

# BENNINGTON

STUDENT HANDBOOK 2016–2017

Bennington regards education as a sensual and ethical, no less than an intellectual, process. It seeks to liberate and nurture the individuality, the creative intelligence, and the ethical and aesthetic sensibility of its students, to the end that their richly varied natural endowments will be directed toward self-fulfillment and toward constructive social purposes. We believe that these educational goals are best served by demanding of our students active participation in the planning of their own programs, and in the regulation of their own lives on campus. Student freedom is not the absence of restraint, however; it is rather the fullest possible substitution of habits of self-restraint for restraint imposed by others. The exercise of student freedom is the very condition of a meaningful education, and an essential aspect of the nurture of free citizens, dedicated to civilized values and capable of creative and constructive membership in modern society.

—Traditional Bennington College commencement statement

## **Questions**

Students with questions or concerns, who don't know where to turn, are encouraged to stop by or to contact the Office of Student Life at 802-440-4330 or [studentlife@bennington.edu](mailto:studentlife@bennington.edu).

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# ACADEMICS

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## Guidelines and Academic Expectations of the College

Bennington has a distinctive academic structure. Rather than organizing around departments, it centers on a faculty of teacher-practitioners—artists, historians, scientists, writers, choreographers, and composers—who maintain lively professional connections to the world outside the College. Faculty members teach their disciplines and often join with colleagues to develop dynamic new courses. Together with these teachers, who are also advisors, students at Bennington shape individualized plans of study.

By structuring its curriculum in these ways, the College facilitates in students a reflectiveness about education, so that progress through their course of study evolves into the shaping of their intellectual and imaginative identities. The emergence of such a shape, the working through of short-lived passions and the discovery of abiding ones, the cultivation of abilities and the discovery of resources, the development of areas of interest—in short, the most extraordinary experiences of a student's undergraduate years—are galvanized by the nontraditional academic structure. This shaping process is, at its heart, the same process Bennington's faculty members experience in constructing the courses they teach. It is a process to which this College is dedicated.

### Fundamental Expectations of a Bennington Education

The five categories below are best seen as a spectrum rather than as discrete classes. Each might be realized in sophisticated work in most or all disciplines; however, we emphasize that students should not be limited to their application within a single discipline.

- Formulating an inquiry
- Identifying, analyzing, and using resources
- Creating and revising work
- Presenting and explaining work
- Connecting work to broader contexts

Each Plan should address how the student's work has brought these expectations to bear on their particular pursuit.

### The Plan

Central to Bennington's founding vision was the belief that a dynamic, relevant education could best be achieved when students themselves define its direction. Further, the College envisioned that students, as a result of such purposeful self-reliance, would take with them when they graduated not only what they'd learned but also the way in which they'd learned it.

The Plan process, strategically the framework and essentially the soul of a Bennington education, requires various essays and formal meetings that address students' academic intentions to pursue certain questions and ideas. The process assumes that meaningful learning works best when rooted

in a student's ever-expanding curiosity, rather than being imposed by following entrenched institutional paths. Internal sources of order replace external templates as students, in consultation with faculty, design the content, structure, and sequence of their curricula, taking full advantage of the College's varied resources.

In devising and implementing a Plan, students are asked to write and rewrite a series of prospective and reflective essays that form the basis of their ongoing discussions with faculty advisors and Plan committees. These focused narratives not only require them to detail their academic goals and strategies, but also to describe their commitment to and deepening immersion in their studies and the degree of progress toward their aims. Students write about disciplines they will explore to varying degrees of depth, describe projects they will undertake, and consider how they will use their Field Work Terms.

The Plan process seeks to find the point between a student's sense of educational adventure and the need for a trajectory that is coherent and cumulative. The specifics of that trajectory will, of course, be unique for each student. Students begin by writing a first-term essay, considering the first term and initial academic goals. In the third term, a Plan proposal is written and the student meets with a faculty committee to present the Plan. In the sixth term, the student writes a Plan progress and advanced work essay and again presents the Plan to a faculty committee. Finally, in the last term, a senior essay is written reflecting on a student's years at Bennington. Faculty advising is a critical component of the Plan process every term.

