



Student Handbook

2018-2019



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Mission Statement

Our Mission

Landmark College's mission is to transform the way students learn, educators teach and the public thinks about education. We provide highly accessible approaches to learning that empower individuals who learn differently to exceed their aspirations and to achieve their greatest potential. Through the Landmark College Institute for Research and Training, the College aims to extend its mission across the nation and throughout the world.

Our Impact

Landmark College is a comprehensive liberal arts institution of higher education that offers associate and bachelor's degrees and serves students with attention deficit disorders, autism spectrum disorder (ASD), and/or language-based learning disabilities (including dyslexia). Landmark's faculty and staff bring significant experience and expertise to their work with students. Through their efforts, the College fosters the capacity for independent creative thought and engaged and responsible world citizenship by integrating principles of universal design and strategic learning within a technology-rich, student-centered environment. In the classrooms and residence halls, through the integrated advising model and through an extensive network of support systems, students receive a high degree of individual attention as they develop self-understanding, self-advocacy, and lifelong learning skills, and learn to function autonomously in mainstream settings.

Through programs for high school and visiting college students on its Vermont campus and in other settings, Landmark seeks to reach a broader population of students than it can serve in its academic-year degree programs alone. These short term courses of study are focused on self-understanding and strategy development with the goal of preparing students to better succeed in their own academic settings.

In recognition of the great societal need for effective educational programs and practices, the Landmark College Institute for Research and Training (LCIRT) engages in and supports research relevant to the field, and provides consultancy and professional development opportunities to educators and educational systems, both nationally and internationally.

Our Values

Landmark College acknowledges, but does not accept, the societal practice of labeling and stigmatizing students who learn differently. Every aspect of the campus environment is designed to promote individual development and peer interactions that challenge the fundamental assumptions inherent in these labels, and that build

on the strengths and talents that accompany different ways of learning. The College provides a collaborative teaching and learning environment that supports students in finding their own educational individuality, and in confidently engaging with and contributing to society and the world. Simply put, we approach every student as a distinctive and unique learner with enormous potential and promise.

We create and foster a collaborative academic community in which mission, experience, research, reflection and dissemination in the processes of teaching, learning, and support for students are core values of the work of faculty and staff. In this environment, we consider students our partners in learning; we embrace the strengths and challenges they bring to their learning and our teaching; and we care about them as individuals, working together with them so that each student can reach his or her greatest academic potential.

Purpose of this Handbook

Landmark College is a unique community of students, teachers and staff, each committed to fostering both the skills and enthusiasm necessary for personal growth and continuing education. The specific policies and procedures contained in this Student Handbook originate from the basic concept of recognizing each person as an individual worthy of respect, trust, dignity and fair treatment. All students who have enrolled at Landmark College agree to abide by these policies and procedures which are intended to promote mutual respect, safety, ethical awareness and a congenial environment, conducive to effective living and learning.

Addendums and Changes Between Publications

The student handbook is published by Landmark College at the beginning of each academic year. The College reserves the right to add, modify or amend any part of this handbook between publication dates. The College will inform students, faculty and staff through various means when any changes to this handbook are made. These changes will supersede any previously published policies on the same topic.

Student Code of Conduct

Standards of Conduct

All students and staff of Landmark College are members of a unique educational community, whose goal is to enable each student to tap his or her full potential for success. Such a challenging goal requires tremendous individual effort on the part of each student and cooperative effort on the part of each member of the Landmark community. The guiding principles of the Landmark community include hard work, respect for others and oneself, honesty, personal accountability, and careful organization of time and materials. The following standards of conduct are examples and general expectations for all student members of the Landmark College community:

1. **Honesty:** Students will exhibit honesty in academic endeavors and in all aspects of campus life.
2. **Safety:** Students will make a commitment to contribute to a safe, clean, congenial, and productive living & learning environment.
3. **Understanding:** Students will make a commitment to understand their own strengths and challenges, and to work towards academic and personal growth.
4. **Respect for Others:** Students will show respect for the feelings, time, efforts, and physical well-being of others, and for their capacity for growth.
5. **Respect for Property:** Students will show respect for the property and materials of Landmark College as well as the personal property of all members of the Landmark community.
6. **Respect for Community:** Students will respect the rules and regulations of Landmark College and its governing bodies, and the laws of the State of Vermont and of the United States.

Student Rights and Responsibilities

1. Rules, regulations, student rights and responsibilities apply to all students.
2. Students at Landmark have the right to protection against discrimination.
3. Landmark College follows all the applicable laws which may prohibit discrimination on the basis of sex, age, religion, handicap, ancestry, place of birth, race, color, sexual orientation, or national or ethnic origin in the administration of its educational, admissions, financial aid, and employment

policies and programs. Students, in turn, are expected to uphold Landmark's nondiscriminatory policies.

4. Students at Landmark have the right to reside in an environment conducive to learning, where reasonable living accommodations and services are provided and issues of health, safety, and civility are addressed. At the same time, they share responsibility for creating and maintaining such an environment.
5. Students at Landmark have the right to take reasoned exception to the materials or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for fulfilling the obligations of any course in which they are enrolled.
6. Students at Landmark have the right to protection against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.
7. Students at Landmark have the right to express their views, individually and collectively, on issues of institutional policy and on matters of general interest to the student body.
8. Students at Landmark have the same rights to the freedom of speech, peaceful assembly, and petition enjoyed by all United States citizens. As members of the Landmark College community, they are also subject to Landmark College's rules and regulations. While Landmark recognizes the personal and intellectual development that may attend students' exercise of their rights on or off campus, students must exercise these rights within the limits of their obligations to the Landmark community.
9. Students at Landmark have the right to know the standards of conduct expected of them. In addition to the standards that common sense requires of all adults, the standards of behavior which Landmark considers essential to its educational mission and residential life are discussed in this Handbook.

Formal Disciplinary Procedures

Introduction

It is expected that all members of our community will conduct themselves responsibly in accordance with the policies and regulations outlined in this handbook. Actions that are inconsistent with the ideals of this community or are prejudicial to the best interests of the College will be addressed by the College through the disciplinary process.

Landmark College reserves the right to impose disciplinary sanctions, up to and including expulsion, for violations of College policies or for the commission of illegal acts (on or off campus) or for any action it deems to be detrimental to the student's performance, or which would be harmful to the welfare of the College, which would disrupt the academic process of the College.

When the College becomes aware that criminal charges have been brought against a student by local, state, or federal authorities, the College reserves the right to suspend or expel that student from the College.

The College reserves the right to address all matters through its disciplinary process. Any disciplinary proceedings and resulting sanctions, either before or after the findings of a court of law, do not constitute double jeopardy. The principle of 'double jeopardy' or the principle of being tried twice for the same offense, does not apply to the College's disciplinary proceedings.

Landmark College's disciplinary system relies on the standard of proof of 'a preponderance of the evidence' or 'more likely than not'. This means that an administrative hearing or conduct board must believe that there is more than a 50% likelihood that the actions or behavior in question did occur.

The description of disciplinary procedures set forth below is not intended to require progressive discipline. Disciplinary intervention may begin at any level. There is no requirement that interventions follow the levels in sequence, or that all levels must be used in the process.

The determination of the appropriate discipline, including suspension or expulsion from the College, shall be at the discretion of the President of the College, Dean of the College, Vice President of Student Affairs or their designees as appropriate. Each incident will be considered individually. The procedures set forth should not be considered to be a promise for specific treatment in specific situations.

The College may immediately suspend or dismiss a student who poses a continuing danger to self, persons or property, or who poses an ongoing threat of disruption to the academic progress of the College prior to or subsequent to the disciplinary procedures described in this Handbook.

The President of the College has the ultimate decision-making authority in all matters relating to carrying out the College's policies, including matters relating to discipline and suspension or expulsion.

Goals of the Disciplinary Process

- Re-affirm community standards
- Align student behavior with standards
- Hold students accountable
- Assist in making future choices
- Consider the consequences in advance
- Determine, with the student, the reasons for misconduct.

Intervention Meetings

Difficulties experienced by a student in the classroom or in the residence hall may be addressed by a Faculty member, Academic Advisor, Resident Dean or a member of the Coordination & Consultation Team through formal or informal intervention meetings. Such intervention meetings typically occur when difficulties arise, such as inappropriate behavior and/or language, lack of attendance or academic engagement, or poor social decision-making.

The outcomes of an intervention between the student and the facilitator may range from verbal agreements to written mandatory structures meant to address the issues or behaviors being addressed. The facilitator of an intervention meeting may also recommend that a student be required to attend an Administrative Hearing.

Administrative Hearings

A student who is alleged to be involved in violations of College policy, in repeated violations of College policies after interventions have occurred, or who needs to be held more strictly accountable for behaviors agreed upon in previous interventions may be required to attend an Administrative Hearing.

Typically, an Administrative Hearing is convened and facilitated by the Director of Student Conduct & Community Standards, Dean of Students, or the Vice President for Student Affairs. Other staff and faculty with relevant information may be invited to attend Administrative Hearings.

Parents may not participate in Administrative hearings. Legal counsel may not appear as support persons in Administrative hearings unless the respondent is concurrently facing criminal prosecution for the conduct which is the subject of the

College procedure. In that circumstance, the counsel may be present and advise the student or respondent, but will not be allowed to directly address the College.

The outcomes of an Administrative Hearing may include (but not be limited to) an initial or amended articulation of support and intervention measures, including placing a student on sanctions such as Warning, Probation or Deferred Suspension from the College. The facilitator of an Administrative Hearing may also recommend that a College Conduct Board hearing be convened to address the issues presented.

In cases where a student is currently on Deferred Suspension and alleged to have violated another College policy, the Vice President for Student Affairs or Director of Student Conduct may hold an administrative hearing to determine responsibility and enact the suspension.

College Conduct Board Hearings

A student who is charged with violating any College policy that may result in their suspension or expulsion from the College may be required to appear before a College Conduct Board. In addition, students who, in the opinion of the Vice President for Student Affairs, have failed to adequately implement previous interventions, or have failed to abide by previously imposed disciplinary sanctions, may be required to appear before a College Conduct Board.

A College Conduct Board is convened by the Vice President for Student Affairs or his/her designee. Members of the Board may include the Director of Judicial Affairs, Residential staff, Faculty and students. A student's Academic Advisor or other college official may also be present to help facilitate the student's understanding of the Conduct Board hearing process, and to assist the student in communicating his or her position. Academic Advisors do not take part in College Conduct Board hearing deliberations or decisions.

The charge of a Conduct Board is to determine if a violation of the College's policies or standards of conduct have occurred, and to recommend sanctions for students found in violation of these policies or standards to the Vice President for Student Affairs, who holds final approval of all Conduct Board recommendations.

At any appearance before a College Conduct Board hearing, a student who is the subject of the hearing may bring an Academic Advisor or one other member of the College faculty or staff as a support person. Parents, guardians and family members may not appear as support persons.

Legal counsel may not appear as support persons in Conduct Board hearings unless the respondent is concurrently facing criminal prosecution for the conduct which is the subject of the College procedure. In that circumstance, the counsel may be present and advise the student or respondent, but will not be allowed to directly address the Board.

Failure to cooperate in a College Conduct Board hearing may result in suspension.

The outcomes of a College Conduct Board hearing may include:

- the continuation, amendment and/or augmentation of existing interventions and sanctions,
- a decision to impose a disciplinary status and/or other sanctions,
- a decision to suspend or expel a student from the College on a deferred basis while imposing further sanctions,
- a decision to suspend or expel a student from the College.

The procedure and guidelines for Conduct Boards convened to address alleged violations of the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy are located under this specifically named policy elsewhere in this handbook.

Disposition Without A Conduct Board/Dean's Sanction

In academic or non-academic cases where the facts are not in dispute, and the student is prepared to accept responsibility for his/her actions, the College may offer the option of Disposition Without Conduct Board, also called a Dean's Sanction.

The *Disposition Without Conduct Board* option is *not* akin to the plea bargain option in a United States court of law, whereby a lesser sanction is offered in exchange for an admission of guilt. Rather, the College would offer a sanction meant to approximate the kind of sanction that would be levied by the Conduct Board.

If the student agrees, the student signs a letter indicating his/her acceptance of responsibility, and acceptance of the sanction. This process replaces the disciplinary hearing. No appeal option is available for students who accept a Dean's Sanction. If the student initially inquires but eventually does not wish to accept this sanction, a Conduct Board hearing will take place.

A Dean's Sanction is not an available option after a hearing has taken place.

Appeals

A student who wishes to appeal the decision of an administrative hearing or Conduct Board may do so with the appropriate appeal officer (see below). Appeals must be submitted in writing to the appeal officer within three (3) business days of the initial decision.

Appeals will be considered only on the grounds that the evidence was insufficient to warrant the action taken by the College or the decision was inconsistent with existing College policy. The appeal officer will determine if the decision and

sanctions will be upheld, reversed or modified. The appeal officer's decision on appeals is final.

Appeal Officers

If the hearing officer was:	Then the appeal officer is:
<ul style="list-style-type: none">• Director of Student Conduct	<ul style="list-style-type: none">• Vice President for Student Affairs
<ul style="list-style-type: none">• Vice President for Student Affairs	<ul style="list-style-type: none">• President of the College
<ul style="list-style-type: none">• College Conduct Board	<ul style="list-style-type: none">• President of the College

Withdrawal Before a Hearing

If a student withdraws from the College before a hearing occurs, the charges will remain pending in the student's file. If a student requests re-enrollment at a future date, the College may require the completion of a separation from the College and educational/developmental sanctions similar to those if the student had been found responsible for the violation before the student can return or may require a hearing to be held. This is at the discretion of the Vice President for Student Affairs. Students may also return on a disciplinary sanction.

General Sanctions

In the formal intervention process, a range of sanctions may be imposed by the College. Depending on the behavior pattern or incident being addressed, a combination of administrative and educational sanctions may be issued.

When violations of College policy or any behavior where the College's Standards of Conduct are violated occur, the College will use the following criteria to determine the appropriate level of sanction.

1. The extent to which the behavior has affected the ability of other members of the community to pursue their own academic and personal goals.
2. The extent to which the behavior has affected the reputation of the College or the ability of the College to effectively pursue its mission.
3. The extent to which the safety or well-being of any individual has been placed in jeopardy.
4. The extent to which standards of civil behavior have been violated.

5. The extent to which the behavior has violated local, state or federal law.

Furthermore, while engagement in the academic program is not an explicit factor in the determination of a sanction, the College may consider the documented level of commitment the student has made to their academic program in making a final determination. Similarly, a student's honesty and cooperation with College staff throughout an incident may also be considered in a determination of final sanction.

Students who do not follow the structures and requirements of any sanctions issued by the College may be subject to further disciplinary action.

Administrative Sanctions

Notice: Notice is a level of sanction that expresses concern about a specific behavior, and the measure that the College and the student have taken to ensure that this behavior will not happen in the future. A letter of Notice also acts as a formal method to record patterns of behavior with students.

Warning: A Warning is intended to remind a student of the obligation that he/she accepts to adhere to the standards of conduct established by Landmark College and/or any other policy, procedure or rule.

Probation: Probation is an official notification that any further violations of the standards of conduct or any other college policy, procedure or rule may result in one's suspension or expulsion from the College.

Deferred Suspension: Under certain circumstances, a student may be suspended from the College and have said suspension placed in abeyance. This may be done with the agreement that no further violations of college policy or standard of conduct will occur. Should a student be responsible for additional policy violations, the original sanction of suspension from the College would take effect.

Suspension from the College: When suspended from the College, a student is not permitted to be on campus, enter any buildings or attend any classes for a specified period of time, generally not less than one semester. Suspension from the College is imposed when students violate a College policy that warrants their removal from campus. In addition, when a student is suspended from the College, he/she may be required to complete educational sanctions before they can request to reapply for admission to the College.

Expulsion: Under certain severe circumstances, a student may be required to leave campus and not be allowed to return. A student who is expelled from the College may not reapply for enrollment at any time in the future, and may not be present on campus grounds, or enter any buildings.

NOTE: A student who is suspended or expelled from the College is not eligible for a refund of his/her tuition, room charges, board charges or any other fees.

Alternative & Educational Sanctions

At the discretion of a hearing officer, a student may be assigned additional sanctions intended to support the educational dynamic of the intervention process. Possible alternative and educational sanctions are listed, but not limited to, the items below.

Community Service: Under certain circumstances, students may be required to complete a stated number of community service hours, special projects or educational programs.

Educational Programming: Students may be required to attend and report on an educational program addressing a specific issue (i.e. drug & alcohol use, sexual respect, etc).

Change of Residency: Re-assignment of an individual to a different room or residence hall.

Residential Restrictions: The restriction for a student to enter a particular residential room, floor or building.

Loss of Privilege: The revocation of specific privileges existing on campus.

Restitution: Cost of repairs, replacements, and reimbursements to the College or community members.

Fines: Assessments to students as a result of disciplinary action. The amount of a fine is at the discretion of the College.

Failure to Complete Sanctions

Students who fail to complete any alternative or educational sanctions will be subject to further disciplinary action by the College that may include an extension of the original sanctions, assessment of additional fines in lieu of community service, or a student's record being placed on hold status until the sanctions are complete and/or fines are paid.

General Campus Policies

Access to Records (Notification of Students' Rights under FERPA)

The following is provided to satisfy the notice requirements of the Family Educational Rights and Privacy Act of 1974 ("FERPA"), and is not intended to create contractual or other rights or remedies beyond any created by FERPA itself.

FERPA affords students certain rights with respect to their education records. These rights include:

1. The right to inspect and review the student's education records within 45 days of the day the College receives a request for access. A student should submit to the registrar, dean, head of an academic department, or other appropriate official, a written request that identifies the record(s) s/he wishes to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.
2. The right to request the amendment of an education record that the student believes is inaccurate. The student should write to the College official responsible for the record, clearly identify the part of the record s/he wants changed, and specify why it is inaccurate. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.

There are many circumstances under which FERPA authorizes disclosure without consent. Some examples of such circumstances include:

- a. Disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic or research, or support staff position (including security personnel and health staff); a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review

an education record in order to fulfill his or her professional responsibility.

- b. Disclosure to parents of dependent students. If a student is claimed as a dependent by either parent for tax purposes, then education records and information there from may be disclosed to either parent (whether custodial or not).
 - c. Disclosure to parents regarding the student's violation of any law or College policy governing the use or possession of alcohol or a controlled substance, if the College determines that the student has committed a disciplinary violation with respect to such use or possession.
 - d. Disclosure to officials of another school in which a student seeks or intends to enroll, upon request of the officials of the other school.
 - e. Disclosure of "directory information," unless the student objects to disclosure as provided below. "Directory information" is information included in a student's educational records, the disclosure of which would not generally be considered harmful or an invasion of privacy. "Directory information" for purposes of this policy includes but is not limited to the following: a student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, honors and awards received, e-mail addresses, electronic or photographic images of a student, and the most recent previous educational agency or institution attended. **If a student does not wish to have directory information disclosed without consent, s/he must so inform the Registrar in writing within 10 days of the start of any semester.**
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the College to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Accommodations Policy and Procedures

I. Accommodations Policy Statement

As an institution devoted to the education of students with learning disabilities and attention deficit disorders, Landmark College fully supports and recognizes the standards set forth in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990, and similar state laws ("applicable

law”), which are designed to eliminate discrimination against qualified individuals with disabilities.

Covered disabilities may include physical or mental impairments that substantially limit one or more of a student's major life activities, and which require modifications to the facilities, programs, or services of the College. The College is committed to making the campus and its facilities accessible as required by applicable law. The College cannot make accommodations that are unduly burdensome or that fundamentally alter the nature of the College’s programs.

Given the College’s unique mission, many academic accommodations that might be customary or required at traditional institutions would not be appropriate at Landmark, because they would alter the College’s academic program. Therefore, while all students are encouraged to make inquiries or requests regarding disability issues through the following procedure as necessary, students should recognize that there is usually no need for them to use the procedure to address learning disability or attention deficit disorder-related issues. Such issues are not ordinarily viewed as within the scope of this policy, because they are addressed with faculty, faculty advisors, or otherwise, as part of the College’s core curriculum and academic and residential programs.

II. Certification and Accommodation Procedures

A. Certification and Accommodation

All requests for accommodation, inquiries about the scope of this policy, and related procedural questions should be directed to the Vice President for Student Affairs. The Vice President for Student Affairs administers this policy and procedure, and is the College’s designated Section 504 Coordinator. The Vice President for Student Affairs will address accommodation requests through the following two-stage process.

1. Certification

The first step in the process requires that students provide information from which the College can determine whether the student is a person with a disability within the scope of this policy. Such certification is a prerequisite to the reasonable accommodation dialogue described in section I.A.2. below. Students seeking certification must fill out an [Accommodation Request Form](#) and provide the information and documentation requested on the form. The form requests, among other things:

- i. a description of the impairment, and a description of the manner in which it substantially limits one or more major life activities;
- ii. a description of the specific accommodations requested; and
- iii. documentation consisting of reports and clinical information from objective professionals qualified to diagnose the impairment at issue, verifying the

nature and extent of the impairment, and the manner in which the impairment limits a major life activity (see Documentation, below).

The [Accommodation Request Form](#) and documentation should be submitted to the Vice President for Student Affairs as far in advance of the period for which the accommodations are requested as possible. The College may not be able to arrange for accommodations that are not requested in a timely manner.

The Vice President for Student Affairs reviews the [Accommodation Request Form](#) and the accompanying documentation, and pursues one of the following courses of action:

- i. certifies the student's eligibility for accommodation under this policy; or
- ii. finds that there is insufficient information to certify the student's eligibility, and through a written or e-mail communication, either
 - a) denies the student's request for certification and accommodation and informs the student of the available channels of appeal; or
 - b) requests additional information.

2. Accommodation Dialogue

Once a student has been certified as a student with a disability within the scope of this policy and is therefore deemed eligible for accommodation within the scope of this policy, the Vice President for Student Affairs:

reviews the student's request for accommodation(s); and

consults and works with the student and other appropriate members of the College community to formulate and communicate a proposed course of action that would constitute a reasonable accommodation of the student's disability, given the nature and extent of the disability, the student's compensatory skills, course or program requirements (to the extent applicable, given the scope of this policy and the College's unique curriculum), and College resources.

In reaching certification and accommodation decisions, the Vice President for Student Affairs may, in his or her discretion, consult discretely and/or confidentially with appropriate professionals within and/or outside the College regarding the interpretation, appropriateness and validity of requests and documentation submitted in connection with this procedure.

Note: The College reserves the right to recommend accommodations that differ from the specific approaches suggested by the student or individuals documenting the student's disability, so long as the accommodations proposed by the Vice President for Student Affairs achieve the objective of program accessibility as required by law.

Agreed-upon accommodations will be documented in a written accommodations plan that will be signed by the student and the Vice President for Student Affairs or

designee. If accommodations are not agreed upon, the Vice President for Student Affairs will provide to the student a written (or e-mail) description of what accommodations were deemed reasonable and offered by the College.

If accommodations acceptable to the student cannot be developed through cooperative dialogue, the student may appeal the decision of the Vice President for Student Affairs through the Appeals Process described in Section III below.

B. Role of the Student

Landmark College neither imposes accommodations on its students nor pre-empts their responsibilities, as legal and social adults, to identify their accommodation within the scope of this policy and to ensure that these needs are being met.

It is the student's responsibility to initiate the certification process described above by:

1. completing the [Accommodation Request Form](#) in a timely manner;
2. ensuring that the Vice President for Student Affairs has received appropriately current, adequate and comprehensive medical and/or psychological documentation of a disability and the manner in which it limits a major life activity relevant to the student's participation in Landmark's programs.

A student who has received disability certification must work cooperatively with the Vice President for Student Affairs and other designated staff and faculty to determine and sustain reasonable and appropriate academic accommodations. Once a written accommodation plan has been agreed upon by the student and the Vice President for Student Affairs, the student is responsible for taking reasonable steps to ensure that the plan is meeting his or her accommodation. Students are therefore responsible for: (1) communicating with faculty; (2) keeping appointments with faculty and designated staff to avoid delays in implementation; and (3) conferring with faculty and the Vice President for Student Affairs as necessary regarding the effectiveness of accommodations.

If a student perceives a need for additional accommodations or for the modification of existing accommodations, the student must request, in writing, a revision of the accommodation plan. Such requests should be addressed to the Vice President for Student Affairs. Providing reasonable accommodations requires timely student input. It may be impossible to arrange accommodations that are not requested in a timely manner.

C. Documentation

The College requires appropriately current documentation of any disabilities for which accommodation is requested under this policy, provided at the expense of the student requesting accommodation, prior to making certification or accommodation decisions. Documentation of impairments furnished by the student will be handled

discretely, and will only be shared with faculty and faculty advisors in a manner consistent with other College policies and practices and student authorizations regarding student medical or psychoeducational records. Since insufficient information may jeopardize the accommodations process, the College reserves the right to request additional documentation considered necessary to the formulation of a reasonable and appropriate accommodation plan. The cost of obtaining any such additional documentation shall be borne by the student. The College also reserves the right to request an independent evaluation by a professional of its choosing. The cost of obtaining any such independent evaluation shall be borne by the College.

Generally, documentation must:

1. be prepared by an objective professional qualified in the diagnosis of such conditions;
2. demonstrate the manner in which the impairment substantially limits the student's performance of one or more major life activities;
3. include information regarding the testing procedures followed, the instruments used to assess the impairment, the test results, and a written interpretation of these results as they pertain to an educational environment and/or participation in the College's programs;
4. reflect the student's present level of functioning in the areas related to the particular accommodations being sought;
5. be appropriately recent, e.g., prepared within the last several years before the first request for accommodation.

The Vice President for Student Affairs determines whether the documentation submitted is adequate to support certification or a requested accommodation and whether the individual preparing the documentation is qualified to make the diagnosis at issue.

III. Appeal Procedures

A student may appeal any decision made under this policy by the Vice President for Student Affairs that is communicated in writing or by e-mail. Appeals may be based upon, for example: newly discovered evidence; a challenge to a decision not to certify a student as a person with a disability within the scope of this policy; a challenge to a decision not to provide a particular accommodation; and/or issues regarding documentation of disabilities.

Any appeal must be submitted to the Office of the President of the College within 10 calendar days of the written (or e-mail) decision appealed. The appeal should state the grounds for the appeal in detail. A copy of the appeal must also be provided to the Vice President for Student Affairs at such time. The President will either decide the appeal personally, or will designate another administrative official to do so. Temporary relief pending appeal, in the form of the accommodations sought or

otherwise, may be requested in writing along with the appeal. Such relief may be granted by the President or designated administrative officer, at his or her discretion.

As soon as practicable following receipt of the copy of the appeal from the student, the Vice President for Student Affairs will provide to the President's Office a copy of the student's [Accommodation Request Form](#), attached documentation, and record of other communications with the student or other documents that might be relevant to the appeal. The President or designated official may review such documents in reaching a decision on the appeal.

The President or designated administrative officer may, at his or her discretion: 1) grant the appeal and order that the requested accommodation be provided as requested; 2) propose an alternative accommodation, and remand the matter to the Vice President for Student Affairs so that an accommodation dialogue may be had regarding the proposed alternative (another appeal may follow if that does not resolve the matter); 3) request more information from the student, the Vice President for Student Affairs, and/or other appropriate individuals; 4) deny the appeal, which would be the College's final decision; or 5) take other action deemed appropriate at the discretion of the President or administrative officer.

IV. Complaints Regarding Disability-related Harassment and Discrimination

In addition to the above-stated appeals process regarding accommodations decisions, students who feel that they have been harassed or discriminated against on the basis of their disability, in violation of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act, or other applicable law, may file a formal or informal complaint with the College or otherwise, as described in the harassment policy found elsewhere in the Student Handbook.

V. Assistance for Students with Temporary Impairments

While not required by applicable law or this policy, the Vice President for Student Affairs may be able to arrange limited assistance for temporarily impaired students at the discretion of the Vice President for Student Affairs and other College offices or programs. It must be understood that the Vice President for Student Affairs' voluntarily providing or arranging such help does not mean the temporarily injured or impaired student qualifies or is certified as an individual with a disability under applicable law or within the scope of this policy. If you have questions about what assistance the College may be able to provide in the event of a temporary impairment, you should contact the Vice President for Student Affairs.

Service & Assistance Animals

Service Animals

A Service Animal is defined as any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. Under specific circumstances, the College may allow the use of a miniature horse by an individual with a disability if the miniature horse has been individually trained to do work or perform tasks for the benefit of the individual with a disability. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition.

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

The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. Dogs whose sole function is to provide comfort or emotional support do not qualify as service animals under the ADA or this policy.

Individuals with disabilities will be permitted to be accompanied by their service animals in all areas of College facilities where members of the public, participants in services, programs or activities, or invitees, as relevant, are allowed to go.

Service animals need not have special certification or identification in order to qualify as such. They need only be required because of a disability and to be trained to work or perform a task. If it is not readily apparent what work an animal performs, Landmark personnel will limit inquiries to only two questions, which are:

1. Is this animal a service animal required because of a disability?
2. What task or work has this animal been trained to perform?

Students who plan to bring a service animal to campus are encouraged to provide the College with enough advanced notice as possible to allow for appropriate and compatible housing assignments.

Assistance Animals

According to current regulations as interpreted by the federal United States Department of Housing and Urban Development, Landmark College residence halls fall under the Fair Housing Act (FHA). Under the FHA, the College is required to provide reasonable accommodations for people with disabilities living in residence halls. Assistance animals are considered a reasonable accommodation under the FHA.

Assistance Animals are defined as an animal (not limited to dogs) that is necessary to afford a person with a disability an equal opportunity to use and enjoy a dwelling and provides identifiable support or assistance that alleviates one or more identified symptoms or effects of a person's disability.

Because assistance animals that do not qualify as service animals are covered only by the FHA, they are allowed only in residence halls on campus and only in the room of the student who has been approved for this accommodation. They will be allowed in outdoor spaces only under proper handling when appropriate, but they are not allowed in other buildings on campus or in residence hall common spaces.

Requesting Permission to Use Assistance Animals

Because housing assignments with assistance animals requires extra care and planning when determining appropriate placement and roommate matches, the College requires as much advance notice as possible to allow for this accommodation. The College will attempt to honor all appropriately-supported requests, but may not be able to do so if allowing the accommodation would cause an unreasonable hardship, threat, or impact on other students or any program.

In order to request permission to use an assistance animal, a student must initiate the accommodation process through the Vice President for Student Affairs by:

1. Completing a [Accommodation Request Form](#) and
2. Providing supporting documentation of their disability and of their need for an assistance animal. Generally, such documentation must:
 - a. be prepared by an objective professional qualified in the diagnosis of such conditions;
 - b. include information regarding the testing procedures followed, the instruments used to assess the disability, the test results, and a written interpretation of these results as they pertain to the need for an assistance animal
 - c. reflect the student's present level of functioning in the area related to the request for an assistance animal
 - d. be appropriately recent, e.g., prepared within the last several years before the first request for accommodation.

As noted above, documentation should be submitted to the Vice President for Student Affairs as far in advance of the period for which the accommodations are requested as possible. The College may not be able to arrange for accommodations that are not requested in a timely manner.

A full description of documentation requirements may be found in the College's general Accommodations Policy found in the Student Handbook.

Appeals Process

Any person dissatisfied by a decision concerning a service animal or an assistance animal may appeal the decision of the Vice President for Student Affairs by submitting a letter of appeal to the Office of the President of the College within 10 calendar days of the written (or e-mail) decision appealed.

A full description of the appeals process may be found in the College's general Accommodations Policy found in the Student Handbook.

Service & Assistance Animal Care, Supervision & Control

- Unless they are in a Residence Hall room, animals must be accompanied by their owners/handlers and under their control at all times. Owners/handlers are responsible for their animal's behavior in both public and private areas, and they must ensure their animals are harnessed or on a leash at all times.
- Owners/handlers are responsible for cleaning and grooming related to their animal including bathing and grooming, pest control, and sanitary disposal of animal waste.
- The owner/handler is responsible for any property damage caused by their animal.
- To the extent possible, the animal should be unobtrusive to other individuals and the learning, living, and working environment.

Licensing

The animal must be licensed and vaccinated in accordance with Vermont state, county, and/or municipal laws. The vaccination tag and license must be worn by the animal at all times. When wearing such an item is not practical, then the information must be made readily available upon request.

Exclusion of Service or Assistance Animals

Landmark College reserves the right to exclude a Service or Assistance animal under certain circumstances, including, but not limited to the following:

1. The animal is out of control and the animal's handler does not take effective action to control it.
2. The animal is not housebroken.

3. When the animal poses a substantial and direct threat to health or safety (examples include a very ill animal, a substantial lack of cleanliness of the animal, aggressive behavior of the animal, or the presence of an animal in a sensitive area like a medical facility, laboratories, or mechanical or industrial areas).
4. When the presence of the animal constitutes a fundamental alteration to the nature of the program or service.
5. If the College determines that the animal is being subjected to neglect or mistreatment.

Landmark College will make those determinations on a case-by-case basis.

Alcohol and Other Drugs

Landmark College recognizes the problems associated with substance use and abuse and has a policy that addresses the following two areas:

- Students should be educated, informed, and at times, counseled in the areas of substance use and abuse, and supported when they choose to seek assistance regarding these issues.
- In order to help maintain a safe environment that is conducive to living and learning for all students, the College must hold students accountable for violations of the policy on the use of alcohol and other drugs.

Landmark provides a professionally trained counseling staff for students. Students with alcohol/drug-related problems are encouraged to seek the help of counselors on a voluntary basis to deal **confidentially** with those issues. (Counselors at Landmark College follow the rules and regulations of confidentiality as defined and required by law). Health Services and Counseling staff are experienced in working with issues of substance abuse and can assist the student directly as well as provide information about off-campus assessment and/or treatment and a wide variety of support groups available in the local area.

While the College will hold students accountable for violations of the alcohol and other drug policies noted below, it is also committed to supporting any student who makes the responsible decision to address his or her substance use. Students should feel confident in knowing that Resident Deans, Advisors, Deans, Faculty and Staff will support any student who is struggling to address his or her substance use. This support may include referrals to counseling, educational programming or intervention plans on or off campus to assist a student in meeting his or her goals.

The College will generally address behavior relating to drugs and alcohol outlined below.

Alcohol Policy

The College prohibits the possession, use, or distribution of alcohol on campus. The College recognizes that alcohol is a legal substance for some students but believes that a living and learning community such as ours operates best when all students are held to the same standard regarding alcohol. Therefore, the College prohibits the possession, use, or distribution of alcohol by any member of the community in the normal course of daily activity.

Requests for exceptions to this policy for the service of alcohol or its use in any setting must be approved by the President of the College in consultation with the Vice President for Student Affairs. Exceptions will generally be reserved for formal functions sponsored by the College. It is expected that exceptions granted will be infrequent.

The following behaviors regarding alcohol will be met with disciplinary action by the College.

- Possession, use, or distribution of alcohol on campus (regardless of age)
- Providing alcohol to students of minority age (under 21 years old)
- Being under the influence of alcohol on campus, to any extent, as a minor (under 21 years old)
- Being under the influence of alcohol and the cause of disruption to the campus community or otherwise drawing attention to oneself (regardless of age).

Students found to be in violation of the alcohol policy may be met with sanctions including a disciplinary status ranging from Disciplinary Warning to Expulsion from the College. Other sanctions may include, but not be limited to fines, referral for prosecution, required completion of appropriate rehabilitation programs, community service, educational programs or residential relocation.

The legal drinking age in Vermont is 21. In accordance with the laws of the State of Vermont, anyone under the age of 21 who purchases, possesses or procures alcohol or misrepresents his or her age or alters a form of identification with the intent to purchase alcohol may upon conviction be fined, sentenced to jail, or both. Violators of these laws are subject to criminal prosecution, and to disciplinary action by Landmark College.

For those of legal drinking age who choose to consume alcohol off campus, the College encourages moderate, responsible use for the safety of self and others.

Alcohol Containers

Empty alcohol bottles, cans, bottle tops, and other containers are not allowed on campus, even for decorative purposes. The Resident Dean will confiscate containers, and students found in possession of the containers may be subject to disciplinary action.

Typical Sanctions for alcohol policy violations

<p>First Violation</p>	<ul style="list-style-type: none"> • Disciplinary Warning to Probation • Participation in an Alcohol Use Screening/Assessment • \$75.00 fine • 10 hours of community service • Reflection Paper/Community Apology
<p>Second Violation <i>(while on sanctions for a previous violation)</i></p>	<ul style="list-style-type: none"> • Disciplinary Probation to Suspension • Participation in an Alcohol Use Screening/Assessment • \$150.00 fine • 20 hours of community service • Reflection Paper/Community Apology • Residential Relocation
<p>Third Violation <i>(while on sanctions for a previous violation)</i></p>	<ul style="list-style-type: none"> • Deferred Suspension to Suspension • Participation in an Alcohol Use Screening/Assessment (off-campus) • \$250.00 fine • 30 hours of community service • Reflection Paper/Community Apology • Residential Relocation

Amnesty for Medical Intervention

In situations of extreme intoxication or other medical emergencies as a result of excessive drinking or the ingestion or other drugs, the primary concern of the

College is the health and safety of the individual(s) involved. Seeking medical assistance for oneself or a fellow student demonstrates responsible student behavior. In these situations students are expected to call for assistance (e.g. Resident Assistant, Resident Dean, Campus Safety, 911, etc.) when concerned for their own health or welfare, or that of another student.

If an individual seeks such medical attention, the Vice President for Student Affairs Office will not pursue disciplinary sanctions against the student needing medical intervention (or those students who assist in obtaining medical attention) for violations of the Alcohol or Drug policy.

In lieu of typical disciplinary sanctions, students falling under consideration of this policy will be required to meet with a member of the Vice President for Student Affairs staff who may issue educational requirements including (but not limited to) alcohol & drug education, counseling and/or a substance abuse assessment and parental notification.

Serious or repeated incidents will prompt a higher degree of response. If a student received Medical Amnesty for a prior incident the availability of amnesty for a subsequent incident is at the discretion of the Vice President for Student Affairs or his/her designee.

This policy does not excuse or protect those who flagrantly violate the Student Code of Conduct and does not grant amnesty to possession with the intent to distribute drugs or other infractions that occur at the time of intoxication - including but not limited to physical or sexual assault, damage to property or other violent acts.

Landmark College expects students to abide by laws and College policies regarding alcohol possession and consumption and reminds students that the possession and use of alcohol and other illicit drugs on campus or the abuse of prescription medication is prohibited. For students who consume alcohol, it is imperative that they understand that moderation minimizes the risk of alcohol poisoning and alcohol-related injuries.

Drug Policy

The College prohibits the possession, use, distribution, transportation or being under the influence of illicit drugs on campus. If a student is found on campus with illegal drugs, that student is liable for sanctions, ranging from probation to expulsion from the College. Other sanctions that may accompany disciplinary status include attending educational seminars, alcohol assessments, engaging in a substance free contract or community service.

The following are considered to be evidence of drug policy violations and sufficient grounds for full disciplinary action:

1. The actual presence, use, distribution or transportation of illicit drugs on campus.

2. The presence of smoke or odors, as in the case of marijuana.
3. Being under the influence of illicit drugs.
4. The actual presence, use, distribution or transportation of drug analogs, or legal substances with psycho-active properties on campus.

Landmark fully supports the federal and state statutes prohibiting the possession, use, and distribution of illicit drugs on or off campus. Violators of these laws are subject to criminal prosecution, and to disciplinary action by Landmark.

Prescription Drugs

Students who are found to be sharing, selling, or trading prescription medications on campus, or abusing or misusing their own prescription medications on campus will be subject to sanctions ranging from Disciplinary Probation to suspension or expulsion from the College.

Drug Paraphernalia

Drug paraphernalia, regardless of intended use, is not allowed on campus. 'Hookahs' are considered to be drug paraphernalia. Even though a Hookah may be used for non drug related smoking of flavored tobacco, due to their frequent use in the smoking of other substances, the use of Hookahs anywhere on campus is prohibited.

When found, the Resident Deans and other college officials will confiscate the items, and students found to be in possession of drug paraphernalia will be subject to sanctions ranging from Disciplinary Probation to suspension or expulsion from the College.

Distribution of Drugs

Distribution of illicit substances, substances with psycho-active properties and prescription medication is not limited to a cash exchange. Any student, who provides, shares, jointly purchases, or otherwise makes available any illegal drug to others on or off campus, in any amount, is in violation of this policy.

Additionally, and in lieu of direct evidence of distribution, the College reserves the right to consider the possession of large quantities of drugs, the possession of scales, or drugs packaged in multiple quantities, as apparent distribution and a violation of this policy.

Driving Under the Influence of Alcohol or Other Illicit Drugs

The operation of a vehicle while under the influence of alcohol or other illicit substance poses a danger not only to the operator, but to passengers and other members of the community. It is for this reason that students who are found by the College to be driving while impaired by alcohol or other drugs will be subject to disciplinary action ranging from Deferred Suspension to Expulsion from the College.

Typical Sanctions for drug policy violations; personal use of illicit substances & misuse of prescription medications.

First Violation	<ul style="list-style-type: none">• Disciplinary Probation to Suspension• Participation in an Alcohol Use Screening/Assessment• \$150.00 fine• 25 hours of community service• Reflection Paper/Community Apology• Residential Relocation
Second Violation <i>(while on sanctions for a previous violation)</i>	<ul style="list-style-type: none">• Deferred Suspension to Suspension• Participation in an Alcohol Use Screening/Assessment• \$250.00 fine• 20 hours of community service• Reflection Paper/Community Apology• Residential Relocation
Third Violation	<ul style="list-style-type: none">• Suspension from the College

Minimum Sanctions for drug policy violations; sharing or distributing any illicit substance or prescription medication

First Violation	<ul style="list-style-type: none">• Deferred Suspension to Expulsion• Residential & Campus Restrictions• Participation in an Alcohol Use Screening/Assessment• \$300.00 fine• 30 hours of community service• Reflection Paper/Community Apology
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Anti-Hazing Policy

Landmark College joins many national organizations and other colleges and universities in support of the elimination of hazing. Landmark College supports only those activities which are educational, constructive, and contribute to the intellectual and personal development of students. The College unequivocally opposes any situation created intentionally to produce mental or physical discomfort, embarrassment, harassment or ridicule.

Landmark College interprets hazing as any act, whether physical, mental, emotional, or psychological, which subjects another person, voluntarily or involuntarily, to anything that may abuse, mistreat, degrade, humiliate, harass, or intimidate him or her, or which may in any fashion compromise his or her inherent dignity as a person.

Anti-Harassment Policy

Landmark College is committed to maintaining a campus environment where students are not subjected to bigotry and discrimination on the basis of sex, sexual orientation, race, ethnicity, national origin, religion, disability, age, or other characteristics as protected by applicable law. Such harassment is against College policy and may be illegal under state and federal laws and regulations.

Landmark College defines harassment as verbal or physical conduct which has the purpose or effect of creating an intimidating, hostile or offensive educational or living environment on the basis or because of a student's sex, sexual orientation, race, ethnicity, national origin, religion, disability, or age, or other characteristics as protected by applicable law, and which would create such an environment for a reasonable person under the circumstances. Such harassment may include, for example, repeated slurs, taunts in the guise of a joke, disparaging remarks, or physically threatening or inappropriate conduct, when such is directed at a person or group of persons because of their sex, sexual orientation, race, ethnicity, religion, physical ability or age. Retaliation against a student for filing a complaint in good faith under this policy is strictly prohibited, and, if proven, would be considered a violation of this policy.

Landmark College recognizes that the protection of free and open speech and the open exchange of ideas are important to any academic community. This recognition is therefore an important element in the "reasonable person" standard used in judging whether harassment has occurred. This policy is meant neither to proscribe nor to inhibit discussion, in or out of the classroom, of complex, controversial or sensitive matters, when in the judgment of a reasonable person they arise

appropriately and with respect for the dignity of others. Landmark College also recognizes, however, that verbal conduct can be used specifically to intimidate or coerce and to inhibit genuine discourse, free inquiry and learning. Such abuses are unacceptable. If someone believes that another's speech or writing is offensive, wrong or hurtful, he or she is encouraged to express that judgment in the exercise of his or her own free speech or to seek redress under the noted procedure(s) when appropriate.

This policy is intended to protect all Landmark College students and applies to the conduct of Landmark College students, faculty, administrators and staff. Any person who feels that they have been harassed or retaliated against as defined in this policy may file a formal grievance with the Vice President for Student Affairs, in accordance with the procedures outlined in the [Grievance Policies and Procedures](#) below. Students should note that sexual harassment is also separately addressed in the College's Sexual Harassment Policy and Sexual Assault and Sexual Harassment Procedure.

Automobile Regulations

Landmark College recognizes that many students want and need on-campus access to a car (or motorcycle) for personal use and offers parking privileges to all students. The College is also responsible for the safety of students, faculty, staff and visitors. To facilitate vehicle use by students and assure safety, the College has established the following Vehicle Regulations.

All motor vehicle operators who bring a vehicle onto the campus are responsible for understanding and following the parking and traffic regulations of the campus.

This booklet is made available in order for operators to familiarize themselves with the regulations of Landmark College.

Registration

- All vehicles (including motorcycles) on Landmark College property must be registered with the Department of Safety and Security within 24 hours of the vehicle's arrival on campus.
- An issued permit does not guarantee that a parking space will be available. The lack of an appropriate parking space is not an excuse for violating the parking regulations.
- Registration forms are available at the Department of Safety and Security in Davis Hall room 001, on the Department web page, or at the Office of Human Resources. Human Resources will also provide copies in the Faculty Lounge/Admin copy room.

- Any false or incorrect information given at the time of registration will automatically void the permit.
- Permits will be displayed within 4 inches of the bottom edge of the windshield, and within 12 inches of the passenger's side edge of the windshield; permits displayed in an incorrect location will not be valid, and violations will be issued.
- Guests who wish to park a vehicle on campus must register their vehicle with the Department of Safety and Security upon their arrival on campus. It is the responsibility of the host to ensure a guest pass is received.
- Registered owners are responsible for their vehicles. Citations issued are the responsibility of the registered owner regardless of the vehicle's operator at the time of the citation.
- Landmark College Parking and Traffic Regulations may be enforced by members of the Department of Safety and Security, Residential Life, and the Facilities Department.

Issuing Permits

- Students and employees are required to register their vehicles when their vehicle is first brought on campus and each time they bring a new/ replacement vehicle on campus. Students may re-register their vehicle when they are eligible for a change in parking location.
- Students and employees are required to notify the Department of Safety and Security of any changes to their registration information within one week of any change. Such changes may include: change of contact information, license plate number, or color of vehicle.
- Only one permit will be displayed at a time with the exception of special circumstance permits (e.g. handicap and medical need parking permits).
- Permits must be visible whenever the vehicle is on campus.
- There are three types of regular parking permit that can be issued: Employee Parking, Student Lower Campus, and Student Upper Campus permits.
- Vehicles are assigned parking to specific parking lots. If a vehicle is found in a lot other than the one assigned, then the registered owner of the vehicle will receive a citation.
- Guest parking passes may be issued by Official Departments of the College are authorized to issue guest parking passes and should follow relevant procedures listed below Departments and Offices must notify the Department of Safety if they are going to be issuing guest parking passes, prior to their issuance. The notification must include the date and time of the event for which they will be issuing guest passes.

PARKING

- A vehicle is considered parked any time it is stopped, other than at a stop sign, whether the vehicle is attended or unattended by the driver or a passenger.
- All non-service vehicles parked in a fire lane will be towed at the owner's expense.
- At no time should a vehicle be parked on any walkway or sidewalk, landscaped area, or blocking the entrance to a building.
- In all areas where there is designated parking, the driver must park within the marked space, so that the painted lines show on either side of the vehicle.
- In parking areas where there are no painted lines, the driver must park in a manner as to allow other vehicles to be parked uniformly.
- Vehicles must be parked in a way that does not obstruct the flow of traffic.

Employees

Employees shall be issued Employee Parking Permits which enable the employee to park in either the upper or lower campus parking lots.

Students

Students will be issued a permit based on their length of time as a student at the College. At no time should a student's vehicle be parked in an unassigned lot.

Admissions Parking Lot

Parking in this lot is for employees assigned to the Admissions Building only. Students and employees may park in this lot only if they have business in the Admissions Building. The total maximum capacity for this lot is 21 regular parking spaces, 3 visitor spaces, and 1 handicap space.

Upper Campus Parking Lot

The Upper Campus Parking Lot is comprised of the marked spaces along Perseverance Lane. Both employees and students will be assigned to this lot. Students assigned to the Upper Campus Parking Lot will be based on seniority of successfully completed semesters at the College, or for special needs (e.g., handicapped; medical). At no time should any individual be parked within the fire lane, blocking a service drive, blocking a trash receptacle, or the entrance to a building or stairway. The total maximum capacity for this lot is 89 regular parking spaces, 2 handicap spaces, and 15 reserved spaces.

Lower Campus Parking Lots

The Lower Campus Parking Lots are comprised of the designated spaces within the Main Campus. This includes the parking spaces between the Administration Building and the Sports Center, spaces near the Tennis Courts, and both the Upper and Lower FAB parking areas. Students who have not reached their third semester at Landmark will be assigned to these lots and employees may park in these lots as well. The total maximum capacity for the lot near the Administration, Sports Center and Tennis Courts is 163 regular spaces, 6 visitor spaces, and 4 handicap spaces. The maximum capacities for the lots near the FAB building are 63 regular spaces, 1 handicap space, and 1 motorcycle space.

Administration Lot

The lower campus parking lot directly adjacent to both the Click Family Sports Center and the Administration Building is restricted to vehicles that are parked for less than 14 continuous hours per parked period. Further, no parking is allowed in this lot from [10:00 p.m. to 6:00 a.m.](#)

Facilities Overflow

Facilities Overflow Lot is unmarked and has a capacity for an estimated 120 vehicles. Facilities will provide barricades and clear signage to guide the parking process. The Facilities and Security Departments will assign adequate personnel to facilitate the parking process in the case of special events.

GUEST PARKING – Non-event

Any guest of a student wishing to park a vehicle on campus is required to register that vehicle with the Department of Safety & Security upon arrival on campus. The individual will be issued a temporary permit that will be hung from the rearview mirror. Permits must be visible whenever the vehicle is on campus. All guests are required to park their vehicle in the Lower Campus Parking Lot. The host is responsible for any citations issued to their guests.

Temporary Permits

On occasion, an individual will require a short-term permit (e.g. rented vehicle, loaner car from a garage, etc). The individual will be issued a temporary permit that will be hung from the rearview mirror. Vehicles with temporary permits will be assigned to a lot based on the circumstances for the permit. Sending an email to the Security Department does not constitute registering a temporary vehicle. The operator of the temporary vehicle must come to the Security Office to get a temporary permit.

Medical Needs Permits

Any individual with a handicap permit from his/her state of registration is allowed to use any of the available handicap designated spaces. On-campus medical-need parking is granted for students from the Office of Health Services; or for employees, from the Office of Human Resources. Misuse of an on campus medical-need permit will result in the permit being revoked.

Reserved Parking

There are several types of reserved parking around campus. Individuals are not allowed to park in reserved spaces without prior approval from the Department of Safety & Security. Vehicles that have been assigned a regular campus parking permit are not authorized to park in visitor parking spaces (with the exception of persons conducting short-term business in the Admissions Building).

Service & Delivery Parking

Service vehicles are defined as Security, Facilities, USPS, FedEx and other parcel delivery service, regular contractors (First Choice, Mac-Gray, etc.) and other contractors as needed. Other areas for service and delivery parking include areas immediately outside of all campus building entrances.

Allowance is made for the parking of service vehicles along the jersey barriers on Perseverance Lane for the purpose of unloading or job duties. The operator of the vehicle must be within the immediate vicinity of the vehicle in case of emergency.

A designated space for service and delivery vehicles has been established at the Administration Building east entrance and the Student Center loading dock. Faculty and Staff may park in the service and delivery spaces next to the Administration Building to get their mail or to briefly conduct business in the Administration building. **AT NO TIME SHOULD STUDENTS BE PARKED IN THESE SPOTS.**

Special Event Parking

When the College is hosting a campus-wide special event, the Director of Security, or their designee may choose to direct employees (including student employees) to move their cars to the Facilities overflow lot for the duration of the special event.

When senior management has determined that employees should park in the overflow lot for an event, the Director of Security or their designee will send out an email notification to the campus community informing them when they need to park in the overflow lot and when they may return to their regular parking areas.

If possible, a notification about parking in the overflow lot will be sent a week before the event, and then a second notification will be sent the day prior to the event as a reminder.

EMPLOYEES WHO DO NOT PARK IN THE OVERFLOW LOT DURING A SPECIAL EVENT WILL BE CITED FOR PARKING IN AN UNAUTHORIZED PARKING LOT .

Exceptions:

Employees who have a state-issued handicap parking pass, or a campus-issued medical- need parking pass are not required to park in the overflow lot during special events.

If an employee believes that, due to their role in the special event, they should be allowed to park in their regular lot, they must contact the Director of Security, or his/her designee, and receive written permission to park in their regular lot during the special event.

Due to the nature of their positions, including the need to respond to critical or emergent incidents, the President and his assistant(s), Vice Presidents and their assistant(s), the Public Information Officer and his staff, the Dean of Students, the Associate Dean of Students, and the Resident Deans are exempted from having to park in the overflow lot.

Speed Limits

The speed limit for campus is 15 MPH. No vehicle shall be operated at a speed greater than deemed safe due to weather conditions or visibility, or at a speed that endangers the safety of pedestrians or others using the roadways.

Violations & Fines

Multiple violations may be cited on one citation.

\$25.00 fines may include:

- Illegal parking;
- Parking on the grass or landscaped areas;
- Parking in an unauthorized lot;
- Parking in a reserved space;
- Parking in a “No Parking” zone;
- Blocking any loading zone or the kitchen drive;
- Parking on a service road;
- Blocking any walkway or driveway;
- Not properly registering a vehicle;
- Not properly displaying parking permit;
- Operating a vehicle under the colonnade;

- Operating a vehicle on the grass or landscaped areas;
- Double parking; Impeding snow removal;
- Noise violation

\$50.00 fines include:

- Driving at an excessive speed;
- Driving recklessly;
- Driving the wrong way on a one- way road;
- Parking in a handicap space without authorization;
- Parking in a fire lane;
- Impeding Facilities work on campus.

PAYMENT OF FINES – Students

Payments of citations are due within 10 calendar days of the date of issue. After 10 days, the fine will double if not paid.

Payments are to be made at the Business Office in the Administration Building.

All citations issued to students that remain unpaid at the end of the semester will be billed to the particular student’s account.

PAYMENT OF FINES – Employees

As the College does not have a means for directly billing employees who fail to pay their citations, the following shall apply to employees with outstanding citations:

- An audit of citation records shall be performed every month to determine if there are any outstanding employee citations.
- Employees who have outstanding citations will be sent a notification that they have outstanding citations that need to be paid immediately. The notification shall be documented in the citation record.
- If an employee fails to pay their parking citations by the next citation record audit an immobilization device (boot) will be affixed to their vehicle. The immobilization device (boot) will not be removed until the employee has either paid all citations and boot fees in full, or has signed an agreement to pay all fines and fees within five business days.
- If such an incident occurs, the situation will be documented by the Department of Safety and Security and the report forwarded to the Office of Human Resources.

APPEALS

Individuals who receive a citation and believe that the citation was issued in error or that there were mitigating circumstances, may petition the Office of Safety and Security for consideration.

- An appeal form may be obtained at the Office of Safety & Security in Davis Hall, or on-line at the Department web site.
- The appeal form must be submitted prior to the date the citation is due to be paid.
- **ANY APPEALS RECEIVED AFTER THE DUE DATE WILL NOT BE ACCEPTED.**
- All student appeals will be reviewed by the Assistant Director of Safety & Security or his/her designee, and a determination made based on the Parking and Traffic Regulations of Landmark College.
- A written determination will typically be provided within five business days of submission.
- All employee appeals will be reviewed by the Office of Human Resources, and a determination made based on the Parking and Traffic Regulations of Landmark College.
- A written determination will typically be provided within five business days of submission.

REPEAT OFFENDERS

Continuous violations of the Parking and Traffic Regulations may result in the registered owner losing parking and driving privileges on campus.

Third Citation

When a vehicle has received three citations in one semester, a written warning, advising that upon receiving a fourth citation the vehicle is subjected to booting or towing, will be sent to the registered owner. If the registered owner is a student, a copy of the warning will be sent to the student's Resident Dean and the student's Advisor. If the registered owner is an employee, a copy will be sent to Human Resources.

Fourth Citation

When a vehicle has received four citations in one semester, a written warning, advising that upon receiving a fifth citation the vehicle will be banned from campus, will be sent to the registered owner. If the registered owner is a student, a copy of the letter will be sent to the student's Resident Dean, and Advisor. If the registered owner is an employee, a copy will be sent to Human Resources, who will address the issue with the employee's supervisor. The vehicle will also be subject to either having a vehicle immobilizer device (boot) applied or being towed off campus at the owner's expense.

Fifth Citation

Upon receiving five citations in one semester, the vehicle is banned from campus for a minimum of 30 days that classes are in session. The registered owner is also banned from operating any other vehicle on campus. Any additional violations during the ban period will restart the ban period. Employees will be subject to formal disciplinary action.

Towing

Vehicles may be subject to towing at the owner's expense for the following reasons:

- Students receiving four violations in one semester;
- Employees not paying parking citations;
- Parking on or blocking loading docks/areas;
- Parking in or blocking the kitchen drive;
- Parking or driving under the colonnade;
- Driving under the influence of alcohol or drugs;
- Excessive speed or reckless driving;
- Parking on the lawn or gravel area anywhere on campus.

Further, vehicles may be subject to towing for impeding the removal of snow, if the vehicle is in the way of emergency work, or if the car may sustain damage from work being conducted near the vehicle. In these cases, a reasonable attempt to locate the registered owner will be conducted first.

Upon a vehicle being towed, an e-mail notification will be sent to the registered owner, advising which company towed the vehicle and contact information for retrieval. If the registered owner is a student, a copy of the e-mail will be sent to the student's Residential Dean, Advisor, and Director of Residential Life. If the registered owner is an employee, a copy of the email will be sent to the employee's supervisor and Department of Human Resources.

Landmark College assumes no responsibility for damage or loss resulting from the moving of such vehicles.

Abandoned Vehicles

Vehicles that appear to be non-functional, abandoned, or unregistered and that are left on campus for more than seven days will be towed to the Facilities Overflow Lot for storage at the owner's expense. The owner, if known, will be informed via email that the vehicle has been towed, the location to which it was towed, and the expense incurred.

Parking During Breaks

All student vehicles left on campus over any break are to be parked in the Facilities Overflow Lot. Vehicles parked in other areas of the campus may be towed at the owner's expense. Students who leave their vehicles on College property assume the risk for any damage to or theft of or from their vehicle.

Loading/Unloading

Vehicles may be parked along the jersey barriers on Perseverance Lane, or the Bridges traffic circle, for no more than 10 minutes for the purpose of loading or unloading substantial items from the vehicle. The vehicle must have the four-way flashers activated and the driver must be available in case of an emergency.

Revocation Of Student Parking Privileges

Upon accrual of five parking citations, the application of the immobilization device twice, and/or two speeding/reckless driving citations, parking and driving privileges will be revoked for a minimum of 30 days that classes are in session.

If the vehicle is found to be on campus, or the banned operator driving a vehicle on campus during the banned period, the ban will be restarted. Judicial Affairs disciplinary process will be conducted.

If a vehicle is towed twice during the revocation period, or a continuation of violations occurs after the ban period, the registered owner will have all parking and driving privileges revoked for the remainder of the semester as well as the following semester.

If a registered owner loses his or her right to operate a motor vehicle in the State of Vermont, then all parking and driving privileges on campus will be revoked.

If a registered owner is arrested for a Driving While Intoxicated or a Driving Under the Influence charge, then the registered owner's privilege to operate or park a vehicle on campus will be revoked, pending a judicial outcome. If found guilty by the criminal court system, the operator's vehicle will be permanently removed from campus and the operator will not be allowed to operate or park any vehicle on campus for the remainder of the student's enrollment period.

Permanent loss of parking privileges may occur for consistent disregard of the Parking and Traffic Regulations of through the College's judicial process.

Knowingly providing false information on a registration card will result in a one month parking ban for the vehicles owner and/or the person who provided the false information. Such action will also be reported to Student Conduct.

Snow Removal

When significant snowfall requires snow removal by Facilities personnel, posted notification flyers and the campus e-mail will advise of such. It is the responsibility of the registered owner to be aware of the need to move the vehicle. A vehicle found to be in the way of snow removal will be towed at the owner's expense.

Vehicles that are towed while snow removal operations are in effect will be charged the current tow company rate. Vehicles moved after the stated time will be issued a minimum of a \$25.00 citation for impeding snow removal in addition to the tow company fee.

Compliance with College Officials

All students of Landmark College are expected to comply with all requests and directives made by College staff members who are appropriately exercising their responsibilities. This includes, but is not limited to residential staff, Security staff, building managers, Facilities staff, faculty members, program directors and deans.

Computer & Network Use Policy

Introduction

This acceptable use policy governs the use of computers and the network at Landmark College. As a user of these resources, you are responsible for reading and understanding this document. It is the policy of Landmark College that all members of its community act in accordance with these responsibilities and rules of conduct in the context of all existing laws (federal and state) and College regulations.

Rights and Responsibilities

Computing and networking resources at Landmark College are provided for academic and administrative purposes in support of the College mission. The College network and the Internet can provide access to resources on and off campus and the ability to communicate with other users worldwide. Such open access is a privilege and requires that individual users act responsibly. Users must respect the rights of other users, respect the integrity of the systems and related physical resources, and observe all relevant laws, regulations, and contractual obligations. Since electronic information is easily copied and reproduced, users must exercise care in acknowledging and respecting the work of others through strict adherence to software licensing agreements and copyright laws.

Existing Legal Context

All existing laws (federal and state) and College regulations and policies apply, including not only those laws and regulations that are specific to computers and networks, but also those that may apply generally to personal conduct.

Users do not own the computer accounts provided to them by the College, but are granted the privilege of exclusive use. The College does not intend to act as a censor of information but reserves the right to inspect files or e-mail and take appropriate action without notification if there is reasonable belief that there has been intentional or inadvertent disruption to the College's network or other shared resources or if there is suspected violation of College policies or applicable laws.

For example, system administrators may examine or make copies of files that are suspected of misuse or violation of these policies or that have been corrupted or damaged. User files may be subject to search by law enforcement agencies under proper procedures or when properly requested, subpoenaed or ordered by a court. In addition, all messages created, sent, or retrieved over the Internet or the College's systems, including its mail system, GroupWise, are the property of the College.

Any computer, networking device, telephone, copier, printer, fax machine, or other technology which is owned, licensed or leased by the College is subject to College policies. In addition, any technology which connects directly to College data or telephone networks, connects directly to a computer or other device owned or operated by the College and/or otherwise uses or affects College information technology facilities is subject to this computer and network policy.

Misuse of computing, networking or information resources may result in the loss of computing and/or network access. Additionally, misuse can be prosecuted under applicable statutes. Users may be held accountable for their conduct under any applicable College policies and procedures. Illegal production of software and other intellectual property protected by U.S. copyright law is subject to civil damages and criminal punishment including fines and imprisonment.

Other organizations operating computing and network facilities that are reachable via the Landmark network or intranet may have their own policies governing the use of those resources. When accessing remote resources from Landmark facilities, users are responsible for obeying both the policies set forth in this document and the policies of the other organizations.

Enforcement

Repeated minor infractions or misconduct may result in the temporary or permanent loss of computer access privileges or the modification of those privileges. In addition, offenders may be referred to the appropriate College office for further action.

Any offense, which violates local, state, or federal laws may result in the immediate loss of all College computing and network privileges and will be referred to appropriate College offices and/or law enforcement authorities.

The College reserves the right to limit or restrict access to the Internet or to its network-based information technology resources on the basis of institutional priorities, bandwidth constraints, or College policies. The College also reserves the right to examine material stored on or transmitted through its facilities if there is cause to believe that the standards for acceptable and ethical use are being violated by a member of the College community.

Faculty, staff, and students should be aware that even when a message is erased or a visit to a Web site is closed, it is still possible to recreate the message or locate the Web site. Accordingly, all communications, including text and images, may be disclosed to College administrators or law enforcement officers without prior consent of the sender or the receiver.

Conduct Which Violates this Policy

It is not acceptable for faculty, staff, and students . . .

- To use a login name and password assigned to someone else.
- To use excessive network bandwidth. Bandwidth use is considered excessive when it significantly affects the speed of the network for other users, or is well above average usage for extended periods of time.
- To violate copyright laws and their fair use provisions through inappropriate reproduction and/or distribution of copyrighted music, especially MP3 files, movies, computer software, images, etc.
- To use applications that hinder or interfere with the use of the network by others. For example, excessive use of applications that use an unusually large portion of bandwidth for extended periods of time (e.g., peer-to-peer network file sharing applications such as Napster, Gnutella, iMesh, Scour, etc. and network game servers such as Quake, Unreal Tournament, etc.).
- To use the campus network to gain unauthorized access to any computer systems.
- To connect unauthorized equipment to the campus network, this includes web or other servers, hubs, switches and wireless access points.
- To attempt to circumvent data protection schemes or uncover security loop holes. This includes creating and/or running programs that are designed to identify security loopholes and/or decrypt intentionally secure data.
- To associate an unapproved domain name with a Landmark owned IP address.
- To knowingly or carelessly perform an act that will interfere with the normal operation of computers, terminals, peripherals, or networks.

- To knowingly or carelessly run or install on any computer system or network, or give to another user, a program intended to damage or to place excessive load on a computer system or network. This includes, but is not limited to, programs known as computer viruses, Trojan Horses, and worms.
- To install personal software on a college-owned computer including applications, screen savers, and other utilities not sanctioned by the College
- To deliberately waste or overload computing resources, such as printing too many copies of a document on College owned printers.
- To violate terms of applicable software licensing agreements or copyright laws.
- To use College resources for commercial activity, such as creating products or services for sale or hosting commercial web sites.
- To use electronic mail to harass or threaten others. This includes sending repeated, unwanted email to another user.
- To run, play, or download games on a public computer.
- To send unauthorized broadcast messages to all or part of the Landmark community. Example: Sending a mass message to all faculty, staff, or students that bypasses the compiled Faculty, Staff, and Students Messages that are sent in digest form.
- To forge the identity of a user or machine in an electronic communication.
- To transmit or reproduce materials that are slanderous or defamatory in nature, or that otherwise violate existing laws or College regulations.
- To display sexually explicit or sexually harassing images or text in a public computer facility or location that can be in view of others.
- To attempt to monitor or tamper with another user's electronic communications, or read, copy, change, or delete another user's files or software without the explicit agreement of the owner.
- To use the system after employment has ended, student status has been terminated or system privileges have been suspended, curtailed or terminated, unless specifically authorized in writing.
- To damage, deface, alter, or remove any College computing equipment from campus without authorization.
- To leave a public lab or Library computer without logging out.

E-mail

Provisions of Service

- All faculty, staff, students, alumni, and affiliated persons qualify to receive an e-mail account.

- E-mail accounts are extended for the sole use of faculty, staff, students, alumni, and other appropriately authorized users to foster communications consistent with College affairs.
- E-mails accounts will be disabled for an employee at his or her termination date and for students upon withdrawal or expulsion from the College
- College e-mail accounts and services are College facilities, property, and resources as those terms are used in College policies and applicable law.
- Access to College e-mail services is a privilege that may be wholly or partially restricted by the College without prior notice and without the consent of the e-mail user: (a) when required by and consistent with applicable law or policy; (b) when there is a reasonable suspicion that violations of policy or law have occurred or may occur.
- In a case where unacceptable use severely impacts performance or security, in order to sustain reasonable performance and secure services for the rest of the community, the College may immediately suspend an individual's access privileges.
- E-mail users are required to comply with state and federal law, College policies, and normal standards of professional and personal courtesy and conduct.
- Users agree by virtue of access to the College's computing and e-mail systems, to indemnify, defend, and hold harmless the College for any suits, claims, losses, expenses or damages, including but not limited to litigation costs and attorney's fees, arising from or related to the user's access to or use of College e-mail and network systems, services, and facilities.

Unacceptable Use

Unauthorized Access

The following constitute unauthorized forms of access:

- Permitting anyone to send e-mail using an account owned by someone else
- Sending e-mail using another user's account
- Attempting to disguise the e-mail address from which an e-mail account holder's message is sent or the identity of the sender

Inappropriate Content

Acceptable use of e-mail is based on common sense, respect for others, and civility applied to the electronic communications environment. The e-mail system may not be used to transmit sexually explicit images or messages that may be reasonably construed as harassment nor may it be used for any communications that contain ethnic slurs, racial epithets, or anything that may be reasonably construed as disparagement of others based on race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs. Moreover, it is important to note that the

perception or reaction of the recipient is a major factor in determining if a specific communication is harassing, offensive, defamatory, or abusive. Various federal and state laws and College policies apply to this requirement.

Additionally, an e-mail message is, for legal purposes, treated as a written record, and is therefore subject to all the normal legal restrictions on such records, including copyright and intellectual property laws. Any e-mail message which exposes the sender and/or the College to legal action may also result in corrective action by the College.

If an e-mail account holder receives an e-mail message that he or she considers offensive, he or she may direct his or her concerns to the supervisor for the operational unit in which the suspected violation occurs or to Director of Human Resources. Students may direct concerns to their Residential Dean. The appropriate College authorities and/or law enforcement agencies will investigate violations.

If an e-mail account holder has been requested by another account holder (via e-mail or in writing) to refrain from sending e-mail messages to him or her and the request is reported to the appropriate authority or to helpme@landmark.edu, the recipient of this request is prohibited from sending any further messages to the requester until such time as he or she has been notified by the appropriate authority that such correspondence is permissible. Failure to honor such a request shall be deemed a violation of this policy.

Although the College does not monitor or read e-mail of users as a matter of course, if possible misuse is reported or if there is reason to suspect any use of e-mail which violates this Policy or any other College Regulation or which seems to represent a threat to the security or performance of the system or the network, the appropriate College authority reserves the right to examine mail messages without authorization from sender or recipient.

If an e-mail account holder receives e-mail from outside the College that he or she regards as offensive or potentially illegal, he or she should report the matter to helpme@landmark.edu. The Help Center will refer the matter to appropriate authorities.

E-Mail Privacy and Confidentiality

College policy and secure passwords provide good but not complete assurance of the privacy of users e-mail messages. Since the confidentiality of e-mail cannot be assured, and such confidentiality may be compromised by unintended redistribution or forwarding, users should exercise extreme caution in using e-mail to communicate confidential or sensitive matters, and should not assume that their e-mail is private or confidential.

The College does not monitor or read e-mail of users as a matter of course. However, the College reserves the right to examine mail messages without authorization from sender or recipient where there is reason to suspect a breach of

this Policy. In compliance with state and federal law and College policies, the College may permit the inspection, monitoring, or disclosure of e-mail in situations when there are reasonable expectations that violation of policy or law have occurred.

Culpability

As it is often difficult to accurately determine degrees of culpability, all residents of the room where a violation is found may be held responsible to some level for that violation. Additionally, students who remain at an event or in a situation when they know a violation is occurring may also be held responsible. Students are advised, therefore, to avoid such situations that may put them at risk of unwanted interventions.

Fireworks

Fireworks are a fire hazard and their use may result in personal injury. Therefore, fireworks of any type (including firecrackers and sparklers) are not permitted in the State of Vermont or on the Landmark campus. Those found in possession of or using fireworks will be subject to disciplinary action and may be subject to criminal charges.

Gambling

In accordance with Vermont State law, gambling is not allowed on campus. A permit may be obtained, via the Office of Student Life and the State of Vermont authorities, to facilitate gambling at on-campus charity events. Students violating this policy will be subject to disciplinary action.

Student Safety or Threat of Harm to Others

If the College determines that there is a reasonable basis to believe, based on an individualized assessment of the student's behavior and other relevant information:

- that the student's medical, psychological, or substance use-related condition prevents them from safely and/or effectively participating in the College's academic or residential life programs, such that the student is not otherwise qualified to attend the College; or
- that the student poses a significant risk to the health or safety of others; or
- causes or threatens to cause property damage; or
- engages in behavior that is unduly disruptive to others in the Landmark College community (behavior that is "unduly disruptive" includes but is not limited to conduct that interferes with, or poses a significant risk of

interference with, the emotional or physical well-being of others and/or the academic, extracurricular, or social activities of others)

then the College will exercise its discretion to take steps that it deems reasonable and necessary in the best interests of the student and/or the College community. Such steps may include, by way of example but not limitation: interim or longer-term disciplinary or administrative withdrawal from the College (either with or without the invocation of the College's student disciplinary process, as deemed appropriate under the circumstances); psychological assessment(s); parental notification; periodic assessment requirements; and/or related documentation requirements.

While preliminary decisions may have to be made quickly and without discussion with the student in certain circumstances, student(s) will be given notice and an opportunity to speak with the Vice President for Student Affairs or their designee prior to any final decision being made by the College. The Vice President may also consult with others as appropriate (e.g., medical professionals, members of the College's Students of Concern Team, other College officials, law enforcement, and/or the student's family members).

The Vice President may also consider whether there are reasonable accommodations that would effectively mitigate the risk of harm to others or property and would allow the student to safely and effectively participate in the College's academic programs and the residential life of the College, as applicable.

Students may petition for readmission to the College as provided under the terms and conditions specified in any notices regarding decisions made by the College pursuant to this policy.

Steps taken by the College pursuant to this policy may be appealed, following the procedures set forth in the College conduct process.

The College reserves its right to modify steps taken or requirements imposed under the circumstances described above, where modifications appear to be necessary in the best interests of the student and/or the College community.

Identification cards

All students will be issued a Landmark College identification card during the registration process and are required to carry a valid I.D. card with them at all times.

A valid Landmark College I.D. card is required for entry to the Residence Halls and Dining Hall. In addition, this card is also used to access College bookstore and Strauch Family Student Center café debit accounts. The College may require students to produce their ID card for other events on campus to confirm attendance or to establish student-status.

In an effort to maintain safety and security of students on campus, students must present this card when requested by any College official, including Campus Security, Residential Life staff, dining hall staff and building managers.

Lost cards should be reported to the Office of Student Life. During hours when the office is closed, temporary replacement cards may be obtained from Campus Security. There is a \$15 fee for replacement cards.

Students found tampering with or altering identification cards or otherwise providing false identification will be subject to disciplinary action.

In some instances, the use of a Student ID card creates an electronic record of a transaction (use of services, residence hall entry, etc). The College reserves the right to access these transactional records and disclose them to College officials and law enforcement officials (as permitted by appropriate student-records laws).

Knives and Weapons

Only non-automatic pocket knives with blades less than three inches and common kitchen knives (in kitchen areas) will be permitted on campus. All knives not fitting these requirements will be confiscated.

Knives and weapons of any sort may not be brought into classrooms or spaces used for teaching and community assembly.

Firearms and ammunition of any kind, including BB guns, pellet guns, paintball guns, or any instruments that discharge projectiles such as bows and slingshots, and any other weapons are prohibited from campus. Students possessing such weapons will be subject to immediate disciplinary action up to and including suspension or expulsion.

Any knife or weapon (regardless of size) that is used in a violent or threatening manner will be considered a violation of this policy and the College's policy on Violence.

Off-Campus Conduct

The College reserves the right to take appropriate disciplinary action against Landmark College students who are involved in any off-campus incidents of criminal activity or otherwise inappropriate non-criminal behavior, particularly when such incidents have implications for the safety of members of the campus or local community, or are detrimental to the welfare of the College. Examples of these behaviors include, but are not limited to driving under the influence of alcohol, underage possession or use of alcohol or other drugs, fighting or other violent episodes.

Parental Notification

Landmark endeavors to involve the parents of dependent students as collaborative partners in a comprehensive educational approach, while respecting the need of students to develop independence and autonomy, and to take responsibility for their own actions, choices, and educational progress. In general, the College expects that the primary communication about a student's program at Landmark will occur directly between the student and his or her parents.

At the same time, the College is required to maintain compliance with the Family Educational Rights and Privacy Act (FERPA), which is a federal law that affords students who have entered a postsecondary institution (eligible students) the right to have access to their education records, the right to seek to have the records amended, and the right to have some control over the disclosure of personally identifiable information from the education records. Before the age of 18 or the student's attendance at a postsecondary institution, these rights belong to parents or legal guardians.

Even though FERPA rights transfer to students in attendance at Landmark, the College may disclose information from an "eligible student's" education records to the parents of the student if, for example, either of the following criteria is met:

1. **A student voluntarily consents to allow the College to release information.** To do this, students must sign, date and submit the "Authorization to Release Student Account and Education Information" to the Vice President for Student Affairs Office.
2. **A student is identified as a dependent for tax purposes.** If a student is claimed as a dependent by either parent for tax purposes, then education records and information there from may be disclosed to either parent (whether custodial or not). To certify this status with the College, parents can complete the "Authorization to Release Student Account and Education Information" form. If a student's signature is not included, then a copy of the first page of the most recent year's tax return must be attached (please feel free to black-out any social security number, income amounts, or other sensitive information).

The primary academic contact person for parents of dependent students is their son or daughter's Academic Advisor, and parents are encouraged to communicate directly with the Advisor if they have any questions or concerns. The Academic Dean assigned to work with a given student may also serve as a contact person, as may the Dean of the College.

Because Landmark seeks to emphasize the role of choice and personal responsibility in students' lives, in general, Academic Advisors or Deans will involve students before notifying parents of specific concerns regarding academic performance.

Parents will be mailed a copy of the letter notifying the student of any formal disciplinary decision to place that student on academic probation.

Smoking & Tobacco Use

Landmark College strives to provide a healthy, safe and productive work, educational, and social environment for students, faculty and staff. In view of the overwhelming evidence regarding the negative health effects of smoking, second-hand smoke, and tobacco use, the following regulations apply to campus:

1. Smoking is prohibited in all College buildings, facilities and general grounds and property with the exception of “Designated Smoking Areas”. For Landmark College, smoking is defined as the act of smoking or carrying a lighted cigarette, cigar, pipe or any other smoking material or device, including e-cigarettes, vaping devices, and hookahs.
2. Smoking is prohibited in any College owned vehicle, and any vehicle parked or idling on campus, including personal vehicles.
3. Smokeless tobacco (chewing, dipping, etc.) and other tobacco products are prohibited in all nonresidential College facilities including the dining hall and all classroom, offices and fitness areas located on the lower levels of any residence hall and in all athletic facilities and venues on or off campus.

“Designated Smoking Areas” are indicated by an official “Designated Smoking Area” sign.

Enforcement

All members of the Landmark College community are responsible for observing this policy and its provisions. Further, each member of the campus community has the right and responsibility to address violations of this policy directly with the offending individuals.

Campus Security and Residential Life staff are responsible for assuring compliance with this policy, and all problems with student compliance should be referred to them. Documented violations of this policy for students can be met with sanctions that include fines, community service and placement on disciplinary status

Concerns among faculty & staff related to this policy should be brought to the appropriate supervisor and, if necessary, referred to Human Resources.

Documented violations of this policy will follow the disciplinary and corrective actions policies in the Human Resources office.

Support

Faculty & Staff will be able to obtain smoking cessation support from Health Services (consultation only: prescriptions will need to be administered by health care provider).

Violence

The College prohibits all manner of violent behavior and may pursue disciplinary action against any student who engages in violent behavior in any form, including physical or verbal abuse, harassment, physically abusive relationships, damage to property, use of a knife (regardless of size) or other weapon or instrument in a violent or threatening manner, and fighting (even in mutually instigated cases).

Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy & Procedures

Notice of Nondiscrimination

Landmark College does not discriminate on the basis of sex in its education programs and activities, and Title IX of the Education Amendments Act of 1972, as amended (“Title IX”), as well as applicable state law, requires that it not discriminate in such a manner. Prohibited sex discrimination includes sexual harassment and sexual misconduct as outlined in this policy. Inquiries concerning the application of Title IX may be referred to the College’s Title IX coordinator (see below) or to the United States Department of Education Office for Civil Rights. The OCR Region I office’s contact information is: Office for Civil Rights, Boston Office, U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109-3921, Telephone: 617-289-0111, Facsimile: (617) 289-0150, Email: OCR.Boston@ed.gov).

Title IX Coordinator

The Vice President for Student Affairs is the designated Title IX Coordinator for Landmark College, and is responsible for coordinating the College’s efforts to comply with and carry out its responsibilities under Title IX. The Title IX Coordinator’s core responsibilities include overseeing the school’s response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints. To accomplish this, subject to the exemption for confidential employees discussed below, the Title IX Coordinator must be informed of all reports and complaints raising Title IX issues, even if the

report or complaint was initially filed with another individual or office or if the investigation will be conducted by another individual or office. The Title IX Coordinator is available to meet with students, employees or third parties regarding Title IX-related issues, such as issues related to the College's compliance with Title IX, response to Title IX reports or complaints, related grievance procedures, relevant patterns of conduct, or related education and prevention programs. The contact information for the Landmark College Title IX Coordinator is:

Michael Luciani, Vice President for Student Affairs
Office of Student Affairs, Strauch Family Student Center
Landmark College
1 River Rd South
Putney, Vermont 05346
(802) 387-6713
mluciani@landmark.edu

General Definitions

The definitions of sexual assault, domestic violence, dating violence and stalking used in this policy are consistent with the Clery Act, as amended effective 2014.

In its primary prevention and awareness programs for incoming students and new employees, and its ongoing prevention and awareness programs for students and employees, Landmark College includes the definitions of sexual assault, the definition of consent in reference to sexual activity, and the definitions of domestic violence, dating violence and stalking that are used by Vermont criminal laws.

However, the College utilizes its own definitions of these prohibited behaviors for purposes of this policy that are consistent with the Clery Act, as amended effective 2014, and determines responsibility for violations of College policy through its own procedures and standards of proof (that is, by a preponderance of the evidence standard), not through the procedures or standards of proof employed in the criminal justice system.

Complainant

For purposes of this policy, a complainant is usually a student, employee, or third party involved in some way in an academic, athletic, extracurricular or residential program of the College ("covered third party") who has allegedly been subjected to conduct in violation of this policy by a student or non-employee respondent. In some cases (such as, for example, cases in which a student, employee, or covered third party involved in an alleged incident of sexual harassment, sexual misconduct, domestic violence, dating violence or stalking does not wish to participate in the process but the College decides that the alleged misconduct needs to be investigated and addressed), the College may move forward with an investigation and/or related disciplinary proceedings. In such cases, the College may extend the

full rights of a complainant as defined in this policy to affected parties as deemed appropriate by the College. For ease of reference and consistency, the term “complainant” is used hereafter in this policy to refer to a person who believes that he or she has been subjected to sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, or who is believed by another to have been subjected to such conduct.

Respondent

For purposes of this policy, a respondent is an individual (student, faculty, staff, or third party over whom the College has some form of jurisdiction) reported to have violated the College’s Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy.

Retaliation

Retaliation against an individual for reporting, in good faith, unwelcome conduct of a sexual nature, sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, or for cooperating in the investigation of a complaint of such conduct, violates this policy and may be unlawful. Retaliation includes, but is not limited to, adverse actions that have a substantial adverse effect on the working or educational environment of any individual involved in the complaint or an investigation that is motivated by such involvement, such as:

- intimidation,
- reprisal,
- ostracism,
- actions altering the person's assignments, assessment of his or her work, or his/her academic environment,
- threats,
- coercion, or
- otherwise discriminating against any individual for exercising his or her rights or responsibilities under this policy

Any person who believes that he or she has been subjected to such retaliation should follow the complaint resolution procedures outlined in this policy. The College will take strong responsive action if it finds that retaliation in violation of this policy has occurred.

Sexual Harassment Policy

The Definition of Sexual Harassment

It is against the policies of Landmark College, and may also be illegal under state and federal law, for any student or employee, male or female, to sexually harass another student, a College employee, or a covered third party. Landmark College is

committed to providing a campus free from such conduct. Landmark encourages members of the College community and covered third parties to report unwelcome conduct of a sexual nature so that it can investigate reports appropriately through the procedures outlined below. If the College determines a respondent's conduct is sufficiently serious—that is, sufficiently severe or pervasive—to deny or limit a student's ability to participate in or benefit from the College's program based on sex and thereby creates a hostile environment, it will take prompt, appropriate and effective action to eliminate the hostile environment, prevent its recurrence, and address its effects. In the employment context, the College will take prompt, appropriate remedial action if it determines that a sexually hostile environment has been created. The College may also choose to take remedial action in cases where conduct is deemed inappropriate, even if it does not rise to the level of sexual harassment as defined in this policy.

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. submission to that conduct is made either explicitly or implicitly as a term or condition of employment or educational status;
2. submission to or rejection of such conduct by an individual is used as a component or the basis for employment or educational decisions affecting that individual; or
3. the conduct has the purpose or effect of substantially interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working, shared living, or educational environment.

Examples of sexual harassment include, but are not limited to the following, when such acts or behavior come within one of the above definitions:

- either explicitly or implicitly conditioning any term of employment or educational decision on the provision of sexual favors;
- touching or grabbing any part of a student or employee's body after that person has indicated, or it is known or should be known that such physical contact is unwelcome;
- continuing to ask a student or employee to socialize on or off-campus when that person has indicated he or she is not interested;
- displaying or transmitting sexually suggestive pictures, objects, cartoons, or posters if it is known or should be known that the behavior is unwelcome;
- continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior;
- referring to or calling a person a sexualized name if it is known or should be known that the person does not welcome such behavior;

- regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior;
- retaliating in any way against anyone who has filed or supported a complaint of sexual harassment (e.g. ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's educational, shared living, or work environment, etc.);
- communicating derogatory or provoking remarks about or relating to a student or employee's sex, sexual orientation or gender identity;
- directing harassing acts or behavior against a person on the basis of his or her sex, sexual orientation or gender identity;
- off-campus conduct which falls within the above definition and affects a person's on-campus educational, shared living, or work environment.

Sexual harassment prohibited by this policy may occur regardless of the sex, sexual orientation or gender identity of any individual involved.

Landmark College recognizes that the protection of free and open speech and the open exchange of ideas are important to any academic community. This recognition is therefore an important element in the "reasonable person" standard used in judging whether sexual harassment has occurred. This policy is meant neither to proscribe nor to inhibit discussion, in or out of the classroom, of complex, controversial or sensitive matters, when in the judgment of a reasonable person they arise appropriately and with respect for the dignity of others. Landmark College also recognizes, however, that verbal conduct can be used specifically to intimidate or coerce and to inhibit genuine discourse, free inquiry and learning. Such abuses are unacceptable. If someone believes that another's speech or writing is offensive, wrong or hurtful, he or she is encouraged to express that judgment in the exercise of his or her own free speech or to seek redress under the noted procedure(s) when appropriate.

Sexual Misconduct Policy

As an educational institution, Landmark College is committed to promoting, through educational and consciousness-raising activities (including the distribution of the following policy), a campus environment where sexual misconduct is recognized as wholly intolerable, and where victims of sexual misconduct are provided with avenues of support and redress as appropriate. In accordance with this commitment, the College has developed the following policy on sexual misconduct. Other educational and consciousness-raising activities are conducted by the College's Student Affairs Office.

The College is committed to take action, and may be required to take action, if it learns of potential sexual misconduct, even if the person subjected to such misconduct does not wish to formally file a complaint.

The College prohibits a broad range of inappropriate sexualized activity through this sexual misconduct policy. The prohibitions of this policy apply regardless of the sex, sexual orientation or gender identity of any involved individual.

Sexual Assault

Sexual violence is one type of prohibited sexual misconduct. Committing sexual assault upon another person, either male or female, is against the law and violates College policies. Sexual assault may be either rape, fondling without consent, incest, or statutory rape, as defined by the Clery Act and below.

- **Rape** is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent (as defined below) of the victim, including instances where the victim is incapable of giving consent because of his/her temporary or permanent mental incapacity.
- **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law in the applicable jurisdiction.
- **Statutory rape** is sexual intercourse with a person who is under the statutory age of consent in the applicable jurisdiction. In the state of Vermont, the statutory age of consent is 16 years old.

For purposes of the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy, **consent** is defined as follows:

- Consent is a voluntary agreement to engage in sexual activity, demonstrated by words or actions freely and actively given by each party, which a reasonable person would interpret as a willingness to participate in agreed-upon sexual conduct;
- Someone who is incapacitated cannot effectively consent (such as when a person is incapacitated by the use of drugs or alcohol, when a person is asleep or unconscious, or when a person has an intellectual or other disability that prevents the person from having the capacity to give consent);
- Past consent does not imply future consent;
- Silence or an absence of resistance does not imply consent;
- Consent to engage in sexual activity with one person does not imply to consent to engage in sexual activity with another;
- Consent can be withdrawn at any time; and

- Coercion, force or threat of either, or placing the other person in fear that any person will suffer imminent bodily injury, invalidates consent.

The College will use an objective standard when determining incapacitation-related questions; that is, a respondent will be found responsible for sexual assault when the College determines that the respondent knew, or reasonably should have known based on an objective standard, that the other person was unable to effectively give or withhold consent because they were incapacitated:

1. By the consumption of drugs, alcohol, or other intoxicants; or
2. Because the other person was subject to a physical or mental incapacity such as sleep or unconsciousness.

It is the responsibility of those who initiate and/or engage in sexual activity to be clear that informed, voluntary consent is given before proceeding with further sexual activity.

It should be noted that ignorance of the policy noted above, or the intoxication of the respondent, will not (particularly given the College's objective standard) be considered an excuse for violating this policy.

Other Sexual Misconduct

The College also prohibits through this policy other forms of sexual misconduct, such as (but not limited to) video recording or photographing of sexual acts of another member of the College community without the consent of a person involved, or engaging in unwelcome physical touching of a sexual nature that does not meet the definitions of sexual violence or sexual harassment described above.

To understand how to file a complaint of sexual misconduct at Landmark College, please see the section below on Complaint Procedures for Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking.

Other Policy Violations

The College's primary goals when responding to complaints of sexual misconduct are to promote safety, and to address that misconduct and prevent it from recurring. An individual should not hesitate to report sexual misconduct due to a concern that the investigation process may indicate that he or she was under the influence of alcohol or drugs at the time of the incident. Violations of other College policies will be handled separately from sexual misconduct complaints, and the relatively minor sanctions that may result from a violation of other College policies under the circumstances should not dissuade an individual from reporting relatively serious incidents of sexual misconduct. The use of alcohol or drugs never makes the complainant at fault for sexual misconduct.

College Policy on Domestic Violence, Dating Violence and Stalking

Landmark College prohibits conduct by students, faculty or staff that affects other students, faculty, staff or covered third parties, and that constitutes domestic violence, dating violence or stalking, as defined below. While this policy incorporates by reference definitions of domestic violence, dating violence and stalking used in the criminal law, the College determines responsibility for such conduct through its own procedures and standard of proof (that is, by a preponderance of the evidence), not through the procedures or standards of proof employed in the criminal justice system.

Domestic Violence

Domestic violence is violence committed—

- a. By a current or former spouse or intimate partner of the person subjected to the violence;
- b. By a person with whom the person subjected to the violence shares a child in common;
- c. By a person who is cohabitating with, or has cohabitated with, the person subjected to the violence as a spouse or intimate partner;
- d. By a person similarly situated to a spouse of the person subjected to the violence under the domestic or family violence laws of the jurisdiction in which the violence occurred, or
- e. By any other person against an adult or youth who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the violence occurred.

As a matter of Landmark College policy, the College strictly prohibits conduct that would constitute domestic violence as defined above. The College encourages complainants who believe they are being or have been subjected to such conduct, and others with knowledge of such conduct, to report the conduct to the College through the procedures described below, and to seek the support of the College and/or external resources identified in this policy.

Dating Violence

Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person subjected to the violence. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

For the purposes of this definition, dating violence includes, but is not limited to,

sexual or physical abuse or the threat of such abuse, if involving individuals who are or have been dating as defined here.

Dating violence does not include acts covered under the definition of domestic violence stated above.

As a matter of Landmark College policy, the College strictly prohibits conduct that would constitute dating violence as defined above. The College encourages individuals who believe they are being or have been subjected to such conduct, and others with knowledge of such conduct, to report the conduct to the College through the procedures described below, and to seek the support of the College and/or external resources identified in this policy.

Stalking

“Stalking” is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

1. Fear for the person's safety or the safety of others; or
2. Suffer substantial emotional distress.

For the purposes of this definition—

1. **Course of conduct** means two or more acts, including, but not limited to, acts in which the alleged stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
2. **Reasonable person** means a reasonable person under similar circumstances and with similar identities to the person subjected to the stalking.
3. **Substantial emotional distress** means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Examples of stalking behaviors or activities include, but are not limited to the following, if they occur in the context of stalking as defined above:

1. Non-consensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, text messages, written letters, gifts, or any other communications that are unwelcome.
2. Use of online, electronic or digital technologies in connection with such communication, including but not limited to:
 - a. Posting of pictures or text in chat rooms or on websites;
 - b. Sending unwanted/unsolicited e-mail or talk requests;
 - c. Posting private or public messages on Internet sites, social networks, and/or school bulletin boards;

- d. Installing spyware on a person's computer;
 - e. Using Global Positioning Systems (GPS) or similar technology to monitor a person.
3. Pursuing, following, waiting for, or showing up uninvited at or near a residence, workplace, classroom, or other places frequented by the person.
 4. Surveillance or other types of observation including staring or "voyeurism"
 5. Trespassing
 6. Vandalism
 7. Non-consensual touching
 8. Direct verbal or physical threats
 9. Gathering information about an individual from friends, family, or co-workers
 10. Accessing private information through unauthorized means
 11. Threats to harm self or others
 12. Defamation and/or lying to others about the person, or
 13. Using a third party or parties to accomplish any of the above.

As a matter of Landmark College policy, the College strictly prohibits stalking as defined above. The College encourages complainants who believe that they are being or have been subjected to such conduct, and others with knowledge of such conduct, to report the conduct to the College through the procedures described below, and to seek the support of the College and/or external resources identified in this policy.

Reporting and Confidential Disclosures: Know the Options

The College understands that individuals who have concerns about sexual harassment, sexual misconduct, domestic violence, dating violence or stalking may look for assurances of confidentiality. The College encourages individuals who may have been subjected to these forms of misconduct and/or crime to talk to somebody about what happened, so they can get the support they need, and the College can respond appropriately. Different employees on campus have different abilities to maintain confidentiality about these issues.

Professional Counselors and Health Services Professionals as Confidential Resources

At Landmark College, the professional counselors and health services staff respect and protect confidential communications with clients to the extent that they are able to do so under applicable law. This means that in most cases, these confidential resources will not inform anyone of such communications without a client's consent, and the College will not endeavor to take any action to take action in response to

such communications. These professionals may have the responsibility to disclose otherwise-privileged information appropriately when they perceive an immediate and/or serious threat to any person or property. In addition, medical and mental health professionals are required by law to report any allegation of sexual assault of a person under age 18.

Individuals who wish to talk about sexual harassment, sexual misconduct, domestic violence, dating violence or stalking-related issues confidentially, with the understanding that the College will not take any action based on such confidential communications, are encouraged to contact one of these confidential resources.

In accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, these confidential resources will not report Clery crimes they learn about through confidential communications for purposes of the College’s compilation of campus crime statistics.

If an individual who makes a report insists that his or her name or other identifiable information not be revealed and the College is able to respect that request, the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator. Even so, these confidential resources will still assist the individual in receiving other necessary protection and support, such as victim advocacy, academic support or accommodations, disability, health or mental health services, and changes to academic, living, transportation, and working or course situations or schedules, where requested and reasonably available.

An individual who at first requests confidentiality may later decide to file a complaint with the College or report the incident to local law enforcement, and thus have the incident fully investigated. These confidential resources will provide the individual with assistance if the individual wishes to pursue those options.

Contact information for confidential resources is as follows:

Meg Spicer, Counselor & Sexual Respect Coordinator	(802) 387-6739
Jeff Huyett, Director of Health Services	(802) 387-6753
Liz Cooper, Staff Nurse	(802) 387-6302
Counseling Services	(802) 387-1636

Reporting to “Responsible Employees”

A “responsible employee” is a College employee who has the authority to address sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, who has a duty to report related incidents to the Title IX Coordinator or other College officials, or who a student could reasonably believe has this authority

or duty. Responsible employees are respectful of a complainant's wishes to the extent appropriate and are discreet, but they are not able to guarantee confidentiality. General inquiries or questions about the Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy and procedures may remain private, and the College will strive to protect the privacy of individuals to the extent it can while maintaining its obligations to uphold relevant policies and regulations and/or to take reasonable steps to promote the safety of members of the College community. Otherwise, responsible employees will report relevant details (such as the name of the complainant and respondent, any witnesses, and other relevant facts, such as the date, time and specific location of the alleged incident) to the Title IX Coordinator or other College officials. The College will then investigate the report and take reasonable steps designed to prevent recurrence of the behavior.

If a complainant discloses an incident to a responsible employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the College must weigh that request against the College's obligation to provide a safe, non-discriminatory environment for all students, faculty and staff. The Title IX Coordinator will in most cases determine whether the College needs to perform an investigation and/or take some other action in cases where a complainant would prefer complete confidentiality. If for some reason the Title IX Coordinator is not able or is not the appropriate person to make such a determination, the determination will be made by the Dean of Students or another appropriate person designated by the President.

If an individual who makes a report insists that his or her name or other identifiable information not be revealed and the College is able to respect that request, the individual must understand that the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator.

The College will protect the confidentiality of individuals allegedly subjected to sexual harassment, sexual misconduct, domestic violence, dating violence and/or stalking to the extent practicable in light of the need to do investigations and conduct disciplinary proceedings. Campus security authorities who become aware of Clery crimes will report them to the College's Office of Public Safety so that they may be included in the College's compilation of campus crime statistics. The College will not include the names of complainants or other identifying information in publicly-available reports that are compiled as required by the Clery Act.

Community Assistance and Resources for Victims of Sexual Misconduct, Domestic Violence, Dating Violence and/or Stalking

The level of confidentiality that can be provided by confidential on-campus resources, and the obligations of non-confidential responsible employees, who are respectful but not necessarily confidential, are described immediately above.

Confidential On-Campus Resources

Meg Spicer, Counselor & Sexual Respect Coordinator	(802) 387-6739
Jeff Huyett, Director of Health Services	(802) 387- 6753
Liz Cooper, Staff Nurse	(802) 387-6302
Counseling Services	(802) 387-1636

Respectful But Not Necessarily Confidential On-Campus Resources

Resident Deans	
Resident Assistants	
Academic Advisors	
Campus Security	(802) 387-6899
Sara Jane Muratori, Asst. Dean & Director of Residential Life	(802) 387-6411
Kelly O’Ryan, Dean of Students	(802) 387-6362
Michael Luciani, Vice President for Student Affairs	(802) 387-6713

Off-Campus Community Resources

Women's Freedom Center advocates@womensfreedomcenter.net	24 hour Hotline: (802) 254-6954 Business line: (802)-257-7364
Windham County Victim Advocate	(802) 579-1358
Brattleboro Memorial Hospital ER	(802) 257-8222
Brattleboro Health Center	(802) 258-3905
Windham County Sheriff	(802) 365-4942
Vermont State Police	(802) 722-4600

Reporting and Grievance Procedures for Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence or Stalking Complaints

The reporting and grievance procedure outlined below applies to sexual harassment, sexual misconduct, domestic violence, dating violence and/or stalking complaints filed by students, staff, faculty or covered third parties against other students, staff or faculty, or third parties over whom the College has some measure of control. Even where the College does not appear to have a measure of control over a third party who is believed to have engaged in or who is believed to be engaging in such behavior, the College encourages reporting so that the College can at least refer the complainant to supportive resources and discuss reasonably available accommodations and procedures for obtaining protection orders.

Complaints of sex discrimination by College students, staff or faculty that do not involve alleged sexual harassment, sexual misconduct, domestic violence, dating violence or stalking as defined in this policy will be handled through the Vice President for Student Affairs Office (for students) and the Human Resource Office (for faculty & staff).

The procedures outlined below are designed to provide prompt, fair and impartial investigation and resolution of complaints of sexual harassment, sexual misconduct, domestic violence, dating violence and stalking. The College will provide written notice to complainants and respondents of the information stated herein by providing a paper copy of the policies, procedures, and support resources to complainants and respondents.

If any person affected by the College's investigation or adjudication of a complaint of sexual harassment, sexual misconduct, domestic violence, dating violence or stalking is concerned that another person involved in the investigation or adjudication (such as, for example, an investigator or Conduct Board member) may be biased against him or her or has a conflict of interest, the person should inform the Vice President for Student Affairs Office, the Human Resources Office (in faculty/staff cases) or the Title IX Coordinator of that concern as soon as possible. The responsible official will consider the concern and inform the parties of his/her decision as to whether an alternate will be named.

Any student, faculty or staff member who wishes to report a complaint of or concern about sexual harassment, sexual misconduct, domestic violence, dating violence or stalking is encouraged to contact the Vice President for Student Affairs (Title IX Coordinator), College security personnel, the Dean of Students, Resident Deans, Academic Advisors, Counselors, College Administrators, and/or local law enforcement officials.

In addition to (or instead of) the College's processes, any student or employee who wishes to report a complaint of sexual misconduct, domestic violence, dating

violence or stalking may and should also pursue criminal charges with local, state, or federal law enforcement agencies including the Windham County Sheriff's Department or Vermont State Police. The Office of the Vice President for Student Affairs (Title IX Coordinator), Office of Security, the Office of the Dean of Students, Human Resources Office and Counseling /Health Services Office will offer to, and will upon request, assist students or employees in contacting law enforcement agencies and other agencies for these purposes. This action may be taken regardless of whether an individual chooses to file a complaint with the College. For his or her own part, a complainant may choose to notify such agencies with or without assistance from the College, or may choose not to notify such authorities.

Individuals who are being or who may have been subjected to domestic violence, dating violence or stalking may have the right to obtain orders of protection, restraining orders and/or relief from abuse orders from Vermont courts. The College will support complainants if they wish to have the College's assistance in making contact with law enforcement authorities and other external resources to seek such orders. The College will respect such orders to the extent applicable. In addition, the College can also impose no-contact conditions on students, employees and third parties over which it has some measure of control. The College will inform complainants of their options in this regard.

Medical Care - Whether or not you decide to pursue criminal charges or a complaint at the College, you are encouraged to immediately seek any necessary medical care after an incident of sexual misconduct, domestic violence or dating violence, and to seek help from appropriate law enforcement, medical or College personnel.

Preservation of Evidence - Even if you are unsure initially whether you will want to pursue criminal charges or seek a protection order, it is important to preserve all possible evidence in case you decide at some point to do so. Therefore, you should refrain from changing clothes, showering or otherwise changing your physical state after an incident, until after you have consulted with medical personnel about how to best preserve evidence. You should also consult with College officials, law enforcement officers or health care professionals regarding your ability to have evidence collected by a Sexual Assault Nurse Examiner ("SANE"). You should also endeavor to preserve other evidence that may be relevant to a case of sexual harassment, sexual misconduct, domestic violence or dating violence or stalking, such as text messages, email messages, other electronically stored information, and other physical evidence. If you have questions about how to do this, you should consult with College officials.

Accommodations - If you report sexual harassment, sexual misconduct, domestic violence, dating violence or stalking to College authorities, College personnel will work with you to determine whether alternative academic, transportation, working and/or living situations are reasonably available and necessary in your particular case. You do not have to file a formal complaint, participate in a disciplinary process, or file a criminal complaint in order to ask for such help from the College.

Informal Resolution of Student Sexual Harassment Complaints

Students or covered third parties who believe they have been subjected to unwelcome conduct of a sexual nature and/or sexual harassment may seek informal resolution of the issues without filing a formal complaint by contacting the Vice President for Student Affairs . At the discretion of the Vice President for Student Affairs, the consideration of a complaint under this section may be assigned to his or her designees. Informal complaints may be oral or written. In many instances, informal discussion and counseling can be useful in resolving perceived or actual instances of sexual harassment. Problems are sometimes easier to resolve when an informal atmosphere encourages people to identify the difficulty, talk it out, and agree on how to deal with it. Informal complaint resolution does not involve disciplinary proceedings against the alleged harasser.

If requested by the complaining party, the Vice President for Student Affairs (or designee) will assist in attempting to resolve the complaint informally. Such assistance may involve, for example, advising the complainant with respect to communicating with the respondent about the cessation of the behavior. Alternatively, the complainant may ask the Vice President for Student Affairs to meet with the alleged harasser, or to explore other possible resolutions. The Vice President for Student Affairs may enlist the help of other College personnel, such as deans, administrators or Human Resources personnel, in resolving an informal complaint, but only with the written permission of the complaining student.

Use of the informal procedures set forth in this section is not a prerequisite to initiating a formal complaint. Students seeking informal resolution have the right to end the informal process at any time and begin the formal complaint process. This informal mediation process will not be used in cases involving alleged sexual misconduct, domestic violence, dating violence or stalking.

Informal complaints should be raised as soon as possible, because the more time that elapses between alleged incidents of sexual harassment and the filing of an informal complaint, the more difficult it may be to resolve the complaint successfully.

Resolution of the informal complaint process should be reached within forty-five (45) days of the report to the College, absent extenuating circumstances of which the parties will be informed.

Filing a Formal Complaint of Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence or Stalking

A student or covered third party may file a formal complaint of sexual harassment, sexual misconduct, domestic violence, dating violence or stalking by a student or a third party by contacting the Vice President for Student Affairs (or in the case of a complaint against the Vice President for Student Affairs, by contacting the President of the College, who will designate an alternate contact person). A student or employee may file a formal complaint of sexual harassment, sexual misconduct,

domestic violence, dating violence or stalking by an employee or a third party by contacting the Vice President for Student Affairs (Title IX Coordinator), the Director of Human Resources (or in the case of a complaint against the Director of Human Resources, by contacting the President of the College, who will designate an alternate contact person). The Title IX Coordinator or designee will determine whether the Vice President for Student Affairs Office or the Human Resources Office will be the primary point of contact, and which office will conduct the investigation, depending on the nature of the case and his or her judgment as to which office is most appropriate.

After an initial discussion, the complainant will be asked to prepare (or describe to the Vice President for Student Affairs/Director of Human Resources or designee and sign) a written statement describing the complaint. The statement should include information such as the date and time of the alleged sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, the name of the respondent, the circumstances of the alleged sexual harassment, sexual misconduct, domestic violence, dating violence or stalking, and the identity of any persons who may have knowledge or information regarding the circumstances.

The Dean/Director (or designee) will inform the respondent of the allegations, and in the absence of extraordinary circumstances, will give the respondent a copy of the written statement and any summary prepared in connection with the process. The respondent may submit a written response to the Dean/Director.

Respondents will be notified that taking any retaliatory action (directly or through others) which affects the learning, shared living, or working environment of any person involved in the investigation is prohibited by law and will also be considered a separate violation of College policy.

Investigation

The investigating office will conduct an appropriate investigation which may include interviews with the complainant, respondent, and other persons with information. Individuals conducting investigations and proceedings will receive training annually on the issues related to sexual harassment, sexual misconduct, domestic violence, dating violence and stalking, and how to conduct an investigation and/or hearing process that protects the safety of complainants and promotes accountability.

In a case where a criminal investigation or criminal proceeding may be underway for the same complaint, the College may choose to delay its investigation for a reasonably short period while police are gathering evidence. During this period, the College reserves the right to take interim measures to promote the safety and well-being of the complainant and the College community while the law enforcement agency's fact-gathering is in progress and thereafter. The College, after a reasonable period and communication with law enforcement, will initiate or resume, and complete its own investigation.

If the complaint is not resolved by investigation, the Vice President for Student Affairs/Director of Human Resources (or designee) may recommend the convening of a College Conduct Board Hearing to consider the complaint.

The College will endeavor to complete its investigation and hearing process within sixty (60) days of the initial report to the College, absent extenuating circumstances (such as delays occasioned by College breaks). The College will keep the parties informed regarding the need for any extensions of this period.

Conduct Board Hearings in Cases Involving Student Respondents

A student who is alleged to have violated the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and/or Stalking Policy may be required to appear at a College Conduct Board Hearing. The Vice President for Student Affairs, at his or her discretion, may modify these procedures as appropriate, including any time periods within which procedures should occur. Students found to have violated the College's sexual harassment, sexual misconduct, domestic violence, dating violence or stalking policy could be subject to the following disciplinary sanctions:

- educational requirements;
- formal disciplinary status;
- restrictions on on-campus activities;
- residential restrictions;
- expulsion from campus housing;
- suspension or expulsion from the College.

A College Conduct Board Hearing is convened by the Vice President for Student Affairs or his/her designee. Members of the Board may include the Director of Judicial Affairs, Faculty, Residential Life staff, and College staff. The charge of the Conduct Board is to determine if a violation of the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence or Stalking Policy has occurred, and to recommend sanctions for students found in violation of these policies or standards to the Vice President for Student Affairs, who holds final approval of all Conduct Board recommendations.

Throughout the College's investigation and Conduct Board Hearing both the complainant and respondent will have equal opportunity to:

1. Present relevant material witnesses and other evidence.
2. Be afforded similar and timely access to any information that will be used at the hearing.
3. Attend an informational pre-hearing meeting to review the Conduct Board procedures and information submitted to the College.
4. Request a College Counselor, Academic Advisor or other College Official to be present in the hearing to provide individual support, help facilitate the

student's understanding of the Conduct Board hearing process, and to assist the student in communicating his or her position. These support persons do not take part in College Conduct Board deliberations or decisions.

5. Have an advisor of their choice present at the hearing and any related meetings (such advisors may advise the complainant or respondent privately, but cannot act as speaking advocates at a hearing or meeting or otherwise address an investigator or board).
6. Ask questions during the hearing through the chair of the board (direct cross-examination of the complainant or respondent by the other party or his/her advisor will not be permitted).
7. Be separated by physical barriers or the use of technology from direct, in-person contact with the other party while participating in the hearing.
8. Access support resources on campus.

Failure of a respondent to cooperate in a College Conduct Board hearing may result in suspension or other sanction, and will not prevent the College from moving forward with its disciplinary process.

Standard of Proof

Like Landmark College's student disciplinary system in general, the process to address complaints of sexual harassment, sexual misconduct, domestic violence, dating violence or stalking uses the standard of proof of "a preponderance of the evidence" or "more likely than not". This means that for a finding of responsibility to be made, an administrative hearing officer or conduct board must conclude that there is more than a 50% likelihood that actions or behavior in violation of the policy at issue did occur.

Disposition Without A Conduct Board/Dean's Sanction

In cases where the facts are not in dispute, and a student respondent is prepared to accept responsibility for his/her actions, the College may offer the option of Disposition Without a Conduct Board, also called a Dean's Sanction. For a full description of this process, please see the policy under "formal Disciplinary Procedures".

Notice of Outcome

Following the hearing, the College will report its decision to the complainant and the respondent simultaneously and as soon as practicable, usually within one week of the hearing. The College will state in writing the findings which support its decision as to whether or not a policy violation occurred. A decision that a policy violation occurred may include recommendations for specific actions to be taken as a result of the decision. Any official record will be kept on file at the Student Affairs Office. If there is no appeal or review, the written recommendations will be implemented.

Appeal Procedure for Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence or Stalking Decisions

Within seven (7) calendar days of the College Conduct Board's written decision, the complainant or respondent may appeal the decision as to responsibility and/or the sanction to the President of the College (or designee) by delivering a written statement of appeal to the President and to the other party. The other party may be notified of any submitted appeal through the Vice President for Student Affairs or his or her designee. The other party may submit a written response to the appeal to the President within 5 working days of delivery of the statement of appeal. Both parties will be informed of any change to the results of a disciplinary process that occurs prior to the time that such results become final, and when such results become final. The decision of the President is final.

Disciplinary Procedure for Cases Involving Employee Respondents and Others

Disciplinary procedures for employees charged with violating the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence and Stalking Policy are available from the Human Resources website. While the disciplinary procedures for dealing with such cases vary somewhat from those for cases involving student respondents, student and employee complainants will in all cases be provided the procedural and substantive rights described above, with variations as necessary given the context.

Educational Programming

The College will provide educational programming for students and employees addressing the issues of domestic violence, dating violence, sexual violence and stalking, which will include: 1) primary prevention and awareness programs for all incoming students and new employees; 2) safe and positive options for bystander intervention; 3) information on risk reduction to recognize warning signs of abusive behavior; and 4) ongoing prevention and awareness programs for students, faculty and staff who have responsibility for working with students.

Residential Life Policies

Room Use and Occupancy

Each semester, the College establishes dates and times when residence halls open and close for student occupancy. Occupancy other than during these specified dates is prohibited unless specific permission is given. Students are responsible for knowing these dates and planning travel accordingly.

Resident students may be held responsible for violations of College policy that occur within their room or in their suite even if they are not present at the time of the violation. For this reason, students are advised to keep their doors and windows locked at all times, and to give careful scrutiny to those individuals who are permitted to be in their room.

Students who have completed their coursework and exams at the end of the semester may remain on campus until the formal close of the residence halls. However, any behavior that is considered disruptive or otherwise a distraction to other students who may be completing coursework or exams may be asked to leave campus.

Personal Property Liability

The College does not assume responsibility for damages, loss of personal property, failure or interruption of services due to weather or other acts of God. The College does not assume responsibility for lost or stolen items anywhere on campus; students are advised to carry the proper insurance.

This policy applies not only to students' own possessions, but those possessions left in their charge (i.e. college equipment on loan).

Room Check-In Procedure

At the beginning of the year, or whenever a student is in their initial residency of a room, they will be required to complete a room inventory/inspection form. This form is an agreement of the initial condition of the room before the student moves in. Failure to complete this form may result in the student's inability to contest any damages incurred or observed in the room at a later date.

Room Check-Out Procedure

At the end of each semester, residents are responsible for scheduling and attending a check-out appointment with the Resident Dean. If this is not possible, another Resident Dean or the Director of Residential Life may do the check-out. At this time, it is expected that all residential room have been cleaned and do not pose any health or safety risks.

Failure to meet with a Residence Life staff member for the check-out appointment may result in a \$50.00 fine and the forfeiture of all rights to contest damage assessments or other charges.

In order to maximize safety and security for the residence halls and individuals student rooms, all students will be required to turn in the key to their residence at the end of each semester. This process will be required of all students, even if they are returning to the same room in the next semester. Students who do not turn in their key at the end of the semester may be assessed a \$25.00 fee to facilitate a lock change to their room.

Students who fail to exit their room by the established building closing time may be subject to a \$30.00 fine for each ½ hour past the departure deadline. For this reason, students are strongly encouraged to take advantage of the information available by the Resident Dean at the end of each semester and speak directly to the Resident Dean if they foresee any difficulty in departing the campus on time.

Items left in a residence hall room after the student has checked out will be considered abandoned items unless other arrangements have been made with residential staff. In cases of abandoned items, the College will remove and dispose of the property at its discretion. The College assumes no liability for abandoned items or responsibility for their replacement.

Locking Doors

In the interest of safety, all students should lock their doors when they are leaving their rooms and carry their key with them. Doors should also be locked when students are sleeping. Keys should not be copied or loaned to other students. In addition, fire doors in the halls should not be propped open. Doors may only be held open by magnetic door holders that are connected to the fire alarm system.

Lock-Outs

Students who are locked out of their room should, after trying to find their roommate(s), call Campus Security or the Residential Staff on duty to gain access to their room. After three lock-outs in one semester, students will be assessed fines according to the following schedule:

- Fourth lock-out - \$10.00
- Fifth lock-out - \$20.00
- Sixth lock-out - \$30.00
- After sixth lock-out - \$40.00 and meeting with Director of Residential Life.

Lofts

Beds can be lofted, but only after being inspected by the Residential or Facilities staff to ensure safety. The College assumes no responsibility for any damages or injuries caused by a lofted bed, even one that has been inspected by the College and considered safe.

Lost Room Keys

Because of security concerns, any time a key is lost the student must immediately notify a Resident Dean and a lock change will be initiated. A \$25 fee will be charged to the student who has lost his/her key. Lost keys in the Bridges & Chumley will be charged a \$50.00 fee.

Students who lose their keys more than three times over the course of the semester may be required to meet with a member of the Vice President for Student Affairs office to discuss better ways to safeguard their keys and room security.

Noxious odors

The College reserves the right to address any noxious odors that are present in residence halls, classrooms, offices, or any campus building or facility. A noxious odor is any aroma of such intensity that it becomes apparent to others. Some examples are the scents and residue from cigarettes, cigars, or pipe smoke, incense, perfume, air freshening spray, large amounts of dirty laundry, rotting food, trash, and odors related to personal hygiene.

Windows

Windows should not be used to enter or exit a building, or pass materials in and out of the residence halls. Screens should remain in place at all times. Any problems with a window, screen or lock should be reported to the Resident Dean. Windows should be shut and locked when a student is not in the room.

Room Consolidation

In a situation where a student has an empty space in his/her room and has not been assigned a single room, these students may be assigned a new roommate or be asked to consolidate rooms with another student. In either case, the Residential staff will work diligently to insure that students will be placed with compatible roommates.

Room Changes

Roommate changes are rare and may be made only under the direction of the Residential staff. Whenever roommate conflicts arise, they should be brought to the attention of the Resident Dean as soon as possible. In most cases, the Resident Dean will meet with each roommate and attempt to mediate differences, implement possible solutions or compromises, help the students establish better communications, and work toward an end to the conflict.

Room, Automobile, and Personal Effects Inspections and Searches

Periodic inspections of rooms, suites and automobiles by members of the Residential, Security and Facilities staff ensure that fire, health, and safety regulations are being upheld, and that occupants are maintaining Landmark property in good condition. Typically, students are notified of a general inspection of

their rooms at least 24 hours in advance. Students are encouraged to be present during inspections.

In the event that a student makes a request for work to be done in the room, students should know that Facilities will enter the room to complete the task without advance notice. The student is then responsible for taking whatever steps he/she feels are necessary to maximize his/her privacy (i.e. securing valuables, private items). In the event that the College requires access to a student room for Facilities or maintenance work while the College is in session, students will be informed about the need to enter rooms and any other requirements that may need to occur (moving furniture away from a wall, etc). Students will then be responsible for taking whatever steps they feel are necessary to maximize their privacy and security.

During periods when the College is closed, College personnel including Residential Life, Facilities or Security staff may enter students' rooms/suites to insure that closing procedures have been properly completed and to complete any necessary maintenance on the buildings.

Further, Landmark College reserves the right to enter, inspect and search students' rooms, suites (including common areas), automobiles or personal effects without notice in case of emergency or when there is reason to believe that campus regulations are not being followed or that College policies may have been or are being violated. The College will cooperate with law enforcement authorities as required and appropriate.

Damage to College Property

All students are expected to treat College-owned facilities with the highest degree of respect and care. Should damage to College-owned property occur, students are expected to identify themselves and assume responsibility for repair costs and/or any attendant disciplinary action.

If damages to College –owned property occurs and no responsible party can be identified, the cost of repairs will be divided among the residents of a room, suite, building or the entire campus.

Appliances

With the exception of College-owned appliances, only small microwaves and refrigerators in good working order and that meet with the approval of the Residential, Facilities and Safety and Security staffs may be permitted in residence hall rooms or suites. Stand-alone air conditioners (those that do not sit in the window) are permitted only for medical reasons with written authorization from a prescribing physician. Students who consistently overload the electrical system and

cause power outages will meet with the Resident Dean to resolve the matter. The College may require the removal of appliances from the room.

College Furniture

Residence Hall and Chumley Hall lounge furnishings such as chairs, sofas, tables, televisions, cabinets, and portable VCR/DVD players are provided for common use and may not be removed from any lounge or common area. Students found with college furnishings in their rooms will be required to return them immediately and assessed a \$50.00 fine. If not, the Facilities Staff will promptly be called to remove the items, and an additional \$50.00 fine will be charged to the student responsible for moving the furniture. If it is not possible to determine responsibility for the moved furniture, both residents of the student room where items are found will be charged for the removal.

Lounge furniture and appliances in the Bridges suites must remain in the assigned suite at all times.

In cases where lounge furniture is missing or destroyed, the replacement cost of the particular items will be charged to the entire student body.

Individual room furniture, such as beds, desks, bureaus, chairs and wardrobes must remain in the room at all times. Resident students will be held responsible for any damaged or missing furniture from their rooms.

Fire Regulations and Safety Procedures

Compliance with fire regulations is a necessity in the residence halls. Smoke and heat detectors are only a part of fire safety. While the residence halls are as fireproof as it is possible to make them, each room may contain combustible personal items, which make the following rules necessary;

Evacuation Guidelines

At the sound of a fire alarm, all occupants of a building are required to evacuate the building and remain outside until given explicit permission to return by a College or Fire Safety official. (level II)

NOTE: All student rooms will have an evacuation route posted. Students should become familiar with the main and secondary routes.

Whenever the fire alarm sounds:

- DO NOT PANIC.
- Shut your window.
- Close your door as you leave.

- Bring a towel to cover your mouth and nose to protect yourself from smoke inhalation.
- Do not take personal items with you. Items will hinder you from exiting quickly.
- Move quickly and carefully in the hallway.
- Do not try to escape through any area full of smoke or fire—use an alternate exit.
- Stay low to the ground or crawl to the nearest exit when there is any smoke in the air.
- Move to the designated meeting point for your building during a fire alarm.
- Listen for directions from staff or emergency personnel.
- Do not try to go back into the building for any reason until instructed by a College or Fire Department representative.

Fire drills are conducted periodically throughout the year. Students who do not comply with fire drill instructions will be subject to disciplinary action including fines.

Prohibited Items

1. Electrical appliances including but not limited to halogen lamps, hot plates, toasters, immersion coils, “George Foreman” type grills, toaster ovens, electric blankets, space heaters, sun lamps, and power tools are not permitted.
2. Candles, camp stoves, lanterns, hurricane lamps, incense, or any other items with open flames are not permitted.
3. Fireworks, explosives, volatile liquids, and fuel are not permitted.
4. Posters, pictures, and other combustible wall decorations which are not placed flat against the wall or block or hinder entryways are not permitted. Combustible materials may not cover more than 20% of each wall.
5. Ceilings may not be decorated with fabric, posters, fishnet, or other combustible material that might ignite.
6. Wooden constructions (lofts, overstuffed chairs, etc.) unless they are approved by the Resident Dean, Safety & Security or the Facilities personnel, are not permitted.
7. Room contents must not obstruct doors, passageways, or corridors. Tapestries may not be hung from the ceiling or across closet openings.
8. Extension cords and multi-plug outlets are not allowed unless they have manufactured surge protection devices.

- Hallway doors may not be propped open. Doors may only be held open by magnetic door holders that are connected to the fire alarm system.
- Gas or charcoal grills are not allowed within 25 feet of the Bridges buildings.

Tampering or Damaging Fire Safety Equipment

Fire alarms, fire sprinklers and fire extinguishers are critical for safety and must not be tampered with. Students who pull false alarms and/or tamper with fire safety equipment will be subject to fines and disciplinary action up to and including suspension or expulsion, fines from the Putney Fire Department, and may also be subject to criminal charges.

Students should not hang items from, cover, or otherwise obstruct the effective use of any fire notification or suppression equipment (like smoke detectors and sprinklers)

Fire Setting

Lighting a fire without authorization, intentional or unintentional fire setting on college property, or setting fires with the intention of destroying property is strictly prohibited. Students who are responsible for fire setting will be subject to fines and disciplinary action up to and including suspension or expulsion, fines from the Putney Fire Department, and may also be subject to criminal charges. Reporting a fire:

All residence halls are directly connected to the Keene Mutual Aid Dispatch Center, which dispatches the Putney Fire Department. In the case of a fire, an individual should:

- Pull the nearest fire alarm and then exit the building.
- Notify a Resident Dean, RA or campus security personnel, to inform them as to where the fire is located.
- Remain available to inform the Putney Fire Department or College staff, as they may need information.

Guests & Visitation

Out of respect for a roommate's right to privacy, students are expected to comply with the expressed desire of their roommate not to have guests in the room (both student and non-student). Guests who are loud or otherwise disruptive at any time may be asked to leave the residence hall and/or campus at the discretion of the Resident Dean, a Campus Security officer or other College Official.

Students who are asked to leave another student's room (either by the resident or a College staff member) are expected to comply with this request.

Non-Student Guests

- Students may have non-student guests on campus, but must receive written permission for overnight guests from the Residential Staff from the building of the host student in the form of a guest pass. Guests must be registered by midnight in order to stay on campus.
- Guest rooms are not provided on campus.
- Non-student guests must be prepared to show personal identification to the Resident Dean, fill out a guest pass, carry a copy of their guest pass with them at all times, and show it to any Landmark official upon request.
- Students are allowed to sign in a maximum of two non-student guests at the same time.
- Non-student guests may stay on campus for up to three nights within a 14-day period.
- Landmark College assumes no liability for the personal property of any guest, registered or unregistered.
- In case of emergency, or upon a non-student guest's inappropriate behavior or violation of any Landmark College policy, the College reserves the right to notify the family or institution of the guest.
- Non-student guest parking is located in the tennis court lot on Robert Rhodes Lane.
- **Host students are responsible for the behavior of their non-student guests, for their compliance with Landmark's regulations, and for paying any citations or damages to Landmark College property if caused by their guest's behavior.**
- The Resident Dean and Campus Security personnel may require non-student guests to leave campus immediately if they violate any campus policy or behave in such a manner as to adversely affect Landmark College, a member of the College community, or the living and learning environment on campus. Landmark may ban any guest from campus indefinitely and may revoke a student's privilege to have guests on campus.

Pets

Bowl/tank fish are the only pets permitted in student rooms. Owners of pet fish must make arrangements for the care of tanks and fish during vacation periods. Students may not have any other pets in the residence halls or on campus permanently or temporarily. Students' guests are also expected to abide by all policies of the College and are not allowed to bring any pets with them to campus.

Students who are found to have unauthorized pets on campus may be assessed a fine of \$50.00 for each day the pet was on campus as well as any costs associated with removal and cleaning required by the pet's presence.

Quiet and Courtesy Hours

The rigorous academic programs at Landmark require extensive evening study. For this reason, quiet hours must be observed in the residence halls at the following times:

- Sunday - Thursday evenings from 9 P.M. to 7 A.M.
- Friday & Saturday – 11:00 p.m. to 7:00 a.m.
- Davis Hall – 7:00 p.m. to 7:00 a.m. 7 days per week.

At all other times, out of consideration for other students, noise should be kept to a reasonable level. Students who bring radios, stereos, and computers with speakers must also bring earphone attachments for use during quiet hours.

Additionally, noise directly outside of a residence hall should be kept at a reasonable level as well. This includes, but is not limited to individual voices, musical instruments and vehicle sound systems.

During final exam periods, extended quiet hours will be posted and enforced to facilitate conditions conducive to study. Any student who violates quiet hours during final exam periods and has completed all course requirements may be asked to check out of the residence halls and leave the campus before the time of closing.

Storage

For the convenience for students, Landmark College offers limited storage during the semester breaks for students who will be returning to the College for any of the summer sessions or who will be moving between the fall and spring semesters. Students can reserve a storage lockers in Aiken Hall during posted times during the semester.

All students, by placing belongings in storage, students agree to each of the following points

1. Storage is available on a first-come-first-serve basis
2. NO FOOD or FURNITURE is allowed in storage.
3. Students place belongings in storage at their own risk. Landmark College, or any of its staff or agents, are not responsible for the repair or replacement of lost, damaged or otherwise missing items from storage.
4. Items in storage must be removed within three days of a student's return to campus. All items left in storage after this time are subject to fines of \$50 per locker per week and after two weeks are subject to removal and/or disposal at the College's discretion.

5. There are other local options for students who do not meet the criteria to use on-campus storage or who need more space than the College can provide.

Grievance Policy and Procedures

Definitions

Grievance: a circumstance or condition thought to be unjust and grounds for a complaint or resentment.

Grievant: a student who feels aggrieved by the action of another student or employee at Landmark.

Respondent: a student or employee who is alleged to have been the cause of the grievance.

Grievance Procedure

- The grievant shall report a grievance to the Vice President for Student Affairs within ten days of the event that is the source of the grievance.
- The grievant may request that the process be stopped at any time. The grievant may, even after pursuing the resolution process, attempt to resolve the issue with the respondent if the respondent is willing to pursue a resolution.
- In situations where the respondent is the College as a whole, the President shall designate a person to act as the respondent.

It is suggested that each of the following steps to resolve a grievance should occur in order:

1. A grievant should discuss the matter with the respondent in an effort to resolve the grievance.
2. If no resolution is reached, or if discussion with the respondent is not possible, the grievant should discuss the matter with the Vice President for Student Affairs, a Counselor, Resident Dean, or any College administrator.
3. If no resolution is reached, the grievant should submit a written statement of the grievance to the Vice President for Student Affairs. The written grievance must include the name of the grievant, the name(s) of the respondent(s), the date of the grievance, the nature of the grievance, the redress sought, and any steps already taken to resolve the grievance. A copy of the formal written grievance must be given to the respondent(s).
4. The Vice President for Student Affairs, at his or her discretion, may conduct an investigation, or may meet separately or jointly with the respondent, grievant or others and resolve this matter in an administrative hearing. If the

grievance is not resolved at this level, or addresses behavior that may require a student's suspension or expulsion from the College, the Vice President for Student Affairs may present a report to the President of the College recommending a course of action, including referral to a College Conduct Board.

5. The President of the College may accept, amend, reject or return the recommendation for reconsideration. The final decision on any grievance, and responsibility for implementation of actions, rests with the President of the College.

At the discretion of the Vice President for Student Affairs, the consideration of a grievance may be assigned to his or her designee. Time periods may be changed at the discretion of the Vice President for Student Affairs. There is no requirement that the steps of the general grievance procedure be followed in sequence, or that all levels must be used for any given grievance. The Vice President for Student Affairs at his or her discretion, may modify the procedures as appropriate.

Suspension or expulsion for any reason is not grievable.

Formal Procedures Outside the College

After notice to the Compliance Coordinator of the grievance, the Grievant may:

- Call or write the Department of Health & Human Services, Boston, MA
- Call or write the Department of Health and Human Services, Washington, DC.

Landmark College Complaint Procedure

Summary of Program Integrity Rules

United States Department of Education Regulation 34 CFR 600.9, the "Program Integrity Rule," was adopted to ensure that students have the opportunity to voice concerns relating to programs offered by postsecondary educational institutions authorized under Title IV of the Higher Education Act, as amended. The regulations require states to provide the opportunity for students to lodge the following types of complaints:

- Allegations of state consumer protection violations, including, but not limited to fraud and false advertising.
- Allegations that state laws or rules addressing the licensure of postsecondary institutions have been violated.
- Allegations regarding the quality of education or other accreditation requirements.

In compliance with Federal Program Integrity Rule, Landmark College has listed multiple alternatives for individuals who wish to submit complaints regarding Landmark College. The College expects that any student complaint will be filed in accordance with any procedures in place at the institution. In the absence of a procedure, the complaint should be filed with the Vice President for Student Affairs. If the complaint is not addressed in a timely or satisfactory manner, students are encouraged to raise their complaint with the President of the College prior to pursuing the complaint avenues listed below.

Recommended Content of Complaint

In order to facilitate effective response, initial complaints should include the complainant's full name, address, and contact information, including email and telephone number. Complaints should specify enrollment status, i.e. whether the complainant is a current, former or prospective student. Complaints should first be filed with the Vice President for Student Affairs.

The description of the complaint should include dates and college officials that were involved or have been contacted. Any supporting documentation, such as emails or other correspondence, should be included in order to help others understand the events leading to the complaint. Last, the complainant should state what, if any, remedy is sought.

If the complaint is not addressed in a timely or satisfactory manner, students are encouraged to raise their complaint with the President of the College. The Office of the President will review and respond to any complaints lodged by students, in consultation with the Vice President for Student Affairs.

Office of the President
Landmark College
19 River Road South
Putney, VT 05346
802.387.6725
President@Landmark.edu

For Complaints Alleging Consumer Fraud:

**Office of the Vermont Attorney General
Consumer Assistance Program**
146 University Place
Burlington, Vermont 05405
(800) 649-2424 or (802) 656-3183
<http://www.uvm.edu/consumer/>

The Consumer Protection Unit of the Vermont Attorney General's Office investigates and prosecutes violations of Vermont's consumer laws, which prohibit businesses from engaging in unfair or deceptive acts or practices. The Consumer Protection staff represents the State of Vermont, and through the State, the public. If you have

a consumer question or would like to file a complaint, please contact the Consumer Assistance Program (CAP).

For Complaints Regarding State Licensing of Postsecondary Institutions:

Vermont Department of Education

120 State Street

Montpelier, Vermont 05620

(802) 828-3136

http://education.vermont.gov/new/html/main_board.html

Please note that the Vermont Department of Education does not intervene in the internal procedures of colleges and universities and encourages you to work directly with Landmark College to resolve complaints. However, if you believe you have exhausted the avenues listed above and have a valid complaint about a violation, you may submit it in writing to the Vermont Department of Education for direction.

For Complaints Regarding Quality or Accreditation:

New England Association of Schools and Colleges (NEASC)

Commission on Institutions of Higher Education

209 Burlington Road, Suite 201

Bedford, Massachusetts 01730

(781) 541-5413

http://cihe.neasc.org/information_for_the_public/comments_amp_complaints

The Commission has two means of hearing from students, faculty, staff, and members of the public about its member institutions: (1) Public Comments and (2) Complaints. Both offer important opportunities for the Commission to hear from individuals about the quality of affiliated institutions. For guidance on filing either a Public Comment or Complaint, please contact NEASC.