



MASSACHUSETTS COLLEGE OF LIBERAL ARTS

Community Standards

&

Student Conduct Program



Section 1: Welcome

Message from President Birge
MCLA Mission and Values Statement

Section 2: Student Affairs

Message from VP Smith
Message from Dean Morrill
Mission, Vision, Values
Departments and Services
Resources

Section 3: Student Life Policies

Student Membership in MCLA and Expectations
Athletics
Alcohol
Clery Act
Conduct
Discrimination
Drones
Drugs
Fire Safety
Food Safety
Free Speech and Assembly
Gambling and Bookmaking
Grievance
Hazing
Health
Medical Amnesty and the Good Samaritan Policy
Pet Policy
Residence Life and Housing
Rights and Responsibilities
Sexual Harassment
Technology
Title IX and Equal Opportunity
Travel
Weapons and Firearms

Section 4: Accountability and the Conduct Program

Student Conduct Program
Review Process
Possible Resolutions and Outcomes
Zero Tolerance
Appeals Process
Good Conduct Standing

Section 5: Appendices

Appendix #1: Title IX Policy from the Massachusetts State University Equal Opportunity, Diversity, and Affirmative Action Plan

Appendix #2: Medical Amnesty & Good Samaritan Policy

Appendix #3 MCLA Student Affairs Co-Curricular and Extra-Curricular Travel Guidelines and Procedures

Section 1: Welcome



Dear Students:

I would like to welcome all our new students to MCLA and to welcome back all our returning students! As you begin this next phase of your academic journey you will be engaged, challenged, and presented with countless opportunities to expand and grow – in classrooms, in science and computer labs, on athletic fields and courts, on stage and in the studio, and working and learning in the community.

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

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

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

James F. Birge, Ph.D.

President

MCLA Mission

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

MCLA Values

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

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

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

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

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

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

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

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

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

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

Section 2: Student Affairs



Welcome Trailblazers to a new academic year!

Each year our community comes back together, we have a new opportunity to recommit to our values. In choosing to attend MCLA, you choose to be in a community that has expectations for how we engage with one another.

In our community, when we fall short of those expectations, we embrace a range of appropriate accountability measures. The Student Handbook is our guide to expectations and accountability. To be clear is to be kind and every year we have an opportunity to present a clear and transparent set of rules and policies.

MCLA is a community of people diverse in background, thought, and goals. MCLA students see the value in making the most of their college experience. Staff and faculty work to support students holistically. Alumni give back with their time, resources, and stories of excellence and self-growth that led them to be thoughtful community members solving our greatest problems. A community such as this is rich with opportunity for engagement. Occasionally, those opportunities present tough challenges that we will grapple with together.

The rules and policies set forth in this handbook allow us to:

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

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

In Solidarity,

A handwritten signature in black ink that reads "Smith".

Jeannette Smith, PhD
Vice President of Student Affairs



Welcome to MCLA's Student Handbook!

We hope you, as an enrolled student, find this to be a valuable and useful resource. The Student Handbook contains information regarding policies, resources for student success, and general information on campus life. Please take the time to familiarize yourself with the various components of this handbook, and keep it bookmarked for quick reference.

MCLA is committed to the success of our students. Our mission is to prepare you for life-long success in learning, achieving, leading and serving. We are guided by principles and practices which encourage student self-governance, exposure to new ideas and perspectives, and which promote interaction among students, faculty and staff members. We invite you to become an engaged, participative member of our vibrant campus community, and promise your total student experience will be much richer for it!

Sincerely,

A handwritten signature in black ink, appearing to read "L. Morrill". The signature is written in a cursive, flowing style.

Luke Morrill, Ed.D.
Dean of Students

Mission, Vision, Values

Every day, people in this Division bring their knowledge, experience, professionalism, and care to support our **mission** of:

Setting Students up for Success





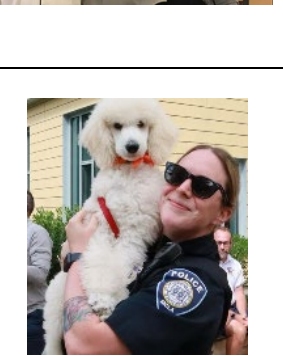
Every interaction, communication, activity, event, program, guidance, and supervision provide space and place for the individual student to bring their full selves as they explore what success means to them.

Our work is guided by many **values**, and there are three that cut across all departments:

Equity | Student Centeredness | Collegiality

Collectively, our **vision** is important to the College: Working in partnership with all members of the MCLA community to promote excellence in learning and teaching, prepare the next generation of global citizens, and contribute to a vibrant community.

Departments and Services

	<p>Athletics and Outdoor Recreation </p> <p>MCLA is host to 14 Men’s and Women’s NCAA Division III Collegiate Sports programs. The college also supports various intramural sports, an E-Sports program, and an outdoor recreation program focused on exploring the Berkshires and surrounding natural areas.</p>
	<p>Basic Needs and Student Wellbeing </p> <p>MCLA supports a robust and dynamic Basic Needs program which is accessible to all enrolled students. The campus food pantry along with the newly created Basic Needs center aim to provide resources to students who may be experiencing a range challenges.</p>
	<p>Holistic Health and Wellness </p> <p>Health Services & Counseling Services comprise the Holistic Health and Wellness team. Their approach to supporting students focuses on a high level of care and education so students are further prepared to be successful in their academic goals.</p>
	<p>MCLA Dining Services </p> <p>Dining Services strives to provide a place where students can enjoy traditional American cuisine, authentic cultural dishes, healthy options, and monthly theme meals.</p>
	<p>Public Safety and Campus Police </p> <p>MCLA officers are sworn, armed police officers. The police officers and staff of the Department of Public Safety - Campus Police are dedicated to ensuring the safety of everyone on campus. The office does this through a variety of educational and training programs, emergency booklets and phones throughout campus, escort services, 24-hour patrols, emergency alerts and other notifications as needed.</p>

Section 3: Student Life Policies

MCLA Student Expectations

As a public, state institution, MCLA is governed by Federal, State, County, and local laws as well as policies adopted by the Department of Higher Education, the MCLA Board of Trustees, and the administration of the College. MCLA is committed to providing students with a supportive environment that promotes learning and growth while protecting the rights of all the members of our community.

When a person becomes a student at MCLA, that person voluntarily assumes membership into the college community. This means that students are expected to follow policies and rules that govern behavior and the way in which students engage with one another: student conduct. The student conduct expectations outlined in this document are an important part of how the institution holds students accountable. The following information is known as the MCLA Community Standards and serves as the guide for understanding expectations around individual and collective student conduct.

Due to limitations of space, many State and Federal laws as well as some College policies and procedures are only referenced. Students are encouraged to ask questions of appropriate offices and follow up with various resources and campus offices.

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

As a supplement to the information provided in the Community Standards, the Student Affairs Office assists students who are unsure about where to go for general assistance and/or answers to questions. When in doubt about where to go for help, students are encouraged to start with the Student Affairs Office located on the 3rd floor of the Amsler Campus Center.

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

Athletics

MCLA is a public liberal arts college committed to excellence in the NCAA Division III community. Sports Sponsorship is dependent on a four-year student population average, student need and interest, and college capacity.

MCLA shall operate a competitive athletics program compliant with all policies, procedures, regulations and guidelines set forth by the National Conference on Collegiate Athletics (NCAA), Division III, the Federal Title IX law, and subsequent policies at the College, state, and national levels. MCLA shall maintain a sports sponsorship level appropriate to the four-year student population average. MCLA shall follow all student eligibility policies: those set outside of the College and those within the College.

Administrative Authority and Responsibility

The Assistant Dean for Athletics and Recreation has discretion and provides direction for administering a robust athletic and recreation program including but not limited to outdoor recreation, E-sports, non-credit physical wellness courses, and operation of a fitness center. For further information, please contact:

Laura Mooney
Assistant Dean for Athletics and Recreation
(413) 662-5411
Laura.mooney@mcla.edu

Equity in Athletics Disclosure Act

The Equity in Athletics Disclosure Act Report for MCLA can be found at [Equity in Athletics \(ed.gov\)](#). This tool has been designed by the Office of Postsecondary Education of the U.S. Department of Education. The data used by this website is derived from the OPE Equity in Athletics Disclosure Website database and consists of athletics data that are submitted annually as required by the Equity in Athletics Disclosure Act (“EADA”), via a Web-based data collection, by all co-educational postsecondary institutions that receive Title VI funding (*i.e.*, those that participate in federal student aid programs) and that have an intercollegiate athletic program. Paper copies of the most recent EADA Report is available by contacting the MCLA Athletics Department directly at 413-662-5412.

Mission

The department of athletics strives to inspire an atmosphere of **excellence** in both athletic and academic settings, provides **opportunities** to compete at the intercollegiate level, and fosters a setting that promotes **leadership** in the College’s community.

Student Athlete Handbook

As part of Federal and NCAA compliance, the Athletics department maintains a specific handbook for student athletes, outlining policies, practices, and resources. This handbook can be accessed online at [NCAA Compliance - MCLA](#) .

Alcohol

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

Responsible use of alcohol is allowed at College activities and on College property under specific conditions.

- Possession and consumption of alcohol is limited to persons of legal age and is confined to specific locations and/or events.
- Events where alcohol is served, shall be managed through MCLA Dining Services or other approved and appropriately licensed vendors.
- Resident students who are of legal age will observe all laws, policies, and regulations controlling the possession, use or distribution of alcohol within residence areas. Students should refer to the policies related to Alcohol and Drugs in the Community Standards and the Guidelines for Community Living for these regulations.

Underage Alcohol Misconduct

No person under 21 years of age may possess, use, be under the influence, transport, or be in the presence of alcohol, except as permitted by law or campus policies.

Regardless of Age

Students who are of legal drinking age may possess alcoholic beverages in specific residence areas and at certain times and places on Campus such as specifically designated social events. Students of legal age who choose to possess and consume alcohol must do so responsibly. Students who are 21 years of age may not consume, possess or otherwise use alcohol when a minor is present. Conversely, minors may not be present when/where there is alcohol present unless specifically approved. This standard applies both on and off Campus

Alcohol Dispensing Container

At no time are students allowed to possess on Campus (regardless of content) kegs, half kegs, or similar "common" containers of beer such as "beer balls" and/or alcohol abuse apparatus such as funnels, beer pong or Beirut set ups this includes any rapid consumption apparatus.

Distribution or Sale of Alcohol

The manufacture, distribution, dispensing or sale of, or the attempted manufacture, distribution, or dispensing of alcohol, in all forms, except as expressly permitted by law. Facilitating access to alcohol to any person under 21 years of age is also prohibited.

Serving, distributing, obtaining alcohol for, or allowing consumption by, an individual under 21 years of age

Unauthorized manufacture, distribution, dispensing, or sale of alcohol, or attempts to commit the same. Use of an alcohol container (including, but not limited to empty beer cans or bottles, etc.) as a room decoration, vase, or storage item.

Drinking games and drinking game paraphernalia used to assist the user in ingesting alcohol at a fast rate are a violation of this policy

This includes, but is not limited to, funnels and beer pong. Such paraphernalia may not be maintained on College property and will be confiscated if discovered.

Public intoxication, either on campus or off campus

Consumption of alcoholic beverages, or possession of an open container of alcohol, in an area not authorized by College officials. Operation of a vehicle which contains alcohol, by a student under the age of 21, regardless of the age of any passenger. Operation of a vehicle under the influence of alcohol on campus or off-campus. Use of alcoholic beverages to render another person physically or emotionally incapacitated.

Alcohol/Drug Related Offenses

Violation	1st Offense	2nd Offense	3rd Offense
Alcohol Violation:	Written Warning Online Education Module	Probation (2 Semesters) Online Education Module Counseling Assessment	Suspension (1 semester)
Drug or Drug Paraphernalia	Written Warning Online Education Module Fee: \$100	Probation (2 Semesters) Online Education Module Counseling Assessment Fee: \$250	Suspension (1 semester)
Drug Distribution or Sale	Suspension (1 year)	Expulsion	
Alcohol or Drug Transport	Probation (2 Semesters) Online Education Module Counseling Assessment	Suspension from Housing(if resident) (1 semester) or Banned from Housing(if commuter) (1 semester) Parental Notification	Suspension (2 semesters)

*The above listed policy violation conduct sanction outcomes are presented as **potential outcomes and are provided for reference only**. Final conduct sanction outcomes may vary depending on the details and severity of individual conduct cases.

Resources**Alcohol and your health**

As an educational institution, we seek to create a safe environment that encourages and supports the personal and professional development of all members of the MCLA community. Alcohol's effects on the brain and body depend on the rate and frequency of consumption, as well as other factors including age, gender, and overall health. Excessive use of alcohol may negatively affect personal health, academic performance, or personal relationships. For more information about the impact of alcohol on your health, or to examine your pattern of alcohol use, please read [Rethinking Drinking](#) or contact any of the following resources listed below.

On-Campus Resources/Information

[Counseling Services](#) 413-662-5331

[Health Services](#) 413-662-5421

[Public Safety](#) 413-662-5100

[Student Affairs](#) 413-662- 5231

MCLA Director of Human Resources, Eldridge Hall, (413) 662-5598

MA Substance Use Helpline, Substance Abuse Division, Information and Referrals, (800) 327-5050

Employee Assistance Program, (413) 499-4481 or (800) 255-2599

Suicide Prevention Hotline, 988

Clery Act

Massachusetts College of Liberal Arts (MCLA) is required by federal law to produce and make available by October 1st of each year, an annual report containing campus safety and security procedures, as well as statistics related to criminal offenses reported to the police and college officials for the last three consecutive years.

The MCLA Department of Public Safety – Campus Police prepares and distributes this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The department works with many other campus departments and outside agencies, such as Residence Life & Housing, Student Affairs Division Office, the North Adams Police Department, and the Pittsfield Police Department to compile the information contained in it.

Specifically, campus crime, arrest, and referral statistics include those reported to the MCLA Department of Public Safety – Campus Police, designated campus officials, and the local law enforcement agencies noted above. The MCLA Department of Public Safety – Campus Police encourages all current and future members of our community to use this report as a guide for safe practices both on and off campus.

All campus community members receive an announcement via email and a written notice in their campus mailboxes that describes the report and provides locations where it can be accessed. The full text of this report can be found on the department's web site located at: <https://www.mcla.edu/administration/public-safety/clery-report.php>

Paper copies are available in the department's offices located at 341 Ashland Street, North Adams, MA 01247.

Conduct

Respect:

MCLA students show positive regard for each other, for property and for the overall community.

Creating a Disturbance

A willful interruption or disturbance of the day-to-day operations of the academic or administrative business of the College.

Disorderly Conduct

Disorderly conduct is contrary to the mission of the college and will be addressed through the disciplinary process.

Disorderly conduct is defined as:

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

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

Disturbing Behavior

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

Dangerous Practices

Participating in any behavior that is deemed by a College official to be disruptive to community living or personal safety is prohibited. This may include a variety of "acting out" behaviors and includes assault or physical harm.

Reckless Behavior

Endangering the safety of persons (self or other) or property.

Interpersonal Misconduct

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

Physical Assault

Unwanted forceful physical contact with another person that either intentionally, recklessly, or negligently causes injury is prohibited. For purposes of this Community Standard, injury is sustained when a person suffers pain, no matter how slight.

Intimidation, Threat, or Harassment

Conduct less than a physical attack or physical action which interferes with a person in the conduct of their customary or usual affairs or conduct which is sufficiently severe or pervasive to unreasonably interfere with an individual's work or

academic performance, or creates an intimidating, hostile, or offensive working or academic environment. A single, unusually severe incident may constitute intimidation, threats, or bullying. Any pattern of unwelcome conduct directed specifically at another person that threatens or endangers the physical or mental safety or property of that person or creates a reasonable fear or intimidation of such a threat or action.

Intrusion of Privacy

Intrusion of Privacy is photographing, videotaping, filming, digitally recording, or by any other means secretly viewing, with or without a device, another person without that person's consent in any location where the person has a reasonable expectation of privacy, or in a manner that violates a reasonable expectation of privacy. Unauthorized storing, sharing, and/or distribution is also prohibited. This does not apply to lawful security or surveillance filming or recording that is authorized by law enforcement or authorized university officials. These provisions may not be utilized to impinge upon the lawful exercise of constitutionally protected rights of freedom of speech or assembly.

Retaliation

Any form of action, adverse treatment, or threat of action or adverse treatment against any individual for reporting, providing information, exercising one's rights or responsibilities under the Student Conduct Program, or otherwise being involved in the process of responding to, investigating, or addressing allegations of violations of the Community Standards. All forms of retaliation are serious violations and any individual or group found retaliating against another individual or group will face stringent disciplinary action.

Destruction of Property/Vandalism

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

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

Responsibility:

MCLA students are given and accept a high level of responsibility to self, to others and to the community.

Conditions of Enrollment

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

Accuracy of College Records

Students are expected to provide accurate and complete information on all College forms and documents, including applications for admission, financial aid, references, health and immunization reports, local and home addresses, and other types of records.

Class Attendance

Students are expected to attend classes. Should a student fail to attend all of the student's classes for a period of a week or more, without approval from the student's faculty, and should a student be failing all of the student's courses and it can be confirmed there is no way for the student to make up the work in the student's courses, MCLA reserves the right to take steps to terminate that student's enrollment. This action would result in Residence Area Occupancy Agreement termination as well.

Communications with the College

Students are expected to regularly check their MCLA e-mail account.

Completion of Registration

Each semester students are required to complete their registration with the College before they are recognized as students of the school.

Conditions Established as Part of Disciplinary Outcomes

All students are expected to fulfill conditions established as part of disciplinary outcomes. Students who fail to fulfill these conditions may be subject to additional disciplinary action including, but not limited to a hold on the student's account and/or the student's enrollment may be terminated. Residence Area Occupancy Agreements may also be terminated.

Financial Obligations

Students shall be held responsible for all financial obligations they incur with the College. Failure to comply with this policy, without prior permission being granted, could result in loss of Campus housing and/or Campus parking as well as a hold placed against the release of grades, diploma or transcript of a student with such outstanding obligations.

ID Cards

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

Keys

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

Violation of Motor Vehicle/Parking Regulation(s)

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

Sponsorship of Events

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

Ethics and Accountability:

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

Violation of Academic Ethical Standards

For detailed information pertaining to current policies and procedures regarding academic standards for students, including such matters as grade appeals and academic honesty, prohibitions against plagiarism and other inappropriate behaviors, students can visit the Registrar's Office in Eldridge Hall or review these online at <https://www.mcla.edu/administration/registrar/>

In most instances, cases arising under the provisions of academic policies are processed by the Registrar. Cases arising under College policies relating to these matters may, however, be referred by the Registrar to the Academic Affairs Division Office and the Student Affairs Division Office for processing under the Student Conduct Program.

Bystander Conduct

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

Theft

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

Solicitations

Students should receive approval from the Student Affairs Office for any solicitation to be conducted on campus or any solicitations to be made off campus in which the College's name will be used.

Unauthorized Use or Possession

Unauthorized use or possession of College property or property of another student or community member is prohibited.

Violation of the Law

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

Community:

MCLA students build and enhance their community through positive interaction.

Unauthorized Access/Presence &/or Use of Facilities, Equipment, and Vehicles

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

Guests

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

Noise

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

General Regulatory Statement

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

Integrity:

MCLA students exemplify honesty, honor and a respect for the truth in all of their dealings.

Misrepresentation of Information

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

Personal Misrepresentation

Representing oneself as another person with or without that person's permission, or representing oneself improperly, and not by error, as any other member of the community. This includes, but is not limited to, altering, possessing, manufacturing, distributing, lending, use and/or attempted use of false identification.

Official Misrepresentation

Representing the College, any student group, or any official College entity without the explicit prior consent.

Complicity/Implied Consent

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

Failure to Comply

Failure to comply with authorized directive from MCLA Officials or law enforcement officers during the performance of their duties.

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

Violation of Use of College Logo

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

Discrimination

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

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

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

The U.S. Department of Education
33 Arch Street, 9th Floor
Boston, MA 02119-1424
(617) 289-0111/Fax (617) 289-0150
OCR.Boston@ed.gov

Interim Title IX Coordinator and EO Officer
ADA/504 Coordinator
Camie Pratt
375 Church Street
North Adams, MA 01247
Phone: 413-662-5571
Email: camie.pratt@mcla.edu

For complete information about MCLA's Non-discrimination policies and procedures, please refer to the [Title IX Policy from the Massachusetts State University Equal Opportunity, Diversity, and Affirmative Action Plan](#) located at <https://www.mcla.edu/administration/title-ix/>

Drones

The operation of Unmanned Aircraft Systems (UAS) (e.g. drones) is regulated by the Federal Aviation Administration (FAA) and relevant state laws and local ordinances.

This policy applies to operators of UAS. Operators may include:

- MCLA employees and students operating unmanned aircraft systems in any location as part of their College employment, academic programming or as part of other College-related activities;
- Any person operating an unmanned aircraft system on or above MCLA property within 400 feet of the ground surface; and
- A third-party hired by a College department to operate a UAS as part of a College-related program.

MCLA Property is defined as: buildings, grounds, and land that are owned, controlled and occupied and operated by MCLA.

According to the FAA, a UAS is an unmanned aircraft and all of the associated support equipment, control station, data links, telemetry, communications and navigation equipment necessary to operate the unmanned aircraft. Unmanned aircraft include quadcopters, multirotor, helicopters, drones, and fixed-wing models if these aircraft are used for any purpose other than recreation. FAA regulations apply to UAS regardless of size or weight, however, unmanned aircraft weighing less than 250 grams (0.55 lbs.) are not required to be registered with the FAA.

Operators must comply with applicable federal, state, and local laws and regulations pertaining to the operation of UAS. Depending on the potential risks associated with UAS operations, some UAS operations may require additional safety measures, policy considerations, and insurance provisions, or in more extreme cases, may only be conducted by third parties with suitable qualifications, equipment, and insurance.

1. All operators are personally responsible for complying with FAA regulations, state and federal laws and regulations, and MCLA policies, including but not limited to the [FAA Small Unmanned Aircraft Rule \(Part 107\)](#). Key parts of the FAA Part 107 rule include but are not limited to:
 - Operator must maintain a visual line of sight with the UAS at all times
 - Visual line of sight may not be aided by any device except corrective lenses
 - A UAS may not be operated over any persons not directly participating in the operation, not under a covered structure, or not inside a covered stationary vehicle
 - A UAS may be operated during daylight hours only
 - Maximum altitude of 400 feet above ground level is permitted
 - No UAS shall be operated from a moving vehicle
2. The following operational UAS weight restrictions shall apply to all operators of UAS:
 - Research and/or educational use: under 55lb as regulated by the FAA
 - Any purpose other than research and/or educational use: under 10lb for safety
3. Before operating a UAS on MCLA Property or in affiliation with MCLA, an operator must first receive written permission from the Executive Director/Chief of Police from Public Safety and Campus Police at least **48 hours before use**. The request must include:
 - Evidence of Remote Pilot's License
 - For UASs weighing more than 250 grams (.55 lb.): evidence of registration as per FAA requirements
 - Proof of liability insurance of no less than \$1M for UAS operations. Operators can purchase coverage through the [Academy of Model Aeronautics](#) among others.

- Additional safety measures. These measures could include, for example, a tether, a netted enclosure, or test flights demonstrating safe outcomes if the UAS experiences loss of power, a lost communication link, or lost GPS signal.
4. As MCLA is within 5 miles of the North Adams Harriman & West Airport, a copy of the Flight Request will also be sent to them their records.
 5. The Executive Director/Chief of Police from Public Safety and Campus Police reserves the right to deny any operator the authority to operate a UAS on MCLA property or in affiliation with MCLA. Operators who contend that their request to operate has been unfairly denied may appeal the decision to the Vice President of Student Affairs.
 6. Operators must carry written evidence of permission at all times while operating UAS on MCLA Property.
 7. As per FAA guidance, UAS operations are mapped to a risk matrix with safety measures and approval requirements commensurate with the level of risk.
 8. Any College employee, student, or unit providing a College-owned UAS to a third party for any purposes other than research or education, regardless if a fee is charged, needs first to receive approval through the MCLA UAS Review Committee.
 9. In operating a UAS for purposes of recording or transmitting visual images, operators must take all reasonable precautions to avoid areas normally considered to be private. UASs should not enter onto, overfly, survey, or create a nuisance on any other private property except with written permission from the landowner.
 10. UAS operation plans must proactively prevent and minimize disturbance to all wildlife. Launch and recovery locations and flight path parameters should maintain reasonable distances while minimizing noise and visual stimulation from approach trajectories or sporadic flight movements. UAS operations may not approach or pursue wildlife or interfere in any way with seasonal life cycle activities. All MCLA Natural Areas are known to support sensitive wildlife.
 11. Use of UAS must comply with any other applicable Federal, State, Municipal, and College policies.

Drugs/Narcotics/Controlled Substances

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

Possession of Drug-related Paraphernalia

The possession or sale of drug related paraphernalia is prohibited. Objects used, primarily intended for in ingesting inhaling, or otherwise introducing controlled substances/drugs into the human body. Any equipment, product, or material that is utilized for making, using, modifying, or concealing drugs including, but not limited to, roach clips, pipes, bongs, dabs/oils, water-pipes, cocaine spoons, hypodermic needles, rolling papers, scales, grinders, hookahs, or any item containing drug residue is prohibited.

Self-Safety

Being unable to exercise care for one's own safety because one is under the influence of alcohol, drugs, and/or mind-altering substance(s).

The possession, use, cultivation, manufacture, participation in a conspiracy, or distribution of illegal drugs, narcotics or controlled substances, or attempts to commit the same. This includes the use or possession of legally prescribed drugs which fall outside the parameters of the medical prescription.

- Being under the influence of illegal drugs.
- Being in the presence of illegal drugs.
- The use of drugs to render another person physically or emotionally incapacitated.
- The possession, use, sale or distribution of drug paraphernalia.
- Operating a vehicle while under the influence of drugs on-campus or off-campus, excepting the use of medication prescribed by a doctor in accordance with a prescription.

While Massachusetts state law permits the use of marijuana, federal law requires the College to prohibit marijuana use, possession, distribution, and/or cultivation.

Federal laws also require any institution of higher education that receives federal funding to have policies prohibiting the possession and use of marijuana on campus this includes edibles, vaping, THC drinks and any other form of marijuana. Therefore, the use, possession, distribution or cultivation of marijuana for personal or medical purposes is not allowed in any MCLA residence hall or on any other MCLA premises; nor is it allowed at any College-sponsored event or activity off campus or any student organization event or activity. Anyone who possesses or uses marijuana on College premises may be subject to civil citation, state or federal prosecution, and a referral to Community Standards.

The use, possession, or cultivation of marijuana for medical and/or recreational purposes is therefore not allowed on College property. Although [Massachusetts law](#) permits the use of medical/recreational marijuana ([21 and older](#)); federal laws prohibit the use, possession, and/or cultivation of marijuana at educational institutions.

Tobacco Free MCLA

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

Fire Safety

Mandated Reporting

Massachusetts College of Liberal Arts is required by federal law to produce and make available by October 1st of each year, an annual report containing campus fire safety equipment and procedures, as well as statistics related to fires reported to the police and College officials for the last three consecutive years for all on-campus student housing areas. The MCLA Department of Public Safety – Campus Police prepares and distributes this report to comply with the Campus Fire Safety Right to Know Act established in the Higher Education Opportunity Act (Public Law 110-315) in August 2008.

We work with many other campus departments and outside agencies, such as Facilities, Residence Life & Housing, the Student Affairs Division Office, and the North Adams Fire Department to compile the information contained in it. Specifically, fire related reports and referral statistics include those reported to the MCLA Department of Public Safety – Campus Police, designated campus officials, and local fire agencies noted above. For more information please visit the website at [Public Safety \(mcla.edu\)](http://Public%20Safety%20(mcla.edu).%20www.mcla.edu/administration/public-safety). www.mcla.edu/administration/public-safety.

Smoke Detector Tampering

MCLA works to be in compliance with all local, state, and Federal laws, including Massachusetts [General Law](#), Part I, Title XX, Chapter 148, Section 27A: **Shutting off, disconnection, obstruction, removal or destruction, of fire protection devices; permit; report; violation of statute;** The willful and/or reckless creation of a fire hazard or fire, failing to evacuate after a fire alarm has sounded or other notice has been given, and/or tampering with, damaging, or misusing any fire safety equipment. This includes, but is not limited to, fire alarms, smoke detectors, fire extinguishers, emergency exit signs, and/or fire alarm/sprinkler systems.

Tampering with a fire alarm or fire suppression system is a criminal offence and may be prosecuted in a court of law. As such, the following are possible outcomes at the College level should an individual be found in violation of the policy:

Tampering with Fire Safety Equipment

Violation	1st Offense	2nd Offense	3rd Offense
Covered Smoke detector, prohibiting access to fire suppression system, etc.	Probation (2 semesters) Online Education Module Fee: \$100	Probation (additional 2 semesters) Fee: \$250	Temporary separation from the college campus (1 semester) Fee: \$500

*The above listed policy violation conduct sanction outcomes are presented as **potential outcomes and are provided for reference only**. Final conduct sanction outcomes may vary depending on the details and severity of individual conduct cases.

Fire Alarms and Drills

All students, staff, and faculty 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 MCLA will be conducted in the residence areas at least twice per semester.

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.

Never force a person to leave or become confrontational. When outside the building, notify an MCLA Public Safety/Campus 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 MCLA Public Safety/Campus Police Department and/or responding agency has indicated that it is safe to reoccupy.

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.

Means of egress shall include, but are not limited to, corridors, door- ways, fire escapes, 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.

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.

Corridors in residence halls are required to be free of hazard and obstruction. Corridors, fire escapes, hallways and 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.

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.

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

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 MCLA Public Safety/Campus Police Department officer, firefighter or other trained person, such as a custodian. 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. 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.

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. Fire extinguisher training is available, upon request, by the MCLA Public Safety/Campus Police Department.

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.

MCLA Public Safety and Campus Police and/or the responding agencies such as the Fire Department can perform floor and building sweeps for the health and safety of the community members. Community members found in buildings during fires or fire alarms may be found in violation of this policy. MCLA has adopted this approach to help prevent "false-alarm apathy."

Fire Department Access

Persons who intentionally block or otherwise hamper the duties of first responders such as the MCLA Public Safety/Campus 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. MCLA is not responsible for any damage to a motor vehicle that obstructs the response of the agencies such as the North Adams Fire Department or other emergency response agency.

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.

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.

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.

The possession, storage and use of Hoverboards, Mini Segways and similar equipment is not permitted on the MCLA campus, given the risk of fire, the hazards of charging the units, and the potential for serious injuries or property damage.

Smoke Bombs and Bomb Threats

Any person who possesses and/or activates a smoke bomb in a building without the permission of the MCLA Public Safety/Campus 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.

Fireworks

Any person possessing and/or discharging fireworks on campus will be subject to criminal prosecution

Food Safety

Events and programs are a valued tradition on college campuses and MCLA is no exception. Food brings people together, opens dialogue, introduces cultures and diversity, and supports a basic need. To support these outcomes, safety must be prioritized

Student-run events of a co-curricular nature are required to have either a student member or advisor with a current Food Safety certificate on file with the office of Student Engagement. That certificate shall be present and visible at the event. There are many online options to complete a food safety course; a suggested option is to register and complete a course with the North American Learning Institute ([North American Learning Institute \(nlearning.org\)](http://nlearning.org)). The course has a minimal fee that is to be covered by the club, group, or individual.

This applies in the following scenarios:

- Making meals for club fundraisers and/or club and event meals
- Serving food that is not pre-packaged

This does not apply in the following scenarios:

- Purchase of individual prepackaged food
- Food that is catered by a vendor or MCLA Dining

Free Speech & Assembly

MCLA embraces a student's right to free speech and assembly and recognizes an exercise of one's freedom of expression can contribute to individual and community learning.

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

Gambling and Bookmaking

MCLA community members must abide by all federal and state laws and college policies concerning gambling and bookmaking. The following forms of gambling or bookmaking are prohibited on university property or as part of any university activities:

- Betting on, wagering on, or selling pools on any athletic event, whether professional or amateur; or betting on brackets, fantasy leagues, video game tournaments, or internet gambling.
- Possessing on one's person (or in a room, car, etc.) any card, book, or other device for registering bets.
- Using or knowingly permitting the use of one's premises, computer, telephone, or other electronic communication device for illegal gambling.
- Knowingly receiving or delivering a letter, package, parcel, or electronic communication related to illegal gambling.
- Offering, soliciting, or accepting a bribe to influence the outcome of an athletic event.
- Involvement in bookmaking with respect to sporting events or games of chance.
- Playing cards or other games of chance for money.
- Participation in unauthorized raffles or lotteries.
- Any similar acts of gambling or betting, as those terms are commonly understood or as identified under Massachusetts or federal law.

In addition to the restrictions listed above, Athletics Department staff members and student-athletes must adhere to NCAA regulations and are therefore prohibited from participating in any sports gambling activities, whether on- or off-campus, concerning any intercollegiate or professional athletics team or competition on any sport in which the NCAA sponsors a championship in any Division.

Moreover, college employees may not gamble while on duty regardless of location. These prohibitions apply without regard to whether the activities are legal under federal or state laws.

The college may hold, or authorize others to hold, non-cash gaming events (such as casino nights) for fundraising or other legal purposes. These events must be approved in advance by the college's Vice President for Student Affairs or other designated college officials. The sponsoring organization must complete required reports and obtain appropriate licenses for any legal gaming activities at college functions.

Resources for Problem or Compulsive Gambling

Compulsive gambling is a progressive behavior disorder in which an individual has a psychologically uncontrollable preoccupation and urge to gamble. This results in excessive gambling, the outcome of which is loss of productive time and money. Unless treated, the gambling will reach the point where it compromises, disrupts, and then destroys the gambler's personal life, family relationships, and school and vocational pursuits.

College community members are encouraged to seek help for themselves or others in need of assistance by contacting one or more of the following offices or organizations:

On Campus:

[Counseling Services](#) 413-662-5331

[Health Services](#) 413-662-5421

[Public Safety](#) 413-662-5100

[Student Affairs](#) 413-662- 5231

Off Campus:

- Mass Council on Compulsive Gambling, 1-800-426-1234
- Gamblers Anonymous, 1-617-338-6020
- www.gamblersanonymous.org
- www.ncpgambling.org
- www.800gambler.org
- <https://macgh.org/> (Massachusetts Council on Gaming and Health)

Grievance

Before invoking the Student Grievance Procedure, a reasonable effort shall be made by those involved in a dispute to resolve it amicably. A dispute is most effectively handled and resolved by those closest to the problem, having the best understanding of the issues, and having the ability to formulate a mutually acceptable resolution. Therefore, it is in the best interest of the student, the potential subject of a Grievance, and the College to resolve disputes through open and cooperative dialogue. Only when such efforts are unsuccessful should the Student Grievance Procedure be invoked. Throughout all phases of the Student Grievance Procedure, all reasonable efforts shall be made to maintain confidentiality in accordance with applicable law.

Student Grievance Procedure

The Student Grievance Procedure may be used by a student to address alleged abridgment of the student's rights, as stated in the College's Student Handbook and/or Policy Guide. The Student Grievant or the Responding Party may consult with the Student Grievance Officer at any time. The College's Student Grievance Officer is the Dean of Students.

A grievance has been filed when notification of the alleged grievance and or complaint has:

1. Been shared in written form (email or paper) with the appropriate contact,
2. Includes date, approximate time, parties involved, and a brief summary of the grievance, **and**
3. Received within 30 business days of the initial incident.

Appropriate Contacts

Appropriate contacts with whom to file a grievance are as follows:

Americans With Disabilities Act

MCLA strives to provide prompt and equitable resolution of complaints alleging action prohibited by the Americans with Disabilities Act Amendments Act (ADAAA) and Section 504 of the Rehabilitation Act of 1973. Any person who believes that appropriate accommodations have not been provided to a student or that discrimination has occurred against a student based on disability/impairment should contact:

Cindy MacDonald, M.Ed.
Director of Disability Resources
Massachusetts College of Liberal Arts
375 Church Street
North Adams, MA 01247
+1 (413)662-5334
cindy.macdonald@mcla.edu
Mark Hopkins Hall - Room 102

Discrimination and Sexual Harassment

General Grievance

Grievances or complaints of a general nature may be filed with the Dean of Students office. The Student Grievance Procedure may not be used to address allegations of discrimination, including sexual harassment.

Luke Morrill, EdD
Dean of Students
Massachusetts College of Liberal Arts
375 Church Street
North Adams, MA, 01247
Phone: 413-662-5103
Email: lucas.morrill@mcla.edu
Amsler Campus Center – Room 307

When a student believes that they have been discriminated against due to their race, creed, religion, color, sex, sexual orientation, gender identity, age, disability, veteran status, genetic information or national origin, the student should contact:

Interim Title IX Coordinator and EO Officer
ADA/504 Coordinator
Camie Pratt
375 Church Street
North Adams, MA 01247
Phone: 413-662-5571
Email: camie.pratt@mcla.edu

Grade Dispute

If a Grievance involves a grade dispute, a student may contact:

Carolyn Dehner, PhD (she/her/hers)
Dean of Academic Affairs
Professor of Chemistry
Massachusetts College of Liberal Arts
375 Church Street
North Adams, MA, 01247
(413)662-5242
Bowman Hall – Room 221B

Mediation

At any level of the Student Grievance Procedure, either party may request mediation by contacting the Student Grievance Officer. Mediation shall be mutually agreed upon, and not unreasonably refused by either party. The Student Grievance Officer shall select an impartial mediator who shall be mutually agreed upon and not unreasonably refused by either party, make the arrangements, determine the timetable for the mediation process, and inform the parties of the timetable in writing. Where practicable, a mediation session shall be conducted no later than thirty (30) days after requested and agreed to by the parties.

The purpose of mediation is to resolve the dispute to the satisfaction of both parties. If a mediated resolution cannot be achieved, the Grievant may proceed with the Grievance Process. The Grievant has the right to be accompanied by any advisor of their own choosing and at their own expense throughout the grievance process. The advisor may be an attorney. An advisor's role is limited to personally advising the Grievant only. An advisor is not permitted to participate directly in any aspect of the grievance process.

Except for under extenuating circumstances, as determined by the President or their designee, failure by a party to comply with the Student Grievance Procedure during a Grievance may result in the waiving of the noncompliant party's rights under the Procedure.

Retaliation against any person who files a complaint of alleged discrimination, participates in an investigation, or opposes discriminatory employment or education practice or policy is prohibited under College policy and by State and Federal law.

Hazing

In accordance with Chapter 665 of the Massachusetts Acts of 1987 (see Hazing Law [M.G.L. 269.17](#)), the organization of or participation in hazing is illegal. Hazing is defined as any conduct or method of initiation into any student organization which willfully or recklessly endangers the physical or mental health of any student or other person. Any act that willfully or recklessly endangers the mental, emotional, or physical health and/or safety of any student or other person for the purpose of initiation, admission into, affiliation with, or continued membership in any group regardless of the person's consent to participate. This includes, but is not limited to:

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

Health

Regulations regarding cost of health services, confidentiality and required student health insurance

All full-time students (with 12 or more credits) including full-time graduate students (with nine or more credits) must submit a completed student health history and immunization report form to Health Services. Massachusetts immunization laws apply to full-time students of all ages. Proof of immunization must be provided by a physician, health organization or prior school and must include the dates (month and year) of: two doses of measles, mumps, rubella (MMR), one dose of tetanus/diphtheria/pertussis (Tdap) within the last 10 years, three doses of hepatitis B vaccine and two doses of varicella (chickenpox).

Physician documented proof of chickenpox will also satisfy the varicella requirement. Serologic laboratory proof (blood test) of immunity will be acceptable for MMR, varicella, and hepatitis B. Immunization requirements apply as well to international students attending or visiting classes as part of our academic exchange program.

International students from countries with endemic tuberculosis (a high incidence of tuberculosis) are also required to have a negative skin test for tuberculosis (or if positive, a negative chest x-ray or proof of treatment) before entry onto the campus.

1 dose of MenACWY is required for all FT students 21 years of age or younger. Dose must be given on or after the student's 16th birthday.

A student, or the student's parent or guardian if the student is a minor, may opt to sign a meningitis waiver which details that the student has reviewed information about the risks and dangers of meningococcal disease and has elected to decline the vaccine. Such a waiver must also be submitted before the student moves into the residence halls as dictated by 105 CMR 220.700 (C).

Any visit to the Wellness Center (Health Services) or conversation with a staff member is a private matter.

Your medical record is held by the Wellness Center, but belongs to you. A Notice of Privacy Practices (NPP) is posted and obtainable in Health Services. The NPP details your right to privacy. Your record is confidential and all disclosures (with the exception of federal and state law requirements) require your signed authorization for release.

As part of The Wellness Center's broad-based initiative to improve the health of the College population, disease prevention and health promotion are emphasized through health education programs offered in residence halls, athletic facilities, the Campus Center and other on-campus locations. Programs deal with timely issues such as alcohol responsibility, drug/addiction education, acquaintance rape awareness and prevention, minimizing risk, smoking cessation, eating disorders, nutrition, weight management, help-seeking behaviors and stress management.

If you are a full-time student or a student carrying at least 75 percent of a full-time course load, (nine credits or more for an undergraduate, seven credits or more for a graduate student), on a yearly basis, you must provide proof (through an electronic waiver process) of comprehensive health insurance coverage. It is a Massachusetts state law. For students without comprehensive health coverage, MCLA sponsors an affordable Student Health Insurance Plan which provides 24-hour coverage during the enrollment period. Insurance waivers and enrollments are available on the MCLA Health Services web page.

All full and 3/4-time students are required to participate in this program unless they can certify they have comparable coverage.

Certain plans or programs are NOT comparable coverage according to the law, and are not acceptable for waivers. These include:

- Students determined to be receiving services paid for by the Health Safety Net or Students enrolled in MassHealth Limited or the Children's Medical Security Program;
- Students with coverage from insurance Carriers outside the U.S. and coverage by foreign National Health Service programs, unless the Student is studying in a foreign country and the Student's insurance provides coverage in that location; and
- Students with a Health Benefit Plan that provides coverage through a closed network of providers, not reasonably accessible in the area where the Student attends School, for all but Emergency Services.

All international students must be covered under the College-sponsored insurance plan, unless they are participating in an embassy-sponsored program or a program with American-based insurance.

Failure to comply with the above stipulations will result in a "hold" on your student account which will prevent you from registering for future classes, obtaining transcripts and graduating. For complete information, contact Health Services at 413.662.5421.

Medical Amnesty and the Good Samaritan Policy

Community health and well-being are paramount to a vibrant college experience. If a member of the MCLA community is experiencing a medical emergency or crisis, we expect others to call trained professionals for help, to stay with the person who needs help, and to cooperate with the responding officials.

The College understands the hesitation to call for help if there is fear that the callers or the person who needs assistance might face consequences due to the circumstances of the emergency (e.g., underage drinking, or the overconsumption of cannabis edibles).

However, barring exceptional circumstances as determined by the Dean of Students, Dean for Title IX, Equal Opportunity, and Student Wellness or their designee (e.g., assaults, hazing, use of weapons, harassment, etc.), the College will apply amnesty to those who need assistance and those who ask for that assistance.

Amnesty allows students involved in potential violations of college policies to engage in an adaptable conflict resolution process without that potential violation impacting their student disciplinary record. The goal of an amnesty-based resolution is to ensure wellness, to understand the circumstances that caused the concern, and to find the appropriate educational opportunity to increase future success.

To review the Full Medical Amnesty & Good Samaritan Policy, please see Appendix #2.

Pet Policy

To review the Pet Policy for resident students and resident areas of campus, please see the Residence Area Community Guidelines.

ESA Policy

For additional information regarding the ESA Policy for campus, please see the Disability Resources web page located on the college website.

Residence Life & Housing

Residence Area Community Guidelines

MCLA provides on-campus living as part of our identity as a residential campus. To successfully live in community with one another requires all community members to agree to abide by a set of guidelines. This ensures the safety and respect of each person. (Refer to the Residence Life & Housing web page for detailed guidelines)

Depending on the severity, those found in violation of these guidelines may face multiple and separate layers of accountability, including but not limited to:

- Residence Life & Housing
- The College Student Conduct process
- State and/or Federal prosecution

Residency Requirement

MCLA has a three-year residency requirement. Students who enter MCLA as transfer students with prior college experience will receive a one, two or three-year residency requirement commensurate with the number of credits completed at the time of transfer. The Office of Admissions assigns the appropriate residency requirement for all students at the time of admission.

Commuter Status: Students must meet one of the following criteria to be a commuter:

- Have 75 transferable credits
- 24 years or older
- Married
- Home address is located under 1 hour travel distance of MCLA

Exceptions to this requirement may be sent in writing to the Office of Admissions for review.

Sexual Harassment

MCLA prohibits conduct on the basis of sex that satisfies one or more of the following conditions:

1. An employee of the University conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct; or,
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity.
3. Sexual Assault
4. Retaliation

Interim Title IX Coordinator and EO Officer

ADA/504 Coordinator

Camie Pratt

375 Church Street

North Adams, MA 01247

Phone: 413-662-5571

Email: camie.pratt@mcla.edu

*This information is for incident reporting only. In the case of an emergency, please call 911.

MCLA's Title IX Coordinator can assist you to understand your rights and reporting options. Any person may report sex discrimination, including sexual harassment, whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment. Reports can be made in person, by mail, by telephone, or by email using the contact information listed for the Title IX Coordinator, or by any other means that result in the Title IX Coordinator receiving the person's verbal or written report.

Reports may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator. If you make a report during non-business hours, the Title IX Coordinator will follow up with you when the office reopens. If you would like to speak to the Title IX Coordinator in person, please call or email to schedule an appointment.

For more information and definitions of these terms, please refer to [Appendix #1: Title IX Policy from the Massachusetts State University Equal Opportunity, Diversity, and Affirmative Action Plan](#)

Rights and Responsibilities

The following information is available to current and prospective students from the listed sources and locations. All current and prospective students have every right to know this information, and an individual responsibility to have knowledge and awareness of its existence.

DISCLOSURE	SOURCE	LOCATION
General institutional information regarding the College	Information for Current Students Current Course Catalog College Academic Policies Office of Student Records Student Resources	Multiple Offices across campus
Athletic program participation rates and financial support data	Athletic Department	Amsler Campus Center Athletics Hallway
Campus policy governing use of alcohol and other drugs	State & Federal Laws and Sanctions Concerning Drugs & Alcohol Community Standards: Alcohol and Drug Policy Addendum #1 herein	Additional Information -contact Public Safety/ Campus Police University Townhouses Dr. Luke Morrill Dean of Students Amsler Campus Center Room 307
Medical Amnesty & Good Samaritan Policy	Community Standards: Alcohol and Drug Policy & Addendum #2 herein	Dr. Luke Morrill Dean of Students Amsler Campus Center Room 307
Campus security report Statistics of criminal offenses for the three most recent calendar years concerning the occurrence crime involving students	Campus Security Report Current Clery Report	Public Safety Department 277 Ashland Street
EO Plan & Title IX Policy and Process	Title IX Coordinator University System EO Plan Community Standards: Addendum #3 & Addendum #4 herein	Camie Pratt Interim Director of Title IX, Equal Opportunity
Disability Resources Information on services and accommodations available to students who may need accommodations.	Disability Resources	Mark Hopkins Hall Room 102
MCLA Financial Aid information Various sources of financial aid	Financial Aid Resources	Student Financial Services Eldridge Hall 413-662-5219
Privacy practices under HIPAA	Confidentiality under HIPAA	Mountain One Wellness Center Health Services
Family Education Rights and Privacy Act Right to inspect and review student's education records	FERPA	Registrar's Office Eldridge Hall
City of North Adams Rules & Regulations	City of North Adams Rules & Regulations	MASS.Gov
Voter registration Voter registration forms must be made available to all students	MA Voter Registration Form Any State Voter Registration Forms	Studentvote.org or US Election Assistance Commission

Technology

Students are expected to use campus computer and electronic resources (such as e-mail, voice mail, computers, programs, and software) in responsible ways and in a manner consistent with the mission of the College. For complete usage guidelines see the [Tech Help webpage](#) including the [IT Policies and Procedures](#).

The unauthorized use of computing resources is prohibited including, but not limited to, duplication of copyrighted material, unauthorized access to or alteration of records, unauthorized use of electronic communication equipment or networks, and assisting others in any of these actions either intentionally or unintentionally.

Attempted use or actual use of electronic devices that invade a person's privacy. This includes but is not limited to taking photographs, audio, or visual recordings of another person without their consent.

Title IX and Equal Opportunity

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

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

The U.S. Department of Education
33 Arch Street, 9th Floor
Boston, MA 02119-1424
(617) 289-0111/Fax (617) 289-0150
OCR.Boston@ed.gov

Interim Title IX Coordinator and EO Officer
ADA/504 Coordinator
Camie Pratt
375 Church Street
North Adams, MA 01247
Phone: 413-662-5571
Email: camie.pratt@mcla.edu

For complete information about MCLA's Non-discrimination policies and procedures, please refer to: [Appendix #1](#)

Travel

Students and MCLA employees traveling for co-curricular and extra-curricular purposes hosted by the Student Affairs Division are subject to our travel guidelines and procedures. (Please see [Appendix #3: MCLA Student Affairs Co-Curricular and Extra-Curricular Travel Guidelines and Procedures](#))

Authority lies within the Office of Student Engagement to enforce this policy and annually review this policy with a lens towards risk management, liability, college capacity, and equity.

Examples of travel that falls within this policy include:

- Ski Club student travel on an overnight ski trip
- Student travel with the Volunteer Center to an elementary school
- Student Government Association representatives attending a multi-day out of state conference

Examples of travel that does not fall within this policy include:

- Student travel on a credit-bearing travel course
- Student travel in a biology class to Windsor Lake for sample collection
- Student travel to a practicum at an elementary school or health care facility

Weapons and Firearms

MCLA is committed to providing a safe and secure environment in which to study, research, live, work and visit. Prohibiting the use or possession of firearms and other dangerous weapons are essential to that goal and are required by law.

This policy is applicable to all members of the College community, including students, faculty, staff, visitors (invited or uninvited), contractors, and guests and is in effect on all property owned, controlled, occupied, leased and/or operated by MCLA or at any college sponsored event. including but not limited to:

- Academic buildings
- Dining Facilities
- Residence Halls
- Grounds
- Parking lots/garages
- Roadways
- Motor vehicles

MCLA further regulates firearms and other weapons. Except as expressly authorized within this policy, no individual may manufacture, transfer, sell, possess, carry, store, use, or have in his or her custody and/or under his or her control, a firearm or other weapon defined within this policy.

Pursuant to Massachusetts General Law (MGL), persons authorized to possess a License to carry concealed weapon permit are still prohibited to carry a firearm on the College property. Nothing in this policy shall be construed to create regulation that is less restrictive than any applicable code, statute, law, regulation, or ordinance.

When a conflict arises, determination of an object or article as a MCLA in Campus policy is subject to the sole discretion of the MCLA Public Safety and Campus Police Executive Director/Chief of Police or their designee.

Definitions

For purposes of this policy, Massachusetts State law to possess a firearm on school grounds, MGL. 269 Sc. 10j. A person who is not a law enforcement officer, may not carry a loaded or unloaded firearm or any other dangerous weapons on an elementary, secondary or college campus without written authorization.

Firearm

A pistol, revolver or other weapons of any description, loaded or unloaded, from which a shot or bullet can be discharged and of which the length of the barrel or barrels is less than 16 inches or 18 inches in the case of a shotgun as originally manufactured; provided, however, that the term firearm shall not include any weapon that is: constructed in a shape that does not resemble a handgun, short-barreled rifle or short barreled shotgun including, but not limited to, covert weapons that resemble key-chains, pens, cigarette lighters or cigarette-packages; or not detectable as a weapon or potential weapon by x-ray machines commonly used at airports or walk- through metal detectors.

Large Capacity Weapon

Any firearm, rifle or shotgun: that is semiautomatic with a fixed large capacity feeding device that is semiautomatic and capable of accepting, or readily modifiable to accept, any detachable large capacity feeding device; that employs a rotating cylinder capable of accepting more than ten rounds of ammunition in a rifle or firearm and more than five shotgun shells in the case of a shotgun or firearm; or that is an assault weapon. The term "large capacity weapon" shall be a secondary designation and shall apply to a weapon in addition to its primary designation as a firearm.

Rifle

A weapon having a rifled bore with a barrel length equal to or greater than 16 inches and capable of discharging a shot or bullet for each pull of the trigger.

Shotgun

A weapon having a smooth bore with a barrel length equal to or greater than 18 inches with an overall length equal to or greater than 26 inches, and capable of discharging a shot or bullet for each pull of the trigger.

Dangerous Weapon

Items which are, by their nature, capable of causing serious injury or death, including but not limited to:

Firearms, knives, stilettos, daggers, switch knives, double edge knives, ballistic knives, knives with a detachable blade capable of being propelled, metallic knuckles, black jacks, blowguns, sling shots, nunchaku, zoo bow, kung fu sticks, throwing stars, leather armbands or other clothing that has metallic spikes, points, or studs, explosives, explosive agents of any kind, chemical sprays, mace, oleoresin 3 capsicum (pepper spray), tear gas, or other dangerous weapons or articles

Any item, including innocent items, when used in a dangerous fashion such as an assault and battery, may be considered a dangerous weapon.

BB Guns

A type of air guns designed to shoot shot projectiles called BBs — metal balls approximately the same size as the 0.180 inches (4.6 mm) "BB" lead birdshots. Modern BB guns usually have a barrel with a bore caliber of 4.5 mm (0.177 in) and are available in many varieties. These guns usually use steel BB shots, plated either with zinc or copper to resist corrosion, and measure 4.3 to 4.4 mm (0.171 to 0.173 in) in diameter and 0.33 to 0.35 g (5.1 to 5.4 gr) in weight. Some manufacturers still make the traditional lead balls around 0.48 to 0.50 g (7.4 to 7.7 gr) in weight and slightly larger in diameter, which is generally intended for use in rifled barrels.

Types of Danger Weapons Prohibited Category

a. Firearms

• Shotguns, • Rifles, • Pistols and revolvers • Paintball guns • BB/pellet guns • Flare guns • Firearm replicas

b. Ammunition Components of ammunition

• Bullets, • Cartridges, • Shell casings, Primers, • Igniters, • Gun Powder

c. Electrical weapons

• Portable device or weapon from which an electrical current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to incapacitate temporarily, injure or kill, • Any dangerous chemicals

d. Knives University of Massachusetts Boston Weapons in Campus policy

• Ballistic Knife; or any knife with a detachable blade capable of being propelled by any mechanism; • Dirk Knife; • A knife having a double-edged blade; or a switch knife; or any knife having an automatic spring release device by which the blade is released from the handle; • Folding Knife having a blade of over three inches in length; • Double-Edged Knives; • Hunting (fixed-blade)-style knives of any length; • Throwing Knives; • Swords; • Axes

e. Marital arts-type weapons

• Nunchaku. • Zoobow, also known as klackers or Kung Fu sticks; or any similar weapon consisting of two sticks of wood, plastic or metal connected at one end by a length of rope, chain, wire or leather. • Shuriken or any similar pointed star-like object intended to injure a person when thrown • armband, made with leather which has metallic spikes or points or any similar device made from any other substance. • Cestus or similar material weighted with metal or other substance and worn on the hand; • Manrikigusari or similar length of chain having weighted ends. • Spears. • Bows; crossbows. • Arrows • Slingshots. • Blowguns • Blackjacks • Metallic knuckles or knuckles of any substance which could be put to the same use with the same or similar effect as metallic knuckles • Stiletto dagger or a device or case which enables a knife with a locking blade to be drawn at a locked position;

f. Explosives

• Any explosives or any substance which could be put to the same use with the same or similar effect (explosives) • Fireworks.

Authorized Activities

Exceptions to this policy are:

- Authorized law enforcement officers or military personnel, in the performance of their official duties, and to the extent that they are legally permitted to possess weapons in the Commonwealth of Massachusetts.
- Weapons on display as objects of artistic, decorative, historical, or cultural value, provided that such weapons are secured in such a way as to prevent access to the weapon or removal of the weapon by unauthorized persons, and in the case of mechanical, electronic, or chemical weapons, rendered inert and inoperable. The MCLA Chief or their designee must approve such use in writing.
- College-sanctioned employee groups or events where a weapon (or replica of a weapon) is required as part of the activity, including dramatic performances, sanctioned athletic competitions such as fencing, and official military ceremonies. Such weapons must be inert replicas, working weapons rendered inert, or military ceremonial swords carried in conformance with applicable branch of service regulations. The MCLA Chief or their designee, must approve such use at least two (2) weeks before the event is to take place, and authorization must be in writing from the Chief or their designee.

Requests for Exceptions

Exceptions to this policy will be rare and granted only under extraordinary or unusual circumstances. Exception requests must be made in writing to the MCLA Chief or their designee. The Chief or their designee will review the request in consultation with appropriate College officials and will respond with their decision. Exceptions cannot be lawfully granted for those weapons described as dangerous weapons unlawfully carried under Massachusetts General Law (MGL) Chapter 269, Section 10. Sanctions: Dangerous weapons are not permitted on campus at any time.

Any violation of this policy, including violation of Massachusetts State law to possess a firearm on school grounds, MGL. 269 Sc. 10j. will result in prosecution and will be subject to severe disciplinary action, up to, and including termination or expulsion.

Questions about the applicability of this policy should be directed to MCLA Chief or their designee. MCLA reserves the right to modify this policy completely or in part, at any time, at its sole discretion.

Section 4: Accountability and the Conduct Program

MCLA Student Conduct Program

Mission

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

MCLA Student Conduct Program Goals

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

MCLA Student Conduct Program Outcomes

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

- Explain why College policies exist and why the College community is concerned with their actions and behaviors.
- Understand the impact of their behavior and decision-making on themselves and the community.
- Communicate their personal responsibility for their behavior within the College community.
- Identify ways to address their actions and behaviors so that their decision making does not negatively impact their educational goals and future success.

MCLA Student Conduct Program Philosophy and Principles of Community

"The development and enforcement of standards of conduct and conflict resolution for students is an educational endeavor that fosters students' personal and social development. Students must assume a significant role in developing and enforcing such standards in order that they might be better prepared for the responsibilities of citizenship."- The Association of Student Conduct Administration (www.theasca.org)

The College recognizes the rights of all individuals to express themselves in words and actions and encourage civil discourse. There must also be a willingness and commitment among all individuals in the MCLA Community to associate in a way that allows individual freedom, rights, and privileges to coexist with reasonable order. Members of the College community assume a respect for these basic principles that enable the College to accomplish its mission.

MCLA Student Conduct Program Authority and Responsibility

Daily responsibility for good conduct rests with the students as individuals. All members of the campus community are expected to use reasonable judgment in their daily campus life and to show due concern for the welfare and rights of others. The ultimate responsibility and authority to enforce the Student Conduct Program resides with the President of Massachusetts College of Liberal Arts.

The President may, and has, delegated responsibility for the administration of the Student Conduct Program to the Dean of Students. The Dean of Students, in turn, delegates the authority to authorized and responsible staff for the implementation and enforcement of the policies and procedures. This responsibility includes formulating and implementing appropriate policies and procedures, in conjunction with other appropriate College bodies, for the consideration of conduct complaints, infractions, and the imposition of outcomes in an efficient, consistent, legal, and equitable manner which supports the Colleges' educational mission.

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

Review of all alleged violations is overseen by the Dean of Students whose role is to identify those acts that may be in conflict with College policies. Alleged violations are determined by the Dean of Students and are either adjudicated by the Dean of Students or are assigned to an employee or independent contractor who will serve as a conduct officer.

Prior written notice of a meeting/hearing is typically provided to a student(s). If circumstances necessitate, the meeting/hearing may be scheduled immediately. Written notice, delivered electronically containing the date, time, location, and alleged violation(s) is sent to the student(s) via their campus email account.

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

The College reserves the right to take any necessary and appropriate action to protect the safety and well-being of the campus community.

The Student Conduct Program was established in accordance with the concept of "due process." Due process, as used herein, shall mean generally that the student will be:

- Notified of an alleged policy violation of College policy
- Provided the opportunity to review the details of the alleged policy violation(s)
- Given an opportunity to respond to the alleged policy violation(s) before a decision is rendered

The decision of responsibility is based on the "preponderance of information", which means it is more likely than not that a policy violation occurred and any outcomes will be proportionate to the severity of the violation and to the cumulative conduct history of the involved party.

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

Off Campus Conduct Statement

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

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

Student Rights and Responsibilities in the Conduct Program

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

- The right to be treated with respect, dignity, and compassion by College officials and by all persons involved in the Conduct Review Process.
- The right to have the opportunity to review all college policies. A student is responsible for knowing all policies as listed in the Community Standards, including those that may occur through encouragement or neglect.
- The right to be informed by written notice, delivered electronically, of the alleged violation(s) and also the date, time, and place of the meeting/hearing.
- The right to review and respond to the information in documentation presented at the time of the meeting/hearing.
- The right to be assisted in a student conduct hearing by a procedural advisor. A procedural advisor, typically a member of MCLA faculty or staff, can be requested by the respondent or appointed by the Dean of Students. This individual may not address the hearing officer but may consult freely with the student. If at any time the advisor's participation interferes with the stated conduct procedures, they will be dismissed from the hearing and the hearing will proceed without them.
- The right to be assisted by Disability Resources if an accommodation is needed to support a student going through the conduct review process. If requested in advance and determined to be an appropriate and reasonable accommodation through Disability Resources; notices, reports and/or written materials can be provided in an alternate format.
- The right to participate in the meeting/hearing or remain silent. If the student chooses to remain silent, the conduct review process will move forward.
- The right to have the level of responsibility determined based on "preponderance of information" standard, which means it is more likely than not the violation occurred.

- The right to request an appeal on the finding(s) and/or outcomes(s) issued based on the appeal criteria. Appeals may only be granted if at least one of the two specific criteria are met.

Procedural Advisor

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

Advisors may not:

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

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

Review Process

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

1. Notice

Students will receive a letter electronically from the appropriate College staff member, informing them of a conduct meeting/hearing to discuss the incident. Students will generally be given at least two (2) business days' notice for administrative hearings and/or preliminary meeting. If no notification is received from the student prior to the scheduled meeting/hearing communicating a schedule conflict, the meeting/hearing will proceed as indicated on the Notice of Violation.

2. Attendance

If the student fails to attend the meeting/hearing, the review will be made in the student's absence. Additionally, the student forfeits the right to appeal the decision and/or outcome of the case.

3. Meeting/Hearing

A conduct officer will review the incident report(s), documentation and/or related information with the student and the student will have the opportunity to share information regarding the incident. Since the meeting/hearing focuses on what happened with the purpose of determining whether policy violations have occurred, character statements, character witnesses, and letters of support that do not pertain to the incident in question cannot be considered. Students should only share information that pertain to the incident.

4. Finding and Outcome

Based upon the information presented, the conduct officer or conduct board will determine if the student is responsible or not responsible for the alleged violation(s). Outcomes are considered only after responsibility has been determined and is based solely on the severity of the violation and a student's previous conduct record. The decision of the case will be subject to final review by the Dean of Students, or designee.

5. **Notice of Outcome**

Students will receive a letter electronically notifying the student of the results of the meeting/hearing generally within three (3) business days following the meeting/hearing. Additional time may be needed if the case is complicated in nature.

6. **Appeal**

Students have the right to appeal based on appeal criteria within (3) three business days of the decision letter.

Types of Meetings Students May Be Invited To:

Preliminary Meeting

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

Conduct Review Meeting

The Dean of Students, or designee, will conduct the Conduct Review Meeting. This meeting is to be educational in nature. The student may take responsibility for the alleged violations or not. The goal of the meeting is to make a decision about responsibility and discuss the impact of the behavior(s) on the student and the MCLA community. This type of meeting can be for any level conduct case. The goal of the hearing is to make a decision about responsibility and discuss the impact of the behavior(s) on the student and the MCLA community.

Administrative Meeting

The Dean of Students, or designee, will be the Administrative Conduct officer. This meeting is to be educational in nature. The student may take responsibility for the alleged violations or not. The goal of the meeting is to make a decision about responsibility and discuss the impact of the behavior(s) on the student and the MCLA community. This type of meeting can be reserved for higher level cases and/or for a student's whose conduct history is at a higher level. The hearing may be scripted and recorded as a matter of College record.

College Hearing Board Hearing

The Dean of Students will appoint three (3) MCLA Faculty/Staff members who have been trained in the Conduct Review Process to comprise the College Hearing Board. One of the College Hearing Board members will be designated as the chairperson. This type of hearing can be utilized for higher level cases and/or for a student's whose conduct history is at a higher level. The goal of the hearing is to make a decision about responsibility and discuss the impact of the behavior(s) on the student and the MCLA community. The hearing may be scripted and recorded as a matter of college record. After a decision has been made by the College Hearing Board, the chairperson will fill out documentation needed and turn all case materials back to the Dean of Students. The decision letter will be written from the Dean of Students (or designee) to the student.

Possible Interim Measures

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

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

Interim measures may include, but are not limited to:

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

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

Possible Resolutions and Outcomes

There are a variety of possible outcomes you may receive if you are found responsible for violating a College policy. These outcomes range from disciplinary standing outcomes to educational outcomes to interventions.

When a student is found responsible for a violation of the policies within the MCLA Community Standards, any of the following types of outcomes may be assigned. Outcomes should be appropriate to the policy violation(s) for which they are assigned. When considering the outcomes to be imposed, a range of factors may be considered, including the:

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

Educational Outcome

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

- Educational information provided to the student to review.
- Judicial Educator module
 - Completing an online module that relates to the incident/policy violation.

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

Letter of Reprimand

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

Informal Resolution

An informal resolution may transition into a formal meeting/hearing for any reason including new information learned during an informal meeting or when an informal resolution cannot be reached. Examples of informal resolution can include, an educational letter, conversation, or agreement to mediation.

If mediation is deemed appropriate, contact will be made to all parties involved and an explanation of the process will be offered. If accepted by all parties, mediation will be viewed as an alternative solution. Should an agreement not be possible, the incident may be pursued through a conduct review meeting/hearing. All agreements reached through mediation are binding. If at any point the agreement is not fulfilled, the negligent party may face further conduct action. Mediation is not an option in cases of sexual misconduct.

College Warning

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

Residence Area Probation

A status imposed on a student for a specific period of time to allow students to reflect upon their choices and behavior and to demonstrate the ability to abide by College policies and expectations. Any additional College policy committed

during the probation period may result in additional or more serious outcomes, including residential suspension or expulsion, College suspension, or College expulsion.

College Probation

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

Campus Restriction

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

Housing Relocation

At times it is best to relocate a student to another housing assignment. This change in housing assignment will be done in consultation with Residential Programs & Services.

Financial Restitution

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

Student Account/Disciplinary Hold (Dean's Hold)

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

Community Service Hours

Community service hours may be assigned. The following may be assigned:

- Complete a specific number of hours with a specific department/office under the direct supervision of the department/office head.
- Complete a specific number of hours in the city of North Adams under the direct supervision of a Student Affairs Staff member or designee.

Withdrawal of Recognition/Dissolution

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

Administrative Fine

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

Residential Suspension

Temporary dismissal from College-owned housing for a specified period of time and without financial reimbursement. After this period is concluded, the student may regain their ability to live in a residence area following an interview with

the Dean of Students or designee. A residentially suspended student may not enter any College owned housing during this time. Return to housing will be on a space-available basis.

Residential Expulsion

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

Suspension from the College

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

Expulsion from the College

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

Zero Tolerance

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

Acts against persons and/or property including, but not limited to:

- Hate crimes
- Arson
- Murder
- Destruction of property including electronic
- Rape
- Physical assault
- Illegal occupation of a building
- Stalking

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

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

Appeals Process

The College has implemented procedures for students to appeal. Appeals are not a re-hearing of the facts of the case, but an examination of the procedure and/or outcome. General dissatisfaction with the outcome of a conduct case is not an appropriate basis for an appeal.

The outcomes(s) resulting from a case decision will be considered on hold until the decision is affirmed, modified or reversed in the appeals process. Additionally, only a student who has participated in the hearing process and has been found responsible for violating a policy may file a written appeal.

If a student fails to attend a meeting/hearing, that student forfeits their right to appeal the decision rendered by the conduct officer or conduct board.

An appeal must be submitted in writing via the Community Standards appeals form within (3) business days of the notification of the outcome of the case to the parties involved in the original decision and should include the grounds for the appeal and all relevant information.

Appeals must be submitted directly to the Community Standards appeals form located on the MCLA website.

Please see the Community Standards appeals form link located below:

https://cm.maxient.com/reportingform.php?MCLA&layout_id=3

Character statements, character witnesses, and letters of support that do not pertain to the incident in question cannot be considered. The decision to consider the appeal is a separate action from actually determining the appeal. If the appeal officer determines that the appeal does not meet any of the criteria for appeal, the student will be notified in writing via Case Management System and/or College email address within three (3) business days after the appeal request has been submitted.

The possible criteria for appeal are:

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

All requests for appeal must outline the following:

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

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

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

- Nature of the new evidence;
- Name(s) of anyone who will present this evidence;

- Reason(s) why evidence was not discussed at original meeting/hearing;
- Reason(s) why evidence can contribute to a decision other than that which was originally made.

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

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

If an appeal meets at least one of the appeal criteria, the assigned appeal officer will review case related information. A notification of the decision regarding the appeal will be made to the student in writing via their College email address. The appeal decision will be rendered within (10) ten business days of the written appeal being received by the College. The decision of the appeal officer is final and effective immediately, the case is closed. All outcomes must be completed as stated in the original Notice of Outcome and/or Notice of Appeal Decision letter.

Good Conduct Standing

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

Good Conduct Standing is determined as the following:

- Should not be on College Probation and/or should not have an AOD Level 3 or 4 and/or should not have a FS Level 3, or 4.
- Should not have a progressive conduct history that rises to the level of residential suspension, suspension from the college, or expulsion from the college.

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

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

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

Section 5: Appendices

[Appendix #1: Title IX Policy from the Massachusetts State University Equal Opportunity, Diversity, and Affirmative Action Plan.](#)

For information regarding Title IX, Equal Opportunity, Diversity, and Affirmative Action please refer to the MCLA website located at <https://www.mcla.edu/administration/title-ix/>

[Appendix #2: Medical Amnesty & Good Samaritan Policy](#)

Community health and well-being are paramount to a vibrant college experience. If a member of the MCLA community is experiencing a medical emergency or crisis, we expect others to call trained professionals for help, to stay with the person who needs help, and to cooperate with the responding officials.

The College understands the hesitation to call for help if there is fear that the callers or the person who needs assistance might face consequences due to the circumstances of the emergency (e.g., underage drinking, or the overconsumption of cannabis edibles). However, barring exceptional circumstances as determined by the Dean of Students, Dean for Title IX, Equal Opportunity, and Student Wellness or their designee (e.g., assaults, hazing, use of weapons, harassment, etc.), the College will apply amnesty to those who need assistance and those who ask for that assistance.

Amnesty allows students involved in potential violations of the Community Standards to engage in an adaptable conflict resolution process without that potential violation impacting their student disciplinary record. The goal of an amnesty-based resolution is to ensure wellness, to understand the circumstances that caused the concern, and to find the appropriate educational opportunity to increase future success.

Alcohol and Other Drugs Medical Amnesty Statement

1. Alcohol/Drugs

MCLA is concerned about the use and abuse of alcohol and other drugs in our community. Alcohol abuse and illegal drug use impact the entire MCLA community. The College's primary concern with legal AOD use is the safety and wellbeing of our students. Students are expected to abide by Massachusetts law and College policies around AOD. For of age students who choose to consume alcohol, the MCLA expects that they do so appropriately to avoid compromising personal safety.

MCLA 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.

Signs of serious intoxication/impairment include:

- The inability to rouse the person with loud shouting or vigorous shaking
- Someone who is passed out
- Someone who is semi-conscious or goes in/out of consciousness
- Slow (< 8 breaths/minute) or irregular breathing or lapses in breathing of 10 seconds or more
- Cold, clammy, or bluish skin
- Vomiting while passed out, not waking up after vomiting or incoherent while vomiting

Because the safety and welfare of students is the MCLA's priority, the College has instituted a medical amnesty policy. This policy is applicable to the following individuals: 1) the student requesting medical assistance for oneself; 2) the student(s) requesting medical assistance for another person; and 3) the student(s) for whom medical assistance was provided.

When responding to an AOD violation, MCLA 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 still applies.

This policy does not protect students who repeatedly violate College policies. Once a student receives medical amnesty, future amnesty is at the discretion of the Office of Student Affairs. The Dean of Students or designee also has discretion to determine that this policy does not apply in more serious situations, including criminal possession of drugs, property damage, violence, etc.

Medical Emergency Reporting Procedures

Students should seek immediate help if any of the above signs are present as they indicate a potentially life-threatening emergency. If the incident is on campus, students are expected to contact the MCLA Campus Police (413) 662-5100 or 5100 when they believe assistance is needed. MCLA Campus Police will respond and evaluate the student in question. If medical assistance is deemed necessary, the College expects the student to accept such assistance. If the decision is made to transport a student to the hospital for medical attention, MCLA expects the student to accept transportation. If the seriously intoxicated/impaired individual is located within a residence area, a member of the Residence Life staff should also be notified.

In case of an off-campus emergency, students should call 911 for assistance by local police or medical professionals. A seriously intoxicated/impaired individual should never be left alone.

2. Sexual Assault

MCLA recognizes that students who have been drinking and/or using drugs (whether such use is voluntary or involuntary) at the time that prohibited conduct under the College's Title IX policies occurs may be hesitant to report incidents due to fear of potential consequences for their own conduct. The College strongly encourages students to report such prohibited conduct. A student bystander or reporter acting in good faith who discloses any incident of prohibited conduct under these procedures to a MCLA official or to Public Safety will not be subject to action under MCLA's Community Standards for violation of alcohol and/or drug use occurring at or near the time of the commission of the prohibited conduct. While no disciplinary action will be taken, MCLA reserves the right to take steps necessary to address health and safety concerns for the individual and the community, as well as the right to report truthfully to licensing bodies.

In a situation where a sexual assault or other incident of sexual misconduct is alleged to have been committed against any individual(s), students are encouraged to (1) contact MCLA Campus Police (413) 662-5100 or 5100, The Dean for Title IX, Equal Opportunity, and Student Wellness or other college officials to report the incident; (2) remain with the individual(s) needing support and cooperate with emergency personnel as long as it is safe to do so; and (3) meet with appropriate College officials after the incident and cooperate with any College investigation.

MCLA Student Affairs Co-Curricular and Extra-Curricular Travel Guidelines and Procedures

Responsibilities

1. Office of Student Engagement

- The Office of Student Engagement (The Office) will maintain records for travelers on behalf of the college for tracking and emergency purposes
- The Office will maintain the official list of approved students for specific trips. Students not on that list are not approved to go.
 - The list will be provided by the club or organization to The Office,
 - The Office will confirm the students on the list are in Good Conduct Standing,
 - The office will provide the list to the MCLA employee.

2. Student

- Students are expected to be aware of, and follow, this policy in addition to all college, state, and Federal policies.
- Students are responsible for communicating with their faculty, on campus supervisors for student employment, coaches, and any other MCLA community member they have responsibilities to. It is the responsibility of the student to arrange time away and be on top of homework and missed assignments.
- Students are required to complete the [Travel Waiver](#) online prior to departure.
- Students are expected to be aware of, and adhere to, travel departure times. Students who miss travel connections are personally liable for any costs, however, incurred in securing substitute transportation.
- Students are expected to remain with the travel group for the duration of the trip. Any exceptions must be approved 72 hours prior to departure.
- Students are responsible for any injury or damage they cause to other persons or their property: and the College and its agents assume no liability for any such damage or injury.
- Student who violate conduct set forth by the College policies are subject to procedures and sanctions.

3. Advisor/Chaperone

- Any club advisors and chaperones (MCLA employees) traveling with students off campus will be required to complete a Responsible Employee training prior to the date of travel. Documentation of completion should be provided to the Office of Student Engagement in writing and/or email.
- MCLA employees are to confirm their participation and attendance for the travel with the Office of Student Engagement.
- MCLA employees are to remain with the traveling party for the duration of the trip.
- MCLA employees will communicate with The Office throughout the travel, providing notification of safe arrival, departure, and anything of significance.
 - **In the event of an emergency, the MCLA employee is to contact the Administrator on Call via text or call at 413-663-1594**

Accommodations

- Acceptable accommodations include hotels, motels, and certain camping facilities.
 - Hotel room upgrades and room charges are not allowable expenses
 - Parking, additional cots, and late check outs are acceptable costs, though should be used sparingly.
- Homestays, Air bnb, and VBRO are approved on a case-by-case basis, requiring a written request be submitted to The Office.
- To promote an inclusive environment, there shall be no expectation that a student share a single bed:
 - Students are not to be told under any circumstance that they are required to share a bed in order to participate.
 - Organizers shall examine other options: sleeping bags, roll away cots, sofa sleepers.

- In the event this proves to be cost prohibitive, it is the responsibility of the organizers to seek additional funding, request students help cover the cost, and/or reduce the number of student attendees.

Clubs

All club travel needs to be booked through the SGA Office Manager.

Registered student clubs in good standing will need to submit a list of students on the following days:

- Saturday and Sunday trips- Wednesday before the trip
- Friday- Tuesday before the trip
- Thursday- Monday before the trip
- Monday, Tuesday & Wednesday- Thursday before the trip

Modes of Transportation

- Air. Flight arrangements are the responsibility of the organizer. Flight information and details are to be shared with The Office.
- Personal Vehicles. The college assumes no liability for a student choosing to ride in a private vehicle to or from an off-campus destination. Participants who travel in their own vehicles do so at their own risk. The college does not provide insurance coverage for students operating a privately owned vehicle. The owner/driver is solely responsible for auto coverage.
- College-owned Vehicles. The minimum age requirement to drive a college-owned vehicle is 18 years of age. MCLA is required to supply our auto insurance company with the following employee information in order for employees to drive college vehicles covered by the insurer:
 - Name
 - Date of birth
 - Driver's license state
 - Driver's license number

All staff, faculty, and students who plan to drive a college vehicle **must provide this information at least three business days prior to the first travel date**. Failure to provide the information in a timely fashion will result in denial of use of the vehicle. A [dynamic form](#) to submit this data is available on the Administration & Finance page via the Forms dropdown on the Portal and on our MCLA webpage.

Exceptions

Academics

This policy is for student travel hosted by the Division of Student Affairs. For travel policies and guidelines in connection with credit-bearing activities and academics, please consult with the Division of Academic Affairs dean and/or department chair.

Athletics

The Athletics department has sole authority over student athlete travel in connection with official sports teams representing the MCLA NCAA Division III program.

- Athletics has priority over college-owned vehicles for the purpose of attendance at contests, and practices.
- Athletics leases and rents shuttles and vans as needed.
- In every travel situation, the department head shall be made aware of all logistics and accounting.
- Additional Student Athlete travel guidelines may be found in the Athletics Student Handbook and on the Trailblazer website under compliance.