information for Respondent*. The respondent has the opportunity, though is not required, to submit a written response, which must be submitted no later than 72 hours from the date and time the respondent was provided the complaint. If a respondent fails to meet and cooperate with the Administrator or investigator, the adjudication of the complaint will proceed nonetheless.

Acceptance of Responsibility

At any point during the CSAP, the respondent may choose to accept responsibility for the behaviors alleged in the complaint. If the respondent accepts responsibility for the behaviors alleged in the complaint, the College will convene an administrative hearing, a hearing panel of the Community Standards Review Board to determine any sanctions, or, if the Office of Community Standards approves, an Adaptable Conflict Resolution pathway.

The chart below provides information regarding options for the respondent in the 72-hours following delivery of the Complaint.

Respondent's Choice	Effect of Choice on CSAP
Deny responsibility for all alleged violations of the <i>Student Code of Conduct</i> .	The CSAP proceeds to an administrative hearing or panel hearing to evaluate the respondent's responsibility. Any determination of responsibility for one or more violations of the <i>Student Code of Conduct</i> will result in the assignment of sanctions.
Deny responsibility for some, but not all, of the alleged violations of the <i>Student Code of Conduct</i> .	The CSAP will proceed to an administrative hearing or a panel hearing to evaluate the respondent's responsibility for the denials. The administrative hearing or the panel hearing will assign sanctions for the admitted responsibility as well as to any new responsibility determinations.
Accept responsibility for all alleged violations of the <i>Student Code of Conduct</i> .	The CSAP will proceed to an administrative hearing or a panel hearing for the assignment of sanctions for the admitted responsibility. Or, if the Office of Community Standards approves, an Adaptable Conflict Resolution pathway.
Submit a written response, without explicitly accepting or explicitly denying responsibility for one or more alleged violations of the <i>Student Code of Conduct</i> .	The CSAP proceeds to an administrative hearing or a panel hearing to evaluate the respondent's responsibility. Any determination of responsibility for one or more violations of the <i>Student Code of Conduct</i> will result in the assignment of sanctions.
Reject opportunity to submit a written response.	The CSAP proceeds to an administrative hearing or a panel hearing to evaluate the respondent's responsibility. Any determination of responsibility for one or more violations of the <i>Student Code of Conduct</i> will result in the assignment of sanctions.

The Community Standards Review Board

The Community Standards Review Board (CSRB) is the College's adjudication board that hears allegations of academic integrity violations, discriminatory misconduct, interpersonal violence and harassment, and other community standards violations that do not relate to the Amherst College *Interim Title IX Policy*. The CSRB is composed of faculty appointed by the Provost, students appointed by the Association of Amherst Students, and students and staff selected by Student Affairs. Staff members will not be considered for empanelment for cases involving academic integrity. Student Affairs may remove any CSRB member at any time for any reason.

Composition of the CSRB for a Hearing

When a panel is convened, the Dean of Students or designee serves as its nonvoting Chairperson. The Chairperson is joined by 5 voting panel members, three of whom are students, and two of whom are faculty or staff, depending on whether the case relates to academic integrity.

Faculty

The faculty members of the CSRB will be appointed by the Provost's office. They will typically serve three-year terms, and their terms, when possible, will be staggered so as to maintain continuity from year to year.

Students

Student members of the CSRB will be chosen by one of two mechanisms, election or appointment by the Association of Amherst Students (AAS) or selection by Student Affairs. Students typically serve two or three-year terms.

Staff

Staff members will be self-nominated or nominated to the Office of Community Standards on an ongoing basis. The Director of Community Standards will appoint staff members to the CSRB on a rolling basis. Staff generally serve a two-year term.

Ad Hoc Panels

The CSRB is typically active only when classes are in session. Hearings are not regularly scheduled during final examinations or recesses. Occasionally, an Administrator or a respondent may desire an expedited resolution during a period when the CSRB is typically inactive. In these circumstances and at their discretion, the Chairperson may provide voluntary, alternative mechanisms for conflict resolution, including the assemblage of ad-hoc panels, provided the respondent agrees to the proposed alternative.

Ad hoc panels may be composed of Amherst College students, staff, or faculty, whether they are derived from the CSRB or not. Panel compositions and hearing timings as described above may be adjusted at the discretion of the Dean of Students or designee. Ad hoc panel members will be familiarized with relevant policies and procedures prior to their service.

Preparation for a Panel Hearing or an Administrative Hearing

The preparation for a hearing is an important period of time during which a respondent should consider the following opportunities and expectations of the College and of the respondent alike.

Potential Conflicts of Interest

Respondents and aggrieved parties will be offered the opportunity to challenge the empanelment of a member of the CSRB on the basis that they are unable to be impartial because of an actual or perceived interest in the outcome of the case. Prior acquaintance does not, in and of itself, constitute such actual or perceived conflict of interest.

Once it is determined that a panel hearing will be initiated, the Administrator will provide potential CSRB panelists' names and titles/roles to the respondent. Any challenge must be submitted in writing within 48 hours of receiving the list of potential CSRB panel members. The Chairperson will rule on the challenge, and if the challenge is accepted, take appropriate steps to secure a replacement. If the individual serving as Chairperson is challenged, the Chief Student Affairs Officer or designee may appoint a substitute Chairperson for the panel hearing. The respondent will have the opportunity to raise a new challenge for any replacement for 48 hours after learning the name of a replacement.

Notice of Hearing

All panel hearings will be scheduled as soon as is practicable. At least seven days prior to the scheduled hearing date, the College will provide the respondent with a written *Notice of Hearing*, which will include the date, time, and location of the hearing. The *Notice of Hearing* will also include the names of the CSRB panel members and Chairperson, along with their College roles/titles.

Administrative hearings will be scheduled between the respondent and the administrator directly.

As described in the *Responding to Complaints* section, adjudications will proceed, at the discretion of the Office of Community Standards, even if the respondent or other parties do not participate.

Panel Hearings are Audio-Recorded

The College will audio-record hearings before the Community Standards Review Board. The Community Standards Review Board's deliberations are not audio-recorded. Hearing participants may not separately record the hearing.

Participation In-Person or Via Technological Assistance

Persons may participate in hearings via in-person participation or via technology-assisted participation.

Rescheduling a Hearing

If the respondent or the Administrator finds cause to request the rescheduling of a hearing, the request must be made in writing to the Office of Community Standards. The Office of Community Standards retains full discretion to reschedule or to not reschedule the hearing. This decision is final.

The Standard Used to Determine Responsibility

All CSAP hearing outcome determinations will be made on the basis of the preponderance of evidence standard, that is, whether the alleged violation was more likely than not to have occurred.

The Decision to Refrain from Answering Questions or Offering Statements at a Hearing

Participants may decline to answer any question or to make any statement during the hearing. The outcome of the hearing will be based upon the information available during the hearing.

The Presentation of Information

The College or the respondent may learn new relevant information about a matter before a hearing begins. Should the Administrator or the respondent wish to submit new relevant information at the panel hearing, they must first request approval from the Chairperson. The CSRB panel will not consider information unless the respondent has been advised of its content and source, and has been given the opportunity to respond during the panel hearing.

Witness Participation at a Hearing

Witnesses may participate at a hearing in person or by technological assistance. A respondent who requests the participation of a witness must provide the name and contact information of the witness to the Administrator before the conclusion of the respondent's written response period (72 hours). The respondent's decision to forfeit the opportunity to submit a written response will have no influence on the deadline by which to identify witnesses.

The College may identify witnesses for participation in the hearing.

All persons called to give testimony during a hearing are expected to provide complete and truthful testimony. A student called as a witness who fails to testify or who testifies untruthfully may be found responsible for violating the *Student Code of Conduct* (see Section 2.7).

Evidence and Witnesses

Involved parties must submit all evidence and any information about witnesses within 48 hours of the notice from the Office of Community Standards that a matter is going to be resolved by the Community Standards Review Board. Unsubstantiated and unadjudicated reports of other behavior may not be submitted as evidence and will not be considered in any hearing.

Bias and Scope of Evaluated Information

The respondent will be adjudicated with fairness and based upon the information available during the hearing. The respondent will have the opportunity to respond at the hearing to all information conveyed during the hearing procedure.

CSRB Hearing panelists and administrative hearing officers will be trained on issues including: the CSAP procedures, the standard of evaluation, fairness, bias and implicit bias, and the importance of making decisions based only upon the information made available to them during the hearing.

Receiving Advice and Support from an Advisor and Others

Respondents and, in some cases, aggrieved parties may select an advisor as set forth above. Advisors may be present during the hearing and at related meetings outside the hearing. Advisors may not address the Community Standards Review Board and may not speak on behalf of their advisee. Advisors may assist their advisee in preparing for the case and may provide support throughout the entirety of the process. Advisors, regardless of their training or professional skills, may not serve as advocates but the role of the advisor is to assist and support their advisee. In the Community Standards Adjudication Process, an Advisor may not be a privately-retained attorney except in cases where the Non-Title IX Sexual Misconduct Addendum applies.

Participants may consult with persons who are not their Advisor. Those consulted may be members of the Amherst College community or not. Though only one Advisor may support an advisee at a hearing, parties are encouraged to build a support network around them, composed of various persons.

If participating by means of technological assistance, their Advisor may participate (in person in the hearing room or also by technology). Requests to the Chairperson may be made to consult with others during a hearing. If the request is granted, such consultation must occur outside the hearing.

A member of the College's Office of General Counsel may be present at the panel hearing to provide legal counsel to the Chairperson and/or CSRB, at the discretion of the Chairperson.

CSRB Hearing Procedure

Parties will receive timely and equal access to relevant information that will be used to determine the outcome of the complaint.

The Chairperson of the CSRB panel will preside in all hearings. The Chairperson will maintain decorum during hearings and will be the final arbiter of all questions of policy, standards, and procedure. The Chairperson makes decisions about the admission or exclusion of information and witness testimony. The CSRB, under the guidance of the Chairperson, may consider any testimony or evidence it has reason to believe is trustworthy and relevant.

In general, Community Standards Review Board hearings will proceed in the order outlined below. However, the Chairperson retains discretion to alter the order of the hearing process, as needed.

1. Chairperson's welcome to all participants
 - a. Introductions of all participants
 - b. Presentation of the *CSRB Purpose Statement*
 - c. Direction to all participants to read and agree to the *Confidentiality Statement*
 - d. Opportunity for questioning about procedures

Note: Witnesses will leave the hearing room at this juncture.

2. College's Presentation, offered by the Office of Community Standards

3. Respondent's Presentation
 - a. Opening statement by respondent (optional)
 - b. CSRB panel members question respondent

4. Witnesses appear individually
 - a. Witness offers summary of their involvement (optional)

- b. CSRB panel members question witness
- c. Respondent questions witness

5. Chairperson offers a final opportunity for any additional questions to the respondent or any witnesses (as provided for in the steps above) and reminds participants that no questions will be permitted during or after the closing statements. No new facts nor evidence may be brought forward by the parties in their closing statements.

6. Closing statement of Aggrieved Parties

7. Closing statement of respondent

8. Closing remarks by Chairperson

- a. The CSRB panel will deliberate privately to determine responsibility.
- b. If the respondent is found not responsible for all alleged violations, the CSRB panel will end the CSAP, and the hearing is adjourned. The respondent will receive written notification of this outcome.
- c. If the respondent is found responsible for one or more alleged violations the CSRB panel will initiate deliberations about sanctions, either immediately or at a later date. The respondent will receive written notification of this outcome, including the rationale for the finding and sanctions.

Appeals Process

The respondent may appeal the outcome of an administrative hearing or a panel hearing. For hearings involving Non-Title IX Sexual Misconduct, the aggrieved party or parties have the same appeal opportunities as the respondent. All academic integrity appeals and any appeal of a hearing panel are directed to the Provost and Dean of the Faculty. Appeals of non-academic integrity-related decisions made by an administrative hearing are directed to the Chief Student Affairs Officer or designee.

Grounds for Appeal

An appeal may come forward based on the following grounds:

- Material procedural error (*i.e.*, a procedural error of such significance that, but for the error's occurrence, the hearing could have resulted in a different outcome);
- Bias, or conflict of interest, by an Administrator or the Chairperson of the CSRB, or a member of the hearing panel (*i.e.*, the administrative adjudicator, the chair or a member of the Hearing Board demonstrated through specific words or actions that they were predisposed for or against one of the parties);
- New information (*i.e.*, information has been discovered that: 1) is relevant; 2) is substantive; 3) was not previously known by the appellant; and 4) was not previously available to the appellant);
- Inappropriateness of the sanction (*i.e.*, the sanction is disproportionate to the gravity of the violation(s) for which the respondent has been found responsible).

Appeal Deadline

Appeals must be submitted as a written statement to the Provost and Dean of the Faculty or Chief Student Affairs Officer as appropriate and must state the grounds and reason for the appeal, within seven calendar days from the date of the written finding.

Response to Appeal

Upon receipt of the statement of appeal, the Provost and Dean of the Faculty or Chief Student Affairs Officer will review the official records of the Administrator or the CSRB panel's proceedings and other materials bearing on the

case as necessary. The Provost and Dean of the Faculty or Chief Student Affairs Officer may interview the involved parties, witnesses, or anyone else involved in the hearing process, including the CSRB panel members.

For an appeal of an academic integrity decision by an Administrator, the Provost and Dean of the Faculty may refer the case to a panel of the CSRB, consisting of two faculty members, one of whom will act as voting Chairperson, and one student. For an appeal of a Panel Hearing decision, the Provost and Dean of the Faculty may refer the case back to the original panel with instructions or may direct that the case be reviewed or reheard by a different panel of the CSRB. In the case of any such referral, the panel of the CSRB will report its findings and recommendations to the Provost and Dean of the Faculty, who will resolve the appeal.

The Provost and Dean of the Faculty or Chief Student Affairs Officer will render a decision with such terms as they determine to be appropriate. The Provost and Dean of the Faculty's or Chief Student Affairs Officer's decision is final, and no further appeal will be permitted.

Records

A copy of all findings and outcomes will be kept in a confidential file in Student Affairs. Generally, only suspension and expulsion are recorded on a student's transcript. Otherwise, except as permitted or required by Title IX, the Family Educational Rights and Privacy Act, subpoena, or any other applicable law, a student's conduct record is confidential and no information from this record will be released without the consent of the person about whom the record was created.

Non-Title IX Sexual Misconduct Addendum

This Sexual Misconduct Adjudication Addendum, for non-Title IX sexual misconduct matters, is a supplement to the Community Standards Adjudication Process, the Staff Grievance Policy, and the Faculty Grievance Process. Where language between this addendum and these processes differ, this addendum governs. The College retains the discretion to resolve ambiguities regarding whether this addendum applies in any particular matter.

1. **Investigations:**

1. Parties shall be provided equal opportunity to inspect and review information obtained as part of an investigation that is directly related to the allegations brought forward in the adjudication

2. **Decision-makers and investigators will receive not less than annual training on issues related to sexual misconduct, investigatory procedures, and hearing procedures, where applicable.**

3. **Presumption of Non Responsibility:**

There is a presumption that the persons accused of violating the College's Nondiscrimination and Harassment Policy are not responsible for the alleged conduct until a determination on the matter is made at the conclusion of the relevant process.

4. **Advisors:**

Parties to a sexual misconduct adjudication may be supported by an advisor of their choice. The College retains the discretion to set rules regarding an advisor's participation in the process.

5. **Standard of Evidence: The following standards of evidence will be used in resolving charges of non-Title IX sexual misconduct:**

1. Charges against students: Resolved by the Community Standards Adjudication Process using the preponderance of the evidence standard.
2. Formal complaints against staff: Resolved by the Staff Grievance Policy using the preponderance of the evidence standard.
3. Formal complaints against faculty members: Resolved by the Faculty Grievance Process using the clear and convincing standard.

6. Information Presented For Resolution of Complaint:

1. Parties to a grievance shall have an equal opportunity to present information and/or witnesses. In cases where the College is the moving party, the person(s) aggrieved by the alleged behavior may serve as a witness and shall have equal opportunity to present information and/or other witnesses.
2. Parties will receive timely and equal access to relevant information that will be used to determine the outcome of the formal complaint.
3. The College retains the discretion to limit the use of certain information including, but not limited to, the use of information related to a party's prior sexual history and character evidence.
4. Parties shall not verbally question each other during any phase of the adjudication process.

7. Notification of Outcome:

Parties to a non-Title IX sexual misconduct adjudication shall be informed, in writing, of the results of the adjudication not later than seven business days after a final determination of the complaint, not including any time for an appeal, unless there is good cause for the delay. Any delays shall be communicated to the parties. The notification of outcome will include information regarding the process for appealing the decision, if applicable.

8. Confidentiality:

The College will not disclose the identity of the parties, except as necessary to carry out disciplinary proceedings or as permitted under state or federal law.

Section 13. Interim Title IX Grievance Process

This Interim Title IX Grievance Process governs Formal Complaints of Title IX Prohibited Conduct that are filed against Amherst College students, faculty, and staff. The purpose of this interim process is to provide the community with a process to investigate and resolve all formal complaints of Title IX Prohibited Conduct that is consistent with applicable legal requirements.

As described in more detail below, Formal Complaints of Title IX Prohibited Conduct are resolved by different Decision Makers, depending on whether the Respondent is a student, staff, or faculty member. For ease of comprehension, when possible this policy refers to "Decision Makers." The term Decision Makers in this policy refers collectively and interchangeably to the Title IX Student Hearing Board, the Title IX Staff Decision Maker, and the Title IX Faculty Hearing Board, as applicable.

The full policy can be found here: <https://www.amherst.edu/mm/631784>

Contact Laurie Frankl, Director of Civil Rights & Title IX Coordinator, 413-542-5707, for more information.

Section 14. College Sanctions and Corrective Actions

The responsible administrator for this section is the Office of Community Standards. Student Affairs has approval authority.

14.0. Introduction

The Director of Community Standards, Student Affairs administrators, the Community Standards Review Board, or the Title IX Hearing Boards adjudicate most cases involving violations or alleged violations of the *Student Code of Conduct* and are empowered to assign sanctions and corrective actions to respondents found to have violated provisions of the code. If a student is found responsible for a violation of the *Student Code of Conduct* and is assigned a sanction, the sanction takes effect immediately and remains in place until it is completed, expires, or is vacated through an appeals process. For violations of intellectual responsibility, the instructor is responsible for assessing any course consequence. In some cases, where a finding is not made (*i.e.*, cases where medical amnesty is

applied), the College may still require students to engage in corrective actions (see Section 4.4, *AOD Medical Amnesty Statement*).

This section lists some of the sanctions and corrective actions that may be imposed upon students or student groups. The College reserves the discretion to impose more stringent or different sanctions or corrective actions depending on the facts and circumstances of a particular case. Sanctions for student misconduct under the *Student Code of Conduct* are generally cumulative in nature.

14.1. Warning

A written warning that will be considered in determining sanctions if future violations occur.

14.2. Financial Restitution

Monetary reimbursement to a person or to the College for damage or loss of property or the abridgment of a person's use or access to the use of property or a service.

14.3. Limitations on Participation or Loss of Privileges

A student may be prohibited from living in residence, accessing particular areas of campus, participating in intramural or intercollegiate athletics, entering Housing Selection, campus parking, eating at Valentine and/or participating in other College activities, including attending campus events.

14.4. Community Restitution and Other Alternatives

The adjudicator of a case can assign particular forms of community work, on or off campus, and a number of hours to be worked. The adjudicator will be responsible for supervising the student's implementation of the community restitution. The adjudicator may also require attendance, when appropriate, at educational workshops or similar opportunities suitable to the nature of the infraction.

14.5. Educational Project

A student may be required to complete a project or research/reflection paper.

14.6. Residential Probation

This status describes the respondent as not in good standing with their living unit over a specified period of time. Further violations of housing regulations while a student holds this status may result in escalated consequences including disciplinary probation, residence reassignment, denial of residence on campus, or suspension.

14.7. Disciplinary Probation

This sanction consists of a warning in writing which specifies that further infractions of the *Student Code of Conduct* during a student's time at Amherst will, in most instances, lead to suspension, dismissal or, in very serious cases, expulsion from the College. A student on disciplinary probation may be barred from some or all extracurricular activities for a defined period.

14.8. Course Penalties

Acts of cheating, plagiarism, or other forms of violation of academic integrity should result in the student receiving a failing grade. The recommended sanction for a violation of academic integrity is failure for the course, though grade penalties are always assigned solely at the discretion of the instructor. All such acts will be part of the student's conduct record in Student Affairs official record. The Community Standards Review Board panel or the Director of Community Standards may assign other sanctions as well, depending on the seriousness of the offense and the student's previous record. **Note:** Course penalties are not available sanctions to the Community Standards Adjudication Process. All grade related matters are solely the purview of the course instructor.

14.9. Denial of Residence on Campus

A student who violates community standards associated with residential and/or social life at the College or involving respect for persons, or who is found to have engaged in sexual misconduct, may be required to vacate their residence and be denied permission to live on campus, either for a specified time or permanently. Other sanctions may be assigned as well, but if residential denial is the only sanction, the student will continue to be enrolled as a degree candidate and will be allowed to attend all academic exercises.

14.10. Suspension

The rights and privileges of being a student at Amherst College may be suspended for a specific period of time, the minimum of which will be to the end of the current semester. Conditions may be added to a suspension. The student must leave the campus and may return at the end of the period of suspension without petitioning for return. During the period of suspension, the student is not permitted on the Amherst College campus, except with advance written permission from the Dean of Students or designee.

14.11. Withholding of Degree

In student conduct cases involving second-semester seniors when probation or suspension might otherwise be assigned, the College may withhold the student's Amherst College degree for a specified period of time. When this occurs, the student may be permitted to remain on campus to complete the requirements for the degree, although its award will be delayed.

14.12. Dismissal

A student may be required by the Committee on Academic Standing to leave the campus for at least one semester and must petition for return at the end of that time. The student may be required to fulfill particular obligations while away from the College and to provide evidence of having done so, along with evidence of their readiness to return to Amherst and to meet its standards. During the period of dismissal, the student is not permitted on the Amherst College campus, except with advance written permission from the Dean of Students or designee. Dismissals are assigned only by the Committee on Academic Standing. **Note:** Dismissal is listed in this section to distinguish it from suspension. However, dismissal is not an available sanction to the Community Standards Adjudication Process nor the Interim Title IX Grievance Process.

14.13. Expulsion

Expulsion is the permanent termination of student and degree-candidate status at Amherst College. It may be imposed only in the most serious of cases or when a student has been suspended or dismissed previously and commits another offense judged to be worthy of a second suspension or dismissal. A student expelled from Amherst College is not permitted on campus, except with advance written permission from the Dean of Students or designee.

14.14. Deferred Sanction

In some cases, a sanction may be held in abeyance for a specified period of time. This means that if the student is found responsible for any violation of College policy during that period of time, the student will be subject to the deferred sanction without further review of the prior case in addition to the disciplinary action appropriate to the new violation.

Section 15. The Resolution of Student Grievances with Members of the Faculty

The responsible administrator for this section is the Office of the Provost and Dean of the Faculty. Amherst College faculty have approval authority.

I. Informal Resolution

Student grievances that do not involve sexual harassment or sexual misconduct against members of the faculty can be resolved through informal or formal procedures. Students are encouraged to seek informal means of resolving

grievances and are urged to consult with other persons who would be able to provide competent advice or referral concerning the issues involved. Such persons might include the Dean of Students, a Class Dean, a member of the faculty (sometimes, especially, the student's faculty advisor or the chair of the student's major department) or a member of Residential Engagement & Wellbeing.

If a student decides that there are no grounds for submitting formal charges, or if he or she believes that such grounds exist but nonetheless does not wish to submit formal charges, he or she is encouraged to resolve the matter through informal means, with the consultation and assistance of such persons as those listed above. The pursuit of such informal resolution does not prevent the aggrieved student from submitting formal charges at a later date if informal resolution fails.

II. Submitting Formal Charges

If informal procedures fail to resolve the grievance and if, after consultation with the Provost and Dean of the Faculty, the student wants to proceed with the grievance, he or she may submit formal charges against a member of the faculty. The complaint should be directed to the Provost and Dean of the Faculty and should contain a full written description of the nature and grounds of the grievance.

Throughout the informal procedures for the resolution of grievances, both the student and the faculty member may each be accompanied and represented by an Advisor of his or her choosing from among the Amherst College faculty, administration, staff or student body, and the student may be accompanied and represented by such an Advisor in the presentation of formal charges to the Dean. Upon receipt of such charges, the Provost and Dean of the Faculty will provide written copies to all of the parties against whom the complaint is directed. Within one week of receiving a formal charge, the Provost and Dean of the Faculty will proceed as follows:

If the Dean deems the charges insufficiently serious or insufficiently supported by evidence to warrant a formal hearing, he or she decides the matter him/herself. This decision can be appealed to the President.

If the Dean determines that the charges, if proven, are sufficiently serious that, for cause, the imposition of either dismissal, suspension from service for a stated period, demotion in rank or deprivation of pay would be warranted, he or she shall immediately initiate the procedure for the imposition of such sanctions as provided in Section III, I.2 of the Faculty Handbook.

If the Dean deems the charges insufficiently serious to raise the possibility of such severe sanctions, but sufficiently supported by evidence to warrant a formal hearing, he or she shall explore with the aggrieved student and the accused member of the faculty the possibility of resolving their dispute through an alternative dispute-resolution procedure, including arbitration by the Dean. This procedure, however, must include: an explicit time schedule; may not result in the dismissal, suspension from service, demotion in rank or deprivation of pay of the faculty member charged; and may not provide for further review thereafter. The parties shall have one week in which to agree on such a procedure. If they do, the grievance will not come before a Hearing Board. If they do not, the Dean will notify the chairs of the Committee on Adjudication and the Community Standards Review Board of the necessity of forming a Hearing Board within 5 business days thereafter. Immediately upon the formation of the Hearing Board, the Dean will forward the grievance to it.

In order to protect the integrity of a potential appeal, once formal charges are submitted to the Provost and Dean of the Faculty, he or she must not discuss the case with the President. In the case of a complaint against the Provost and Dean of the Faculty, his or her role in all phases of the grievance procedure will be assumed by the President. Similarly, the President's role as the officer to whom appeals are directed will be assumed by the Board of Trustees.

III. The Hearing Board and Hearing

The Hearing Board shall be composed of three faculty members, chosen by the Chair of the Committee on Adjudication from among its members, and two students, selected by the Community Standards Review Board from among its members. The Chair of the Committee on Adjudication will normally not sit on a Hearing Board in order to be available to serve on appeals, should they arise.

Each Hearing Board will elect its own chair. The Chair of the Hearing Board will preside over the hearing, maintaining good order and recognizing who is to speak, and will be responsible for keeping a summary record of the proceeding. A verbatim transcript may be taken at the discretion of the Chair and will be taken if requested by a member of the Hearing Board or by either party to the dispute.

A faculty or student member of the Hearing Board may be disqualified for bias or a conflict of interest in response to a challenge brought by one of the parties (or may deem herself or himself disqualified for either of the same reasons). The Chair of the Committee on Adjudication shall decide any such challenge to a faculty member and shall appoint a replacement from among the members of that Committee or, in exceptional cases where no alternative member of the Committee is available, the Committee of Six will appoint a substitute from the faculty at large; the Chair of the Community Standards Review Board shall decide any such challenge to a student member and shall appoint a replacement from among the student members of that Committee, or, in exceptional circumstances where no alternative member of the Committee is available, the College Council will appoint a substitute from the student body at large.

The Hearing Board shall have the right to request information concerning allegations, to question witnesses and to ask for written accounts of alleged violations. It is expected that both the Complainant and the accused will be present at the hearing, but if the accused chooses not to attend, the hearing may continue in his or her absence. The Board may consider any testimony or other evidence it believes has a probative value not outweighed by unfair prejudice, except (1) any written or oral statement made by any member of the College community in confidence to an official of the College, with the mutual understanding that it was made in confidence, shall remain confidential if the original maker of the statement so chooses, and the Board shall not consider it, and (2) the Board shall not have access to the confidential personnel file of the faculty member against whom charges have been made. The Board has the right to call witnesses and to oblige any member of the College community to appear. The burden of proof rests with the Complainant and will be satisfied only by clear and convincing evidence in the record as a whole.

The Provost and Dean of the Faculty will present the formal charges to the Hearing Board, thereby initiating formal proceedings which will normally begin within three weeks of the formation of the Hearing Board.

All hearings of the Board will be confidential except when both parties to the dispute request open hearings and the Chair of the Hearing Board concurs. All members of the College community are reminded that, except in the case of an open hearing, any breach of confidentiality may threaten the fairness of the process. All parties are expected to refrain from any action, intentional or inadvertent, which might threaten the confidentiality of the proceedings. The Chair may close an open hearing at any time if he or she determines that the presence of spectators interferes with the conduct of the hearing or might undermine the integrity of the process.

Prior to the hearing, the Chair will inform both parties of the following rights:

1. The right to receive a copy of the formal charges, a copy of the Hearing Board's procedures and notice of the time and location of the hearing. This information must be delivered at least 15 days prior to the date of the hearing.
2. The right to present their case to the Hearing Board at the earliest possible date consonant with the right to advance notice. Although the Chair will insure expeditious progress of the proceedings, either party may petition the Chair for more time to prepare his or her case.

3. The right to select a member of the Amherst College faculty, administration, staff or student body as an advisor and to have that advisor present during the hearing. Advisors may assist the parties in preparing the case. Advisors are present at the hearing not to serve as legal counsel, but to support and advise the parties. Advisors have the right, however, to address the Hearing Board and to address questions to witnesses.
4. The right to challenge any member of the Hearing Board with bias or a conflict of interest in the case. (Prior acquaintance or knowledge of the facts of the matter do not necessarily constitute conflict of interest, absent a showing of an actual conflict of interest.) The Chair of the Committee on Adjudication will rule on the challenge of any faculty member of the Hearing Board, and the Chair of the Community Standards Review Board will rule on the challenge of any student member.
5. The right to have any decision based solely upon evidence introduced at the formal hearing.
6. The right to present evidence; to call, hear and question witnesses; and to review and question all written testimony or documents. The Board will not consider anonymous statements made on either side of the case. All parties must be aware of the specific source and content of all testimony.
7. The right to appeal the decision of the Hearing Board under procedures described in Section VI below.

Normally, hearings will be concluded within two weeks.

IV. The Finding

The Hearing Board will reach a determination as to responsible or not responsible, and, if the former, a recommendation for an appropriate course of action to remedy the harm done to the Complainant and to protect other members of the College community, including a recommendation, if necessary, of any disciplinary action to be taken against the faculty member, within one week of the close of the formal hearing. The Hearing Board may not itself, however, recommend the imposition of dismissal, suspension from service, demotion in rank or deprivation of pay, but may recommend that the Provost and Dean of the Faculty initiate the procedure established for that purpose. A determination of responsibility requires a majority vote of the Hearing Board. The Hearing Board will prepare a written report summarizing the evidence, its determination of responsible or not responsible and its recommendation for a disposition. Any member of the Hearing Board who disagrees with the majority opinion must file an accompanying written minority report. The report and minority report(s) must be signed.

The report(s) will be directed to the Provost and Dean of the Faculty, who will forward copies directly to the parties.

The finding may be appealed by either party in accordance with procedures specified below (Section VI, *Appeals*).

V. The Disposition

If the Hearing Board recommends that the Provost and Dean of the Faculty initiate the procedure for dismissal, suspension from service, demotion in rank or deprivation of pay for cause provided in Section III.I.2 of the Faculty Handbook, the Provost and Dean of the Faculty shall do so as soon as practicable, and there shall be no other review of this disposition other than the initiation of such proceedings and the review provided therefrom. Such subsequent proceedings shall be conducted de novo without regard to the procedure of the Hearing Board described above.

In all other cases, the Dean shall review the Hearing Board's finding(s), report and recommendations (if any) and whatever relevant information may be contained in the faculty member's confidential personnel file, normally within one week of receipt of such finding(s), report and recommendations. The Dean may implement a disposition of the case different from that recommended by the Hearing Board (but not dismissal, suspension, demotion in rank

or deprivation of salary) only after notifying it of his or her intention to do so, providing written reasons for the same and providing the Hearing Board an opportunity to reply. Both parties will be informed, in writing, of the Dean's determination.

VI. Appeals

Either party to the original grievance can appeal the determination of the Hearing Board or of the Dean to an Appeal Board. Such an appeal may be made only on the grounds that one or more of the findings are not supported by the evidence, that substantial new evidence has been uncovered subsequent to the hearing or that the Hearing Board or the Dean has committed specified procedural errors.

The Notice of Appeal must specify, in writing, the grounds on which the appeal is being made and must be presented within 15 days of receipt of the Dean's determination.

The Notice of Appeal will be directed to the Chair of the Committee on Adjudication, who will convene and chair the Appeal Board. The remainder of the Board will be composed of one faculty member, selected by the Chair of the Committee on Adjudication from among its members, and one student member, chosen by the Chair of the Community Standards Review Board from among its members. None of the members of the Appeal Board shall have served on the Hearing Board for the case under consideration. Any member (including the Chair) of the Appeal Board may disqualify him/herself or be disqualified upon a challenge by any party for any of the reasons for which a member of the Hearing Board may be disqualified. Such a challenge to a member of the Appeal Board shall be decided and he or she will be replaced by the procedures outlined above for Hearing Board members, except that, if the Chair of the Appeal Board is challenged, the Committee of Six will rule on the challenge and appoint a substitute if necessary.

All three members of the Appeal Board vote and a majority decides all questions. If a member of the Appeal Board disagrees with the majority choice of one of the four actions listed below, he or she must file an accompanying written minority recommendation. All reports must be signed. These reports will be directed to the Provost and Dean of the Faculty.

The Appeal Board considers an appeal on the basis of the notice of Appeal and the summary record or verbatim transcript of the hearing. After reviewing these materials, it may determine that it needs to hold additional hearings, question and otherwise take testimony from the parties and the Dean and solicit such additional information as it deems necessary for a thorough review. After such review, the Appeal Board will take one of the following actions:

1. Inform the Dean that the Appeal Board upholds the decisions of the Hearing Board and the Dean.
2. Inform the Dean that one or more of the findings are not supported by the evidence and that the Dean and/or the Hearing Board is to reconsider the recommended disposition or the charge is to be dropped.
3. Inform the Dean that the Hearing Board has made one or more specified procedural errors or that new evidence has been uncovered, which requires that the Hearing Board undertake a new hearing.
4. Inform the Dean that he or she has made one or more specified procedural errors, which require(s) reconsideration by the Dean.

Whatever its action, the Appeal Board shall prepare a written report that will be sent to the parties.

VII. Records

When the final disposition of a case results in a finding that a member of the faculty is responsible of a violation, that finding, together with the determination of penalty, shall be placed in the member's employment file.

When the final disposition of the case results in a finding that the accused is not responsible of a violation, all references to the case will be removed from the accused's employment file.

A permanent file, with the names of all parties and witnesses removed, will be maintained for each case that reaches the formal stage, regardless of its outcome. This file will be kept in the office of the Provost and Dean of the Faculty and will include all summary records, Board findings and penalties imposed. This file will be available to any future Hearing Board for the purpose of researching precedents and to any committee of the College charged with revising the policies concerning The Resolution of Student Grievances with Members of the Faculty.

The verbatim transcript, if taken, will remain in the confidential files of the Provost and Dean of the Faculty until such time as all appeals and civil or criminal cases which may result from the original complaint are settled. It shall then be destroyed.

VIII. Miscellaneous

None of the foregoing in any way limits rights, responsibilities and procedures described in other College documents, nor does it in any way alter the power and responsibilities of the Provost and Dean of the Faculty and the President to enforce the extant rules and regulations of the College.

Section 16. The Resolution of Student Grievances with Administrators, Staff, or Visitors

The responsible administrator for this section is the Office of Human Resources and the Amherst College Police Department. The Office of Human Resources and the Amherst College Police Department have approval authority.

Student grievances against administrators or staff of the College should be brought to the attention of the Chief Human Resources Officer. Such grievances against administrators or staff will be handled in accordance with the College's practices and procedures, such as those contained in the applicable employee handbook. Grievances against visitors to the College should be directed to the Amherst College Police Department or to an administrator from Student Affairs.

Chapter III: Select College Policies

Section 17. Consensual Sexual Relations Between Faculty Members and Students

The responsible administrator for this section is the Office of the Provost and Dean of Faculty. Amherst College faculty have approval authority.

The integrity of the faculty-student relationship is at the core of Amherst College's educational mission. This relationship vests considerable trust in the faculty member, who in turn bears authority and accountability as a mentor, educator, and evaluator. The college prohibits consensual sexual relations between faculty members and students who are enrolled at Amherst College and/or in Amherst College courses. Such relations compromise the integrity of the educational process and may place the student and sometimes the faculty member in a vulnerable position, reduce the instructor's impartiality, and create a disruptive learning environment for all students. Simply having faculty members recuse themselves from supervising, evaluating, advising, or teaching students with whom they had or have consensual sexual relations is not sufficient; doing so deprives those students of educational, advising, and career opportunities and does not address the impacts on other students or other members of the educational community.

Faculty members who have general questions about this policy or concerns about an alleged violation of it may contact the provost and dean of the faculty. Alleged violations of this policy are resolved using the formal or informal procedures outlined in Faculty Handbook (III., I.). For purposes of this policy, the definition of faculty in the Faculty Handbook (II., C.) applies.

Students who have general questions about this policy or concerns about a past or ongoing relationship may contact the dean of students (voted by the faculty, March 3, 2020).

Section 18. Involuntary Withdrawals

The responsible administrator for this section is Student Affairs. Student Affairs has approval authority.

The College reserves the right to exclude at any time students whose conduct it regards as unsatisfactory, or students who experience medical or behavioral needs requiring a level of support that cannot reasonably be provided while living in residence or participating in an academic program. Such conduct includes, but is not limited to: a student engages in, or is at significant risk of engaging in, behavior that jeopardizes the safety, health, and wellbeing of the campus community; manifests an inability to attend to personal needs related to food, shelter, personal safety and general well-being, such that there is a reasonable possibility of serious physical harm; behaves in a manner that interferes substantially with the rightful daily activities of members of the College or surrounding community, with the educational and/or residential environment, or with the orderly operation of the College, including behavior that imposes a significant burden on the College's human resources needed for continued management of such behavior; fails to pay term bill by the stated due date; fails to provide required immunization records by the stated deadline; and fails to register as required at the beginning of each term or fails to have all course grades recorded for the prior term.

In addition, a student who has been granted make-up examinations or extensions of time beyond the end of the term, in order to avoid failing those courses, may be required to take a withdrawal. In such cases, fees are not refunded or remitted in whole or in part and neither the College nor any of its officers will have any liability whatsoever for such exclusion. When withdrawals have been imposed by the class deans, the deans will specify any return requirements in writing and will indicate what academic work, if any, must be completed prior to return. All return requirements must be completed by the appropriate deadlines or the student will not be allowed to return and will need to begin the return process again for the next academic semester. Students may appeal an involuntary withdrawal to the Dean of Students or designee.

Section 19. Student Records

The responsible administrator for this section is the Registrar's Office. The Registrar's Office has approval authority.

19.1. Access

The College maintains, for each student, educational records that are open to inspection by that student in accordance with the Family Educational Rights and Privacy Act (FERPA), Section 438 of Public Laws 90–247, Title IV, amended 88 Stat. 571–574, and with federal and state regulations. College policy permits the student to have specified information released to other people, but it otherwise restricts disclosure to include only College personnel who have a legitimate educational interest in the contents of the record, officers of the U.S. Department of Education and their state counterparts who supervise enforcement and authorized educational agencies who monitor institutional educational enterprise. Such recipients are bound not to disclose any personally identifiable information from the records to unauthorized third parties.

19.2. Availability

Generally, all educational records are available for inspection by students. Excepted are confidential recommendations filed before January 1975 or written after the student has waived his or her right to see the recommendation; medical and psychological counseling records; parents' financial statements (when submitted in confidence); personal faculty and staff files (available only to the authors); certain law-enforcement records; and current (postgraduate) employment records of former students. Where a record contains information concerning more than one student, the student wishing to see the file may see only that section relating to themselves. The conduct files of students who have been suspended or expelled from the College are maintained in Student Affairs for no fewer than 5 years after their departure from the College.

19.3. Location

Offices maintaining portions of each student's educational record are Student Affairs, Financial Aid, the Registrar, Controller, the Counseling Center, Student Health Service, Physical Education, Information Technology, Communications, Amherst College Police and (for records of non-current students) Archives. Information Technology and Archives do not release information of record directly but only through the office responsible for transmitting data to them. Students who have questions about information in any of these files should see the directors of the offices involved.

19.4. Transcript Requests

Request forms for release of transcripts are available in the Registrar's Office or on the web. Every request form must bear the student's signature and class year.

19.5. Inspection and Challenge of Records

To examine their record, a student should make an appointment with the appropriate officer. Official academic records are available for inspection in the Registrar's Office. The general file, which is in Student Affairs, may be examined in the presence of a dean or dean's designee. Any student who, upon reviewing any file, believes a portion of it to be inaccurate or inappropriate may either enter a statement of correction or seek to have the file emended. Should no informal agreement be reached by the student and the dean (or other officer) on the emendation, the student may submit a written request for a hearing in accordance with the procedures described in Section 15, *The Resolution of Student Grievances with Administrators, Staff, or Visitors*.

A student may add to their general file at any time, and students are encouraged to do so, because comprehensive information can assist the deans in their capacity as advisors and in preparing recommendations for students when required.

19.6. Hearing Procedure

Any student who believes that their right to privacy or access to personal records has been in some way infringed upon may seek to have the situation redressed through Student Affairs but also may seek redress through the office of the U.S. Department of Education designated to review such cases. The Department has the authority to conduct a hearing where appropriate. Information on the act and these procedures is available in Student Affairs and from FERPA, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202.

19.7. Disclosure of Information

A record is kept of material requested or disclosed from the file other than that requested by the student or authorized College personnel. As in the past, officers, faculty and staff of the College have access to those portions of a student's record, not including medical or counseling records, that are necessary for them to perform their advisory, administrative or instructional functions. Information for other individuals or organizations will not be released without the express written permission of the student, except as allowed by FERPA. Although the act does

provide that parents of dependent students may be permitted to inspect student files, Amherst College does not normally report academic information and grades to parents, and students have online access to copies of such material to forward.

Students are welcome to seek further information about their records from the Office of Community Standards. The College looks upon effective communication on these matters as an integral part of the educational process, and past conferences to review individual student records have proven worthwhile.

19.8. Directory Information

Certain information, classified as “directory information,” may be available for public consumption unless the student specifically directs that it be withheld. Directory information includes the student’s name; telephone numbers; local, home and email addresses; date and place of birth; major field of study; participation in officially recognized activities and sports; weight and height of members of athletic teams; dates of attendance; degree and awards received; most recent educational institution attended; anticipated degree and degree date; and photograph.

The student should complete the *Do Not Release Directory Information* form which is provided under the forms section of the Registrar’s Office website. Former students should contact the Office of Alumni and Parent Programs.

Section 20. Image Release Policy

The responsible administrator for this section is the Office of Communications. The Office of Communications has approval authority.

From time to time, Amherst College may authorize its employees or agents to make still or moving images and/or audio recordings of students in a variety of College-related activities, such as participation in campus life, courses or College events. The College may display or publish this material for editorial purposes in various locations, including on the College website, in printed publications, social media, or in broadcasts. If a student does not want their image or recording included for any reason, please contact the Office of Communications directly by emailing comms@amherst.edu.

Section 21. Legal Aid

The responsible administrator for this section is the Office of General Counsel. The Office of General Counsel has approval authority.

The College does not provide legal assistance. Students who need legal assistance may wish to contact one or more of the following resources.

American Civil Liberties Union of Massachusetts

(413) 586-9115 39 Main St. Northampton, MA 01060

Center for Public Representation

(713) 586-602 22 Green St. Northampton, MA 01060

Community Legal Aid

(855) 252-5342 20 Hampton Ave. Northampton, MA 01060

Section 22. Jury Duty

The responsible administrator for this section is the Office of General Counsel. The Office of General Counsel has approval authority.

Amherst College students are often asked to serve on various juries within Hampshire County. Although many students are not registered voters in Massachusetts, jury eligibility is determined by period of residency within Hampshire County, and all Amherst students are eligible to be called. The call to jury duty includes the opportunity for one postponement of the server's choice. Many students elect to serve their jury duty at the beginning of a vacation or break period. A student who is called to jury duty and must miss class as a result is encouraged to notify their class dean, who will in turn notify the student's instructors. Generally, if students are called to jury duty, it is not possible to be exempted. However, in Massachusetts, if a student has served jury duty in their home state within the last 3 years, whether impaneled on a jury or not, that student can be disqualified from juror service by submitting a copy of their service certificate. Students can mail or fax their service certificates to:

Office of Jury Commissioner
560 Harrison Avenue, Suite 600
Boston, Massachusetts, 02118

Section 23. Weapons Policy

The responsible administrator for this section is the Amherst College Police Department. Amherst College's Senior Staff has approval authority.

23.0. Policy Statement

This policy prohibits the possession of weapons in and around premises owned or controlled by Amherst College and at Amherst College-sponsored events in other locations.

The full Weapons Policy is here <https://www.amherst.edu/mm/575842>.

Select College policies are here: <https://www.amherst.edu/mm/575727>.

For additional information, please contact John Carter, Executive Director of Safety and Chief of Police, 413-542-2771.

Section 24. Unmanned Aerial Systems ("Drones") & Model Aircraft Policy

The responsible administrator for this section is the Office of General Counsel. The Office of General Counsel has approval authority.

Policy Statement

The operation of Unmanned Aircraft Systems ("UAS," commonly referred to as "drones") and Model Aircrafts is regulated by the Federal Aviation Administration ("FAA") as well as relevant state laws and local ordinances. This policy sets forth the rules applicable to the operation of UAS and Model Aircraft on Amherst College property and by those acting on behalf of Amherst College.

The full policy can be found here: <https://www.amherst.edu/mm/575851>.

For additional information, please contact John Carter, Executive Director of Safety and Chief of Police, 413-542-2771.

Section 25. Posting Policy

The responsible administrator for this section is Student Affairs. Student Affairs has approval authority.

25.0. Policy Statement

This policy sets forth rules regarding the posting and other distribution of physical material at Amherst College in a way that appropriately and safely utilizes available space, prevents defacement of college property, and reduces unnecessary expenditures of college resources used to repair and/or replace college property. The parameters set forth in this policy respect and encourage freedom of expression, more specifically the promotion of events and the promotion of ideas through general awareness campaigns. The policy is not intended to censor the expression of ideas; rather it sets forth reasonable restrictions on the time, place, and manner of postings as contemplated under both the college's *Statement on Academic and Expressive Freedom* and the *Statement of Freedom of Expression and Dissent*.

25.1. Applicability

This policy applies to all Amherst College students and student groups. Although this policy does not specifically apply to faculty and staff of Amherst College, they are strongly encouraged to employ the guidance of this policy.

25.2. Definitions

Designated Posting Spaces – spaces (such as bulletin boards, posting kiosks, or other explicitly-approved locations) that have been provided and designated by the college specifically for the purpose of affixing postings. A complete list of designated posting spaces is included in Appendix A of this policy. Designated Posting Spaces fall into four different categories: 1) academic department posting spaces; 2) residential posting spaces; 3) administrative building posting spaces; and 4) Student Life posting spaces.

Designated Posting Space Manager – individual faculty members or staff members at the college who are responsible for managing a particular designated posting space. A complete list of the designated posting space manager(s) for each space is included in Appendix A of this policy. All references to “designating posting space manager” refer to the designated posting space manager(s), or their respective designees, for the specific designated posting space being utilized.

Lawn Displays – free-standing signs, sandwich boards, A-frames, and other physical installations or displays that are primarily intended for: 1) giving directions, noting the location of an event, or advertising an event; or 2) an awareness-raising campaign.

Posting – for purposes of this policy, a “posting” includes all methods of mass-distributing information in physical or hardcopy form, including, but not limited to, posters, fliers, table tents, signs, banners, chalked messages, lawn displays, and any other methods that the college determines are subject to this policy.

25.3. Policy

25.3.1. General Rules (applicable to all postings except where specifically noted)

The following rules and restrictions apply to all postings on the Amherst College campus or any other property owned by Amherst College:

25.3.1.1. Eligibility to Post

Only Amherst College students and student groups, excluding unrecognized student organizations, are permitted to post on campus without advance permission. For the avoidance of doubt: students of the other Five Colleges, prospective students, former students, visitors, and friends of Amherst College students are not permitted to post on

campus without advance permission of the designated posting space manager for each designated posting space utilized.

25.3.1.2. Location

25.3.1.2.1. Postings may be affixed only to designated posting spaces as set forth in Appendix A. Only one posting about a particular event or general-awareness campaign is permitted in a designated posting space at any given time, unless otherwise approved in advance by the designated posting space manager. Unless otherwise approved in advance by the designated posting space manager postings in designated posting spaces must be no larger than 11 inches by 17 inches.

25.3.1.2.2. Postings may not cover any other existing posting, regardless of whether the covered posting has expired.

25.3.1.3. Content

25.3.1.3.1. For students acting as individuals (*i.e.*, not representing a student group): postings must respect the Amherst College *Student Code of Conduct*. The name and Amherst College email address for each individual responsible for the posting must be included on the posting.

25.3.1.3.2. For student groups: postings must respect the Amherst College *Student Code of Conduct* and must be related to the mission and functions of the student group. The name and Amherst College email address of each student group responsible for the posting must be included on the posting. If the student group does not have an Amherst College email address, the name and Amherst College email address of at least one member of the organization must be included on the posting.

25.3.1.3.3. Falsely identifying a student or student group as responsible for a posting is prohibited.

25.3.1.3.4. If the posting promotes a specific event, the event must be identified by title/subject, date, time, location, and sponsoring organization.

25.3.1.3.5. If the posting does not promote a specific event, but rather is in the nature of an awareness-raising campaign, it must include an expiration date that is no later than two weeks from the date the posting occurs. A duplicate posting cannot be used to replace an expired posting within the same semester without the express written permission of the designated posting space manager.

25.3.1.3.6. Business and commercial advertising is not permitted without advanced approval by the designated posting space manager, and is also subject to the rules set forth in the *Student Code of Conduct*, Section 7 related to *Solicitation*.

25.3.1.4. Removal of Postings

25.3.1.4.1. The college retains the discretion to remove any posting that does not comply with this policy.

25.3.1.4.2. The student(s) or student group(s) identified in the posting is responsible for removal of the posting on the earlier of: 1) two weeks from the date the posting first occurred; or 2) the day after the date of the specific event (if any) listed in the posting.

25.3.1.4.3. The removal by any student of any posting that otherwise complies with this policy prior to the dates

specified above is prohibited.

25.3.2. Specific Rules Applicable to Chalking

25.3.2.1.1. Only chalkboard or sidewalk chalk is permitted. Chalking using oil pastels and other types of non-water-soluble chalks is prohibited.

25.3.2.1.2. Chalking is permitted on sidewalks and roadways, provided that:

- a. the sidewalk or roadway being chalking is uncovered; and
- b. the chalking is limited to an area where the chalk can be washed away by rain.

25.3.2.1.3. Chalking upon any other surface, including, but not limited to, a building, statue, or natural feature of the campus (e.g., *trees*), is prohibited.

25.3.2.1.4. Messages in chalk are exempt from the following requirements otherwise applicable to postings:

- a. Sections 25.3.1.3.1. and 25.3.1.3.2. (requiring identification of the student(s) or student group(s) responsible for the chalking); provided that the student(s) or student group responsible for the chalking must notify the Director of Student Engagement and Leadership or the Director of Residential Engagement & Wellbeing, of the intent to chalk at least 24 hours prior to the chalking.
- b. Section 25.3.1.4.2. (requiring timely removal of postings).

25.3.3. Specific Rules for Banners

25.3.3.1. Exterior and interior banners, including those on residence halls, are permitted only in locations that are explicitly approved by and installed by appropriate college personnel, such as the Director of Student Engagement and Leadership, Facilities staff, or designee.

25.3.3.2. Interior banners must comply with applicable fire safety regulations.

25.3.4. Specific Rules for Lawn Displays

25.3.4.1. Lawn displays must not interfere with pedestrian or vehicular traffic.

25.3.4.2. Lawn displays (particularly those along Route 9) must comply with Town of Amherst bylaws, as applicable.

25.3.4.3. Lawn displays related to a specific event are permitted on the day(s) of the event, and must be removed within two hours of the conclusion of the event.

25.3.4.4. Lawn displays that are used for awareness-raising campaigns must be approved in advance by the Director of Student Engagement and Leadership or designee.

25.3.4.5. Students who are intending to use lawn displays are encouraged to contact the Supervisor of Landscape and Grounds to avoid conflicts with lawn maintenance crew schedules. The college reserves the discretion to remove lawn displays at any time.

25.3.5. Violations

Failure by a student or student group to comply with this policy may result in the loss of all posting privileges. Furthermore, any student who violates this policy or applicable law may be subject to the college's formal conflict

resolution processes and sanctions – depending on the severity and nature of the violation (including whether the individual has been previously warned or sanctioned for violating this policy).

Nothing in this policy restricts the discretion of the college to separately address and/or remove postings that are not otherwise within the scope of this policy.

25.4. Appendix A: List of Designated Posting Spaces and Procedures

25.4.1. Poster Distribution

Student-generated event posters can be dropped to the Office of Student Engagement and Leadership for dispersion across campus (50 locations). Submissions are accepted on a rolling basis but the deadline each week for Wednesday distribution is Tuesday by 4:30 p.m. Students must print their own posters and can provide up to 50 copies for distribution. College workers will both hang and remove posters.

25.4.2. Bulletin Boards

Bulletin boards that are designated posting spaces are available across campus and are labeled according to four designations:

25.4.3. Community Board: available for use by all eligible persons (see Section 25.3.1.1. on eligibility to post). The following buildings contain labeled community boards:

- Residence halls
- Arms Music Center (lobby)
- Beneski Earth Sciences
- Converse Hall (1st floor, main entrance and hallway outside president’s office)
- Frost Library (1st floor)
- Johnson Chapel (basement)
- Keefe Campus Center (main entrance)
- Seeley Mudd (lobby)
- Valentine (main entrance)
- Webster Center

25.4.3.1. For Community Advisors (CAs) Use Only: reserved for use by Residential Engagement & Wellbeing staff. Community posters placed on these boards will be removed.

25.4.3.2. Reserved for Academic Programs: students have limited access to the following boards designated for Academic Programs:

- Admission office – bring posters to front desk.
- Barrett Hall – bring posters to Room 101.
- Chapin Hall – bring posters to Room 108.
- Cooper House – bring posters to Room 208.
- Grosvenor House – bring posters to Room 15.
- Service Building – bring posters to Room 201.

25.4.3.3. Reserved for Student Engagement and Leadership:

- Keefe Campus Center – check with building manager in lobby.

25.4.4. Posting Space Managers

- Academic department posting spaces (including Arms Music Center, the Beneski Earth Sciences Building, Seeley Mudd, and Webster Center): Academic Department Coordinators
- Residence hall posting spaces: Community Advisors
- Administrative building posting spaces:
 - a. First floor, Converse Hall: Receptionist, President’s Office
 - b. Frost Library: Librarian of the College or designee
 - c. Valentine Dining Hall: Director of Dining Services or designee
- Student Life posting spaces: Student Affairs or Student Engagement and Leadership

25.4.5. Banners

Student-generated interior banners may be posted in locations explicitly approved by the designated posting space manager and installed by appropriate college personnel. Student-generated exterior banners may be posted on the following buildings, when approved by the designated posting space manager and installed by appropriate college personnel:

- a. Frost Library entry canopy (Librarian of the College or designee)
- b. Valentine entry (Director of Dining Services or designee)
- c. Keefe Campus Center entry (Director of Student Engagement and Leadership or designee)
- d. Athletics entry (Athletics Director or designee)
- e. Powerhouse (Director of Student Engagement and Leadership or designee)

Section 26. Facility and Grounds Use Policy

The responsible administrator for this section is the Office of Student Engagement and Leadership, Conferences and Special Events, the Amherst College Police Department, and the Office of the Registrar. The Office of President has approval authority.

Policy Statement

This document sets forth principles for the use of Amherst College facilities and grounds. The intent of this policy is to promote responsible use of the college’s facilities and grounds, enable the college to better know what events are occurring across campus, identify events that will necessitate logistical support (*e.g.*, security planning, IT, *etc.*), and limit unauthorized uses by individuals who are not affiliated with the college.

Applicability

This policy applies to all uses of Amherst College facilities and grounds, with the exceptions of:

1. Parties and any other social events that are covered by either:
 - a. The Amherst College ***Student Hosted Events Policy*** (<https://www.amherst.edu/mm/655585>); or
 - b. The ***Celebrating Commencement with On-Campus Parties*** policy (<https://www.amherst.edu/mm/719061>);

and

2. Use of the Emily Dickinson Museum or the Folger Shakespeare Library.

Definitions

For purposes of this policy, the terms below have the following meanings:

College Facilities — any building, room, structure, or space—whether located indoors or outdoors—that is located on property owned or otherwise controlled by Amherst College (with the exceptions of the Emily Dickinson Museum and the Folger Shakespeare Library), including college grounds.

Third Party — anyone other than an Amherst College 1) student (including student organization members) or 2) faculty or staff member acting in their official capacity. “Third Parties” include, but are not limited to, Amherst faculty members or staff members conducting personal business; students, faculty, or staff at another one of the Five Colleges; local nonprofit organizations; alumni; parents of Amherst College students; and residents of the Town of Amherst and other local communities.

Policy

College Facilities are primarily intended for the core instructional and administrative functions of the college, which take precedence over all other uses. All uses of College Facilities must be consistent with the college’s educational mission, at the college’s sole discretion. While the college does not currently have a centralized procedure for reviewing requests to use College Facilities, many such facilities are overseen by the Office of Student Engagement and Leadership or the Office of Conferences and Special Events (CASE). Oversight of other College Facilities currently varies by facility, based on customary practice.

Effective as of the approval date of this policy, anyone who authorizes use of a College Facility is expected to gather the following information prior to authorizing the use:

1. The anticipated number of attendees;
2. Whether amplified sound will be used;
3. The Amherst College offices/departments from which logistical support will be requested to facilitate use of the College Facility;
4. Whether the use is sponsored or co-sponsored by any Third Party;
5. The name, current employer(s) (if any), and a one-paragraph biography of each speaker/presenter; and
6. Whether the event poses any risk of damage to the College Facility.

In the event of Third Party use of a College Facility for anything other than a meeting of a local community organization, alumni, parents, or community members, the college may require the Third Party to meet certain insurance requirements and/or sign a written contractual agreement vetted by the college’s Office of General Counsel.

The college reserves the discretion to cancel, disallow, or terminate any use of College Facilities that does not comport with this policy (or any other college policy) and/or that the college determines is (or would be) interfering with the normal operation of the college. Furthermore, the college reserves the discretion to cancel, disallow, or terminate any use of College Facilities by a Third Party at any time and for any reason.

Prohibited Uses:

Prohibited uses of College Facilities include, but are not limited to:

1. Activities that are prohibited by:
 - a. federal or state law, or regulation;
 - b. local ordinance; and/or
 - c. other binding legal authority;
2. Activities that violate any Amherst College policy;
3. Activities by for-profit individuals or entities that constitute greater than *de minimus* use of a College Facility funded in whole or in part by tax-exempt bonds; and
4. Activities conducted in a manner that creates an appearance that Amherst College endorses a candidate for political office.

Actions Not Attributable to Amherst College:

Use of College Facilities by a particular individual or group does not constitute support by the college for that individual’s or group’s views or objectives. The college’s Office of Communications coordinates institutional responses to the media, including statements of the college’s official position (if any) on a particular matter.

Helpful Links

- **Conferences and Special Events (CASE)**
<https://www.amherst.edu/mm/115786>
- **Student Engagement and Leadership**
<https://www.amherst.edu/mm/149862>

Section 27: Protests and Free Expression Policy

The responsible administrator for this section is the Amherst College Police Department. The Office of President has approval authority.

Protests, Demonstrations, and Peaceful Dissent

Amherst College prizes and defends the ability of teachers and students to teach and learn free from coercive force and intimidation and subject only to the constraints of reasoned discourse and peaceful conduct. The college also recognizes that such freedoms entail responsibility for one's actions. Thus the college encourages and facilitates the expression of views by its members so long as there is no use or threat of force, nor interference with opportunities for others to express their views.

The guidelines herein are intended to promote the safe and peaceable exchange of ideas; to transparently set forth reasonable time, place, and manner restrictions that are contemplated under both the college's *Statement of Academic and Expressive Freedom* and the *Statement of Freedom of Expression and Dissent*; to limit the ability of people unaffiliated with Amherst College to use the college as a stage for provocation; and to preserve the ability of the college to take action in situations that threaten the safety of members of the campus community or interfere with the core instructional and administrative functions of the college.

The guidelines apply to all Amherst College students, faculty, staff, alumni, visitors, contractors, and any other person on college property. They apply to all situations, with the exception of a guest speaker invited by a faculty member to speak in an academic course, seminar, lecture, symposium, or other academic setting. *Note: If there is a possibility that a speaker in an academic course, symposium, lecture, etc. will draw a large audience or occasion protests, faculty members planning the event are urged to alert the Amherst College Police Department for help in implementing safety measures.*

Outside speakers who have 1) been invited by Amherst College students, faculty members, or staff members; 2) satisfactorily completed the college's event planning and approval processes (see "Planning an Appearance by an Outside Speaker, a Protest, or a Demonstration," below); and 3) agree to abide by college regulations and applicable laws, are welcome to speak on campus.

Acts of peaceful protest and demonstration—such as marches, rallies, sit-ins, and picketing—are permitted, under the conditions that follow, with the college reserving the right to restrict behaviors that directly interfere with core instructional and administrative functions of the college.

The full policy can be found here: <https://www.amherst.edu/mm/575840>.

For additional information, please contact John Carter, Executive Director of Safety and Chief of Police, 413-542-2771.

Section 28: Authorization to Provide Distance Education

Amherst College provides distance education to its students residing in the District of Columbia, Puerto Rico, the U.S. Virgin Islands and all U.S. states except for California pursuant to the National Council for State Authorization Reciprocity Agreements (SARA). More information on SARA can be found at <https://nc-sara.org/>. Amherst College also provides distance education to its students located in the State of California. The State of California allows nonpublic higher education institutions that grant undergraduate degrees, graduate degrees, or both, and that are

formed as nonprofit corporations and are accredited by an agency recognized by the United States Department of Education to offer distance education to its residents. Amherst College does not offer programs that are intended to lead to professional licensure (*e.g.*, teaching, nursing, *etc.*).

Complaints Regarding Distance Education

This policy governs student complaints resulting from Amherst College's distance education courses, activities and operations. Students must first make and attempt to resolve such complaints in accordance with Amherst College's internal policies (provided that allegations of criminal offences or violations of the Commonwealth of Massachusetts' general-purpose laws may be made directly to the relevant state agencies).

The following complaint procedures are available to Amherst College students based on the subject matter of the complaint as it relates to distance education:

1. **Grade Change Policy**
(<https://www.amherst.edu/academiclife/registrar/faculty/grading-information/grade-change-policy-instructions>)
2. **Section 504 Grievance Procedure**
(<https://www.amherst.edu/amherst-story/facts/amherst-college-policies/nondiscrimination-policies/-section-504-disability-grievance-procedure>)
3. **Sexual Misconduct Policy**
(<https://www.amherst.edu/offices/title-ix/title-ix-policy>)
4. **Nondiscrimination Statement**
(<https://www.amherst.edu/amherst-story/facts/amherst-college-policies/nondiscrimination-policies/nondiscrimination-statement>)
5. **The Resolution of Student Grievances with Members of the Faculty**
(<https://www.amherst.edu/offices/student-affairs/community-standards/community-standards-processes/student-grievances-with-members-of-the-faculty>)
6. **The Resolution of Student Grievances with Administrators, Staff, or Visitors**
(<https://www.amherst.edu/offices/student-affairs/community-standards/community-standards-processes/student-grievances-with-administrators-staff-and-visitors>)
7. **General Grievance Policy for Distance Education** [<https://www.amherst.edu/mm/631350>]

If a student complaint has not been satisfactorily resolved after the student has exhausted all options under Amherst College's internal policies and procedures, the student may file a written complaint with state authorities. The procedures for filing a complaint with state authorities vary depending on the student's place of residence.

Residents of Massachusetts: Students may file a complaint with the Massachusetts Department of Higher Education using the procedures and complaint form found here: [link to: <https://www.mass.edu/forstufam/complaints/complaints.asp>]

Residents of SARA member states and territories: The District of Columbia, Puerto Rico, the U.S. Virgin Islands and all U.S. states except for California are members of SARA. Residents of SARA member states and territories may file a complaint with the Massachusetts Department of Higher Education by using the SARA procedures and complaint form found here [link to <https://www.mass.edu/foradmin/sara/complaints.asp>]. The complaint must be filed within two years of the incident about which the complaint is made. Complaints regarding student grades or student conduct violations are governed solely by the College's internal policies and the laws of the Commonwealth of Massachusetts and cannot be escalated as described herein.

Residents of non-SARA member states and territories (including California and Guam): Students may file a complaint with the Massachusetts Department of Higher Education using the same procedures and complaint form provided for Massachusetts residents above, and may also file a complaint with authorities in their home state or territory:

California: <https://www.bppe.ca.gov/enforcement/complaint.shtml>

Guam: <https://www2.ed.gov/about/contacts/state/gu.html>

Distance Education General Grievance Procedure

Amherst College students who are enrolled in distance education courses during the 2020-2021 academic year may file a grievance under this procedure regarding any matter that: 1) relates to a distance education course; and 2) is not otherwise the subject of an applicable grievance procedure of the college. Any such grievance may be submitted using this form [<https://www.amherst.edu/mm/652711>]. The College will review the grievance and endeavor to respond within 15 business days. If the College determines that the grievance is subject to a different policy or procedure, the College will direct the student to the appropriate policy or procedure.

Amherst College Distance Education Student Complaint Form

This complaint form may be used by any Amherst College student to resolve a complaint that relates to a distance education course, as set forth in the College's Distance Education Complaint Policy [<https://www.amherst.edu/mm/631349>].

Please provide the following information:

* *Required*

*First Name

*Last Name

*Student ID Number

Class Year

*Nature of your complaint (check all that apply)

- Grade change
- Discrimination
 - Disability discrimination and/or failure to provide reasonable accommodations
 - Sexual misconduct or discrimination (including pregnancy, sexual orientation, gender expression, and gender identity)
 - All other discrimination (*i.e.*, discrimination on the basis of race, national or ethnic origin, color, religion, age, genetic information, military service, or any other characteristic or class protected under applicable federal, state, or local law)
- Complaint against a member of the faculty
- Complaint against an administrator, staff member, or visitor
- Any other complaint that is related to distance education and is not covered above

*Please describe your complaint in detail. Describe any steps you have taken to resolve this matter, including the names and/or titles of any Amherst College faculty or staff member you have contacted about this matter and their response (if any).

*Please describe your requested outcome.

Please attach any supporting documents you wish to submit with your complaint.

Please submit your complaint to: ofgc@amherst.edu

Amherst College will endeavor to provide a response to your complaint within 15 business days. If the College determines that your complaint is subject to a specific complaint procedure, you may be required to take additional steps under that procedure.

Section 29: Nondiscrimination and Harassment Policy

Amherst College is committed to creating and maintaining an equitable and respectful environment for all members of its community. Discrimination and harassment on the basis of a person's legally protected identity can cause both individual and community harm, is unlawful, and is contrary to the mission of the College.

Amherst College also recognizes that sexual misconduct, which is a type of sex discrimination, is harmful in all of its forms. The 2020 amendments to Title IX regulations exclude from Title IX many forms of sexual misconduct that, though not covered by Title IX, are strictly prohibited by the College. These behaviors, collectively referred to as sexual misconduct, constitute discrimination based on sex, gender, or sexual orientation, and are prohibited by this policy. The College encourages anyone who is seeking help or intending to share information about a concern of sexual misconduct, or any other form of identity-based harm, to come forward. The College does not require or even expect any person to understand with certainty which policy may apply to the concern they are reporting. The College will decide whether a report of sexual misconduct falls under this policy or the *Interim* Title IX Policy and will support all individuals regardless of the applicable policy.

In conjunction with the College's Nondiscrimination Statement and the Amherst College Statement of Freedom of Expression and Dissent, this policy represents the College's strong commitment to an environment free from unlawful identity-based discrimination and harassment and to upholding, within the bounds of the law, the free expression of ideas and pursuit of knowledge that are so critical to the College's mission.

Click for the full text of the [Non-Discrimination and Harassment Policy \(https://www.amherst.edu/mm/637087\)](https://www.amherst.edu/mm/637087).

Contact Laurie Frankl, Director of Civil Rights & Title IX Coordinator, 413-542-5707, for more information.

Section 30. Glossary

The responsible administrator for this section is Student Affairs. Student Affairs has approval authority.

Amherst College has defined the following terms below in addition to the terms found in Sections 2, 3, 12, 13, 24, and 25.

Adjudication: The process through which the College resolves conflict that occurs within the Amherst community.

Adjudicator: The person or persons designated by the College to oversee adjudication processes.

Athletics Team: An athletic team includes any of the teams recognized by the Department of Physical Education and Athletics and any intramural sports organization.

College Council: College Council is the body to approve and determine policy in three areas: extracurricular faculty-student relations, the review of recommendations involving academic integrity, and social regulations for student residential and social life. In addition, the College Council possesses power to make recommendations concerning a wide range of subjects that touch the joint interests of students, faculty, and administration.

Conflict Resolution Processes: These processes include Adaptable Conflict Resolutions, Community Standards Adjudication Process, and the Interim Title IX Grievance Process.

Disparagement: A verbal or written act that belittles, brings discredit to, or reproach upon another.

Doxing: is an act of harassment that involves publicly exposing someone's private information without their consent. The [Amherst College Doxing Resource Page](#) has additional information about doxing.

Harassment: Unwanted, uninvited, and unwelcome behavior that makes a reasonable person feel threatened, intimidated, uncomfortable, humiliated, or demeaned.

Intimidation: Placing another person in reasonable fear of bodily harm through 1) the use of threatening words and/or other conduct or 2) subjecting the person to actual physical attack.

Matriculate: Matriculation at Amherst College occurs when a student registers in courses.

Notice of Complaint: A written correspondence from the College that informs respondents that a complaint has been received, that an adjudication has been started, the specific sections of the Student Code of Conduct alleged to have been violated, and where to find more information about the process. The Notice of Complaint precedes the delivery of the complaint to a respondent.

Preponderance of the Evidence: The evidence standard used in the Community Standards Adjudication Process or the Interim Title IX Grievance Process which is whether the information available to the adjudicator supports a finding that it is “more likely than not” that the respondent is responsible for the alleged violation(s).

Registered Student Organization (RSO): A RSO is a group of actively enrolled students at Amherst College who share a common purpose or interest. A RSO has been approved to operate by the Office of Student Engagement and Leadership. Additional information about Registered Student Organization can be found on the [Club and Club Recognition](#) page of the [Amherst Association of Students](#) website.

Student Group: The umbrella term for athletic teams and registered student organizations. Theme communities in the residence halls are also considered student groups.