Several days are designated each term to review Plans; no classes are held during these periods. The Academic Calendar notes which days are Plan days. Timely approval of the Plan is necessary for a student to remain in good standing.

### Using the Academic Advising System

**Academic Advising.** Faculty advising is one of the hallmarks of a Bennington education. The program is designed to challenge students to cultivate their desire for knowledge, to establish rigorous programs of study, to acquire new skills, and to engage in their lives here with passion and compassion. The philosophy of the Bennington Curriculum emphasizes choice, responsibility, and independence.

Students are assigned a faculty advisor every year at Bennington. The faculty advisor plays an integral role in guiding students' academic development. Students arrange regular times to meet with their advisor. Students may change advisors during their course of study at the College as their academic interests develop, following discussion with the current advisor and the new advisor, and the office of the provost and dean of the college. The advisor is responsible for discussing academic progress, reviewing each term's registration, and, most important, guiding the Plan process for individual students.

**Academic Requirements.** The College maintains certain criteria that prospective graduates are expected to meet. Requirements for graduation from Bennington College include the following:

- 1 Undergraduate students at Bennington are expected to satisfactorily complete 16 credit hours per term for a total of 128 credit hours. With prior approval, students may graduate with a minimum of 124 credit hours in eight terms. Some students may elect to take more than the expected course load. Additional classes/credits do not, however, guarantee advanced standing or early graduation. Students may not exceed 20 credit hours per term without special permission from their faculty advisor and the office of the provost and dean of the college.

**Please note:** One credit hour at Bennington is approximately equivalent to one hour of classroom instruction and two hours of out-of-class work each week for 15 weeks (or equivalent).

2. Students must demonstrate advanced work in at least one area of study.
3. Students must successfully complete one Field Work Term (FWT) for every two terms of full-time undergraduate study at the College. Students who transfer to the College will need to meet with the director of Field Work Term to determine their requirements. If an FWT has been waived due to an approved Study Away Leave of Absence, students will be allowed to graduate with a minimum of three FWTs. For policies regarding Field Work Term, please refer to the Field Work Term Handbook, which is available on the College website.
4. Students must formulate programs that reflect both breadth and depth in the liberal arts.
5. Students must complete the Plan process successfully.
6. Students in the postbaccalaureate program must meet the requirements outlined by that program.

In addition, students must be recommended by the faculty to the College Board of Trustees in order to be eligible for graduation, and the trustees must act favorably on the recommendation.

## Accessibility and Support

Bennington College provides reasonable accommodations to otherwise qualified students with documented disabilities when such accommodations are requested and necessary to ensure equal access to College programs and facilities. This is in compliance with Section 504 of the Rehabilitation Act of 1973, The Americans with Disabilities Act of 1990, and the Americans with Disabilities Amendments Act of 2008 and similar state laws. A “disability” is a physical or mental impairment which substantially limits a major life activity, such as caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working, or other activities as

defined by law.

Bennington College does not offer programs or courses specifically designed for students with disabilities. However, in addition to reasonable accommodations, the College offers all students a variety of support services such as peer writing and math tutors, faculty advising, academic advising, and health and psychological services. These services, along with small classes, a focus on the individual and easily accessible faculty, create an environment where students thrive and learn to take increasing responsibility for their own education, their own work, and their own lives.

## Service Animals and Emotional Support Animals (ESA)

The College recognizes the importance of service animals, as defined by the Americans with Disabilities Act Amendments Act (ADAAA), and the broader category of “Assistance Animals” under the Fair Housing Act. An emotional support animal (ESA) is not a pet. It is an animal that provides physical and/or emotional support to individuals with disabilities. The College allows individuals with disabilities the use of a service animal on campus to facilitate their access to and participation in the College’s programs and activities. The College is also committed to allowing emotional support animals (ESA) necessary to provide individuals with disabilities an equal opportunity to use and enjoy College housing.

The College has established strict policies regarding the presence of pets and animals on campus. The College will, however, consider a request by an individual with a disability for reasonable accommodation from the no Pet/Animal policy to allow an ESA that is necessary because of a disability. A request for an ESA may be denied as unreasonable if the presence of the animal: 1. imposes an undue financial and/or administrative burden; 2. fundamentally alters College housing policies; and/or 3. poses a direct threat to the health and safety of others or would cause substantial property damage to the property of others, including College property.

Individuals wishing to request such an accommodation should follow the process outlined below. For more information on the Pet/Animal and Emotional Support Animal (ESA) policies, see page 24.

## Requesting Accommodations

All students with disabilities seeking academic accommodations are encouraged to work with the associate dean for academic services to request reasonable accommodations and discuss the various supports available. All students with disabilities seeking housing and/or meal plan accommodations are encouraged to work with the assistant dean for students. However, the disclosure of a disability and a request for accommodations is an individual choice and one that the College can encourage but not require. Therefore, students wishing to apply for accommodations for documented disabilities, whether permanent or temporary, must take the initiative in completing the Disability Accommodation Request Form, which is mailed to all students upon acceptance to the College and available at any time online or in the

academic services office, the student life office, or the office of the provost and dean of the college. Students are expected to work cooperatively with the associate dean for academic services and/or the assistant dean for students to determine appropriate accommodations. The associate dean for academic services and the assistant dean for students work with students, faculty, and staff to determine, provide, and arrange for reasonable accommodations, which are reviewed and approved on a case-by-case basis.

Requests can be made at any time; however, in order for accommodations to be approved prior to the start of the term, completed forms and documentation must be submitted by June 1 for fall term and January 15 for spring term (these dates vary for Master of Arts and Postbaccalaureate programs). Requests made after the deadlines or during the term will be reviewed and determined as quickly as possible. Housing assignments are made for the full academic year; therefore, housing requests made after the June 1 deadline may be more difficult to fulfill. Accommodations are not retroactive; accommodation requests granted after the beginning of a term will not apply to previous work in courses for that term or previous terms. The assistant dean for academic services and/or the assistant dean of students will work with students to ensure access to approved accommodations following appropriate review and will assess the efficacy of the accommodations provided.

Once accommodations have been approved, students will receive confirmation in writing and are responsible for communicating with faculty and staff about approved accommodations and working with them to make arrangements for accommodations, where it is necessary to do so. Students are also responsible for communicating with faculty and the associate dean about the effectiveness and delivery of the approved accommodations.

### **Providing Documentation**

Requests for accommodation must be as specific as possible and normally must be accompanied by the Documentation of Disability form or an equivalent report (e.g. a copy of a psychoeducational evaluation). Completed forms and supporting documentation should be forwarded or provided to:

#### **Laurie Kobik**

Assistant dean for academic services  
lkobik@bennington.edu  
(802) 440-4400

#### **Natalie Basil** (housing & meal plan accommodations)

Assistant dean for students  
nataliebasil@bennington.edu  
(802) 440-4330

### **Grievance Policy for Students with Disabilities**

Students who think they have been denied equal access to the College's academic programs, resources, or other services because of a disability may file a detailed written grievance with the office of the provost and dean of the college as soon as possible after the alleged discrimination occurred, but in

no event more than 60 days thereafter. In order to establish the basis for such a grievance, students must have filed a Disability Accommodation Request Form and supporting documentation with the associate dean for academic services and discussed their request with the associate dean. The College encourages students to first speak with the associate dean in order to resolve their complaints informally. If informal steps do not satisfactorily address the complaints or there is a complaint about the associate dean of academics services, students may file the written grievance described above to the associate provost and dean of studies, who serves as the College's Section 504 Coordinator. The associate provost and dean of studies will investigate the complaint and issue a finding, normally within 30 days. The associate provost's contact information is:

#### **Dobbelmann**

Assistant provost and dean of studies  
duncand@bennington.edu  
(802) 440-4400

### **Appeals Process**

Students who are not satisfied with the associate provost's decision may file an appeal by contacting the provost and dean of the college. Appeals must be submitted within 7 business days of when the student receives notice of the associate provost's decision. The provost may affirm or modify previous decisions made and/or may send the matter back for reconsideration by the assistant dean for academic services or the associate provost and dean of studies. The provost will communicate a final decision to the student in writing.

## **Evaluation of Academic Work**

### **Narrative Evaluations**

In addition to feedback during the term, student work at Bennington is evaluated through written reports by faculty members submitted to the office of the provost and dean of college at the end of each term. Faculty may also document an academic concern with an Academic Progress Concern Form at any time during the term.

Narrative Evaluations summarize an instructor's view of a student's progress and are the basis upon which the office of the provost and dean of college judges the student's capacity to continue at the College (in addition to evaluating the Plan process and FWT). For this reason, and because the end-of-term evaluative reports make up the largest part of a student's transcript, students should make a point of examining them closely and discussing them with their faculty advisor. The evaluations reflect the significant aspects of a student's work. While evaluations are not routinely mailed to parents or guardians, the College may do so at the written request of a student.

Academic Progress Concern Forms are part of a student's internal record, but do not appear as part of the student's transcript. This evaluation is part of an ongoing conversation among the student, faculty members, and the student's faculty advisor.

The Final Evaluation appraises the student's work for the term and is part of the student's permanent transcript. The Final Evaluation includes a judgment of Pass (comparable to A+–C-), Marginal Pass (comparable to a D+–D-), and Fail. No credits are given for classes not passed. Additional remarks may be noted as “not for transcript” and are directed only to students and do not appear on transcripts.

### Grades

Students may also elect to receive grades (A, B, C, D, F) in individual courses, in addition to Narrative Evaluations, by submitting a Letter Grade Request Form from the office of the provost and dean of college during the first two weeks of each term. The office of the provost and dean of college can assign a GPA based on a minimum of two years of grades. It is not possible to request grades retroactively, nor is it possible to reverse or add a request for grades after the first two weeks of the term.

All students are encouraged to consider the possibility of requesting grades for at least two years (or 64 credits) of their study at Bennington so that an eventual GPA might be produced upon graduation. While students at Bennington are evaluated in multiple ways throughout each term, and although the Narrative Evaluation remains the foundation for all transcripts, many students have found it useful and sometimes necessary to request grades for their transcripts each term during the allowed period. Several undergraduate and graduate scholarships require a GPA; certain graduate schools (education, law, and medicine for example) often require a GPA for admittance; international students who might pursue graduate work in any field in their home country are strongly advised to obtain grades; and schools in the U.S. where some students might choose to transfer may require a GPA. Any students with questions about whether or not to apply for grades should discuss the matter with their faculty advisor and the office of the provost and dean of college.

### Appealing an Evaluation or Grade

If, after considerable reflection, a student thinks that a final evaluation or grade is inaccurate, the student should normally first discuss the matter with the faculty member. If the matter is not resolved after this discussion, the student may appeal the evaluation in writing to the faculty member, with a copy to the associate provost and dean of studies, stating specifically the nature of the inaccuracy. The associate dean will forward the student's appeal to the Appeals Committee, which may proceed as it deems appropriate to consider the appeal. The decision of the Appeals Committee is final. An appeal must be sent to the faculty member as stated above by the end of the term following that of the evaluation or grade in question. It is not possible to appeal an evaluation only because a student disagrees with a faculty member's assessment of the student's work.

### Incomplete Coursework

All coursework at Bennington College must be completed before the end of the term in which the course was offered/took place. Exceptions may be made to this rule as follows:

Students who are unable, for documented health reasons or other serious circumstances, to complete the work of a course during the term in which it is offered may ask the instructor and the office of the provost and dean of college for approval to complete the course after the end of the term.

### Candidates for graduation are not eligible for Incompletes.

1. The student must confer with both the instructor and the office of the provost and dean of college to request an Incomplete before the end of the term. Students need to determine, in consultation with the office of the provost and dean of college and their instructor, whether the course is eligible for an Incomplete. In situations where an incomplete is possible, the student must fill out an Incomplete Form and obtain the instructor's signature; it is the responsibility of the student to return the form to the office of the provost and dean of college.
2. The student must provide acceptable written documentation of the health situation.

**Please note:** A student who misses two weeks of a class for any reason, including a health reason, is normally not eligible for an Incomplete and may be given a failing grade in the class or be required to withdraw from the class or the College, depending upon the situation.

The office of the provost and dean of college will consider granting Incomplete status in a course only after these steps have been completed, only with the agreement of the instructor, and only if the student requests the Incomplete before the end of the term in which the student is registered in the course. Work in a course that has been granted Incomplete status is normally due a month after the last day of class (refer to the academic calendar for specific dates) unless the student, instructor, and the office of the provost and dean of college make other arrangements at the time the request is granted. This deadline also applies to students who either withdraw or take a leave following the end of the term. If Incompletes are not completed by the deadline, instructors evaluate the students on the work received. Extensions on Incompletes are not granted. All Incompletes must be completed/resolved prior to the start of the following term.

### Academic Progress and Academic Standing

To proceed successfully through Bennington, a student must meet the academic requirements outlined in this handbook. Concurrently, students must progress adequately each term, move through the curriculum with broad goals for achieving a liberal arts education and, within that context, with the more focused goals of developing both an area of primary interest and the ability to do advanced work in that area. Academic advising is central to this process and active participation in advising makes it possible for students to make appropriate choices in their program of study.

### Academic Progress

Academic progress at Bennington is both quantitative and qualitative and is evaluated by the office of the provost and



dean of college at the end of each term in four ways:

1. By determining the number of credits a student has earned in a term, in an academic year, and cumulatively. Please see the Quantitative Standard on page 4.
2. By reviewing a student's cumulative number of Pass, Marginal Pass, and Fail evaluations, and grades, if applicable. Please see the qualitative standard below.
3. By requiring satisfactory completion of Field Work Terms, generally required annually from each student enrolled for the full academic year.
4. By requiring timely submission and acceptance of a student's academic Plan.

After each academic term, student records are reviewed for academic progress as noted above. Students who do not meet satisfactory progress standards are notified (along with their families, when permitted by law. See Family Educational Rights and Privacy Act (FERPA) Annual Notice on page 26). Students who are at risk of academic progress difficulties are placed on "notice." Students facing more severe challenges to their academic progress may be placed on academic warning or may be dismissed. A student may appeal as described below; if the appeal is granted, the student will be permitted to return on academic probation. Explanations for each designation of academic standing follow the sections on quantitative and qualitative standards.

### Quantitative Standard

Success in meeting the quantitative standard is evaluated by measuring cumulative pace, which is the term used to describe the ratio of a student's cumulative credits earned versus cumulative credits attempted; it measures how quickly a student is progressing toward graduation within the expected amount of time.

Bennington students must complete their undergraduate degree in 10 terms (160 attempted credits) or fewer.\* In order to assure that this will be the case, a certain cumulative pace must be maintained from term to term. Each term, a full-time student is expected to take and complete 16 credits. When calculating cumulative pace, therefore, the number of credits attempted per term is always set at 16 for full-time students, even if a student has registered for more or fewer credits in a given term. The only exception to this is for students who have been granted, by the office of the provost and dean of college, an accommodation of a disability in the form of a reduced course load (see Accessibility and Support on page 2). Students granted an accommodation in the form of a reduced course load are still expected to complete their undergraduate degree in 10 terms (160 attempted credits) or fewer, unless this is specifically waived in the form of an additional accommodation.

If students complete fewer than a certain percentage (between 75 percent and 80 percent, depending on term standing) of the total expected credits, they will not maintain the necessary cumulative pace to graduate within the maximum amount of time allowed. When this happens, the student will lose good academic standing. The chart below details the

minimum number of credits needed at the end of each full-time term at the College in order to maintain the necessary cumulative pace.

| Term | Credits required to maintain Minimum Cumulative Pace |
|------|--|
| 1    | 12   |
| 2    | 24   |
| 3    | 36   |
| 4    | 48   |
| 5    | 62   |
| 6    | 74   |
| 7    | 90   |
| 8    | 103  |
| 9    | 116  |
| 10   | 128  |

In addition, at the conclusion of any term, any student earning a pace of 50 percent or below for the term (e.g., earning 8 or fewer credits in a single term) may be placed on academic warning or be dismissed from the College.

Upon approval from the advisor and the office of the provost and dean of college, a full-time student may be permitted to take a reduced course load of 12–15 credits for an occasional term, with the understanding that credits will be made up in future terms. Of course, a student's cumulative pace toward graduation is affected when fewer credits are taken in any given term.

Students may apply for part-time status. This status means that a student is registered for fewer than 12 credits in a term. For these students, the number of credits attempted for the purposes of calculating cumulative pace is the number of credits for which a student has registered at the end of the term's drop-add period.

Credits earned before attendance at Bennington or elsewhere while in attendance at Bennington and transferred in count as both credits attempted and credits earned in the pace calculation.

**Please note:** Any withdrawal from the College, regardless of the reason, after the term has started will result in zero credits earned out of 16 attempted and Cumulative Pace calculations will have to be adjusted accordingly.

\*This limit does not mean that a student cannot take a leave or withdraw for a period of time; it simply means that a student cannot attend for more than 10 full-time terms.

### Qualitative Standard

- A Pass (P) reflects satisfactory work and is equivalent to a range of performance from C- to A+.
- A Marginal Pass (MP) does not reflect satisfactory progress, but the student will receive credit for the course. An

MP is the equivalent of a D- to D+ grade.

- A Fail (F) means that the student will not receive credit for the course.

Students will generally lose good academic standing (see below) or be dismissed from the College if they fail six or more credits in a given term (for full-time students) or half a program (for part-time students). A failure in a four-credit course combined with a marginal pass in one or more other courses in a given term will also generally result in the loss of good standing or dismissal from the College, as will a term containing 6 or fewer credits of full passes (e.g., 10 credits of MPs and 6 credits of Ps). Students' performance over the course of their time at the College will always be taken into consideration when assessing whether or not they meet the qualitative standard.

Any student who has academic difficulties in any course should discuss the problem with the instructor as soon as possible. Students should also bring the problem to the attention of their faculty advisor. The student also may discuss these difficulties with the office of the provost and dean of college.

In addition, students are required to submit Plan essays on time and have an approved academic Plan in place by the end of their fourth term; therefore, timely submission and approval of a student's academic Plan is considered when evaluating qualitative progress. A student will generally lose good standing if a Plan is not approved, a Plan is deferred twice, a Plan is not in place at the end of a student's extension, or a Plan is not progressing well. A student who fails to submit a required Plan essay in any given term will also generally lose good standing (see below).

Students are expected to have a cumulative average of C or above (or the equivalent) by the end of their second year; this generally indicates readiness to begin advanced work in an area of study. However, a student may have passed several courses in a particular area of study but still not be deemed able to pursue advanced work in that area; these decisions are made through the Plan process and with individual faculty members. In such cases, the student will be advised to propose another area of study and/or will be advised that one or more extra terms are necessary for graduation; in some cases the student may be dismissed from the College.

### Academic Standing

The office of the provost and dean of college determines each student's academic standing after considering academic progress as described above. Any student whose work is not satisfactory or who has not submitted a Plan on time and obtained timely approval of a Plan, or who has not successfully completed the FWT requirement, may be placed on academic warning or be dismissed from the College. Typically, students are placed on warning at the conclusion of a term, but a student may be placed on warning at any time. Students who cease attending class for two consecutive weeks for any reason may be dismissed during the term. Students who have failed at least half of their program before the end of the term may be dismissed during the term. Dis-

missal decisions are made by the associate provost and dean of studies in consultation with the faculty. Students who have been dismissed must have permission, in advance, from the director of campus safety to visit campus.

**Good standing.** All students enter Bennington in good standing. However, a student will be placed on academic warning or be dismissed from the College if satisfactory cumulative pace is not maintained, or a satisfactory number of classes and Field Work Terms are not passed, or Plans/Plan essays are not submitted and approved when required.

**Notice.** Students may be placed on "notice" in order to alert them and their advisor that they need to pay particularly careful attention to their academic progress. Students on notice are still considered to be in good academic standing.

**Good Standing – Satisfactory Academic Progress Plan (SAP Plan).** Students who successfully complete a term of academic warning or academic probation but are unable to regain the required minimum cumulative pace after just one term will continue on a SAP Plan until they regain a satisfactory pace. Students who only minimally meet the expectations to return to good standing from academic warning may be placed on a SAP Plan for the term following warning. Students following a SAP Plan must meet the terms of their SAP Plan; those who do not will be dismissed from the College.

**Academic Warning.** In order to return to good standing, students placed on academic warning are expected to pass 16 credits with no marginal passes, Ds, or Fs. In addition, students are expected to submit their Plan on time and have it approved during the term, as well as satisfy FWT requirements for the term. Students on academic warning must also maintain the necessary cumulative pace to be returned to good standing at the end of the term. Normally, only one term of warning is permitted.

Students who do not return to good standing following a term of academic warning will be dismissed. Students who have been dismissed may submit an appeal to return for a term of academic probation, which shall be determined by the Appeals Committee at its discretion. The associate provost and dean of studies will advise the student in writing of the Committee's decision, which is final, with no further appeal. Appeals must be submitted within one year from the date of dismissal. Circumstances that may provide the basis for such a request include serious injury or illness, or the injury, illness, or death of a parent or sibling. The appeal to return on probation must explain why the student did not achieve satisfactory academic progress and describe what has changed in the student's situation to allow the student to achieve satisfactory academic progress during a term of probation. Successful appeals will illustrate or provide concrete evidence that one's situation has changed. The College may require additional materials following the review of an appeal. If an appeal is not taken or is not granted, the student is dismissed. Students are normally limited to one such appeal during their time at the College.

**Academic Probation.** A student whose appeal has been granted is placed on academic probation for the following term and is required to work with the office of the provost and dean of college and faculty advisor to complete a Satisfactory Academic Progress Plan (SAP Plan) for regaining and maintaining satisfactory academic progress. SAP Plans must be drafted before students return for their term of probation and given provisional approval by the office of the provost and dean of college. The SAP Plans must be reviewed (and may be revised) by the office of the provost and dean and faculty advisor at the beginning of the term of probation and must be signed by the student after such review/revision.

Students who fail to complete a SAP Plan for probation, whose SAP Plan is not approved, or students who do not successfully complete the requirements set forth in the SAP Plan will be dismissed from the College.

## Class Attendance

Critical to Bennington's educational philosophy is the principle of active learning. Attendance and engagement in the classroom, under the guidance of Bennington faculty, are therefore essential components of the learning that takes place at the College. Consistent and attentive class attendance is simply required for the successful completion of coursework here. Missing classes, for whatever reason, fundamentally alters the nature of courses at Bennington. Course instructors set their own attendance policies (i.e. how many absences are possible) within the general policy that attendance in class is mandatory. The policies are reflective of the importance of being present in class as a participant in discussion, in hands-on experiences and interactive content, which cannot be duplicated outside of the classroom. In the event that a student must miss a class, the student should notify the instructor in advance. Notification of absences does not mean that absences are excused. If an extended absence is anticipated or there is a personal emergency, the student must also notify the associate dean for academic services, who will notify instructors and the faculty advisor as appropriate. Missing class for any reason does not exempt a student from completing work for that class. Students may fail classes if they do not attend the required number set by the instructor involved, regardless of the reason for the absence. Students who begin a class late (add the class after it has begun) are generally considered absent for the classes they missed. In addition, students who miss two weeks of classes for any reason (including personal and family emergencies) are normally not able to meet course objectives and therefore are not able to pass the course and may be required to stop attending the course. Depending on the circumstances, a student may be permitted to withdraw from the course after the withdrawal deadline.

The Health Services staff does not give medical excuses for missed classes. For those rare cases when students are unable to contact their advisor due to incapacitation, medical emergencies, or hospitalization, Health Services staff will

make the associate dean for academic services aware of the student's absence and the projected date when the student will return to class. It is the student's responsibility to initiate a conference with the instructor to discuss making up work missed and to make up work to the instructor's satisfaction. A student who has been hospitalized must contact the director of Health Services or the director of Psychological Services, prior to the student's anticipated return to the College, with documentation from their attending physician stating that the student is capable of managing their own health and safely resuming full-time academic work and residence in the campus community. Students are not permitted back on campus without this documentation. The director of Health Services and/or the director of Psychological Services will consult with the office of the provost and dean of the college as appropriate to the circumstances.

## Academic and Artistic Ethics Policy

Plagiarism and all kinds of academic and artistic dishonesty are contrary to the educational philosophy and aims of Bennington College and are absolutely prohibited. At Bennington, instances of plagiarism and dishonesty affect all students and all faculty, since cheating compromises the spirit of self-governance and the community's commitment to work. The College will not tolerate the disregard of our common academic endeavors by those who fail to take intellectual and ethical responsibility for their work. Academic and artistic dishonesty is not merely an issue for a specific student, class, or faculty member; it is a College-wide issue with institutional consequences.

Plagiarism is submitting the work of others as one's own, whether intentionally or not, and includes failure to acknowledge sources. Proper acknowledgment of sources is the basis of academic honesty. Such sources include words, ideas, data, and images from books, articles, Internet sites, and so on. Sources of images must be noted in the same way that textual material is cited, according to discipline standards. Ample material is available in the library to help students determine how to cite sources properly. Any students with questions about this should consult reference librarians, peer writing tutors, or faculty members for guidance.

Academic dishonesty also includes the submission of the same work for different classes without substantial revision and prior permission from the faculty. Academic dishonesty may also include projects or assignments done collaboratively but not approved in advance by faculty as collaborative work.

Whenever academic or artistic dishonesty is discovered or suspected, the following procedures are followed:

1. The instructor consults with the associate dean for academic services or the assistant dean for Academic Services about the particular situation.
2. The instructor normally then discusses the situation directly with the student.
3. If the instructor is satisfied that the suspicion is unfounded, no further action is taken.

4. If, after discussing the situation with the student, the instructor finds that plagiarism or another kind of dishonesty has occurred, the instructor again speaks with one of the academic deans. The faculty advisor will also be consulted. The associate provost and dean of studies and/or the associate dean then determines the specific consequences for the student. The student will receive a letter outlining the offense and the consequence; the letter will be copied to the student's faculty advisor and included in the student's permanent file. Students normally fail courses in which they have committed any form of academic dishonesty. Students may not withdraw from a course to avoid failure as a result of academic dishonesty.

One or more of the following consequences may be imposed in accordance with the discretion of one of the deans:

**First Offense:** Failure in the class, academic warning, suspension, or dismissal.

**Subsequent Offense:** Failure in the class, academic warning, suspension, or dismissal.

**Appeals:** Appeals of the decision in cases of suspension or dismissal must be made in writing to the provost and dean of the college or designee within 10 days of the letter of notification. Decisions of the provost and dean of the college or designee will be in writing and are final.

## Registration

### Planning

Students are expected to meet with their faculty advisor before or during the period set aside for registration to discuss course choices. Academic services staff can assist students as they prepare for registration and registration conversations with their faculty advisor. Students who have not conferred with their advisors may not be eligible to enroll in courses.

### Registration Procedures

New students are preregistered for courses before arriving for their first term. During the designated day or period of registration, changes in program may be made only with the written consent of the faculty advisor and instructor involved.

For registration during the term, students should plan their programs with their advisor. During the registration period, students meet with their prospective instructors for 4000-level courses in order to request placement in the course. For 2000-level courses, students register directly online, first-come, first-served.

**Please note:** Students who have outstanding balances due or who have not submitted a Plan (if one is due) will not be permitted to register.

### Tutorials

Upperclass students doing advanced work may request a group or an individual tutorial with a faculty member. Generally, tutorials are an outgrowth of work in a particular class. The curriculum coordinator for the relevant discipline

group reviews the tutorial application. Final approval rests with the associate provost and dean of studies. Applications for tutorials are available in the office of the provost and dean of college through the end of the add period. A tutorial is considered a regular course in the student's Plan, and credits are awarded if the tutorial is completed successfully.

### Auditing

Auditing permits students to attend classes; it does not obligate them to hand in any work, nor does it obligate faculty to evaluate work. Students may audit a course only with prior approval from the course instructor and the office of the provost and dean of college. In order to formalize an audit, the appropriate forms must be completed with the office of the provost and dean of college. No credit is awarded for audited courses and students may not change an audit to a credit-bearing course after the add period (see below).

### Add/Drop/Withdrawal Policy

If students find that their programs are unbalanced or inappropriate, there is a period of time during which they may add or drop a course without penalty. During the first two weeks of each term, dropped classes are not noted on the transcript; between the third and seventh weeks, they are noted as "withdrawn" on the transcript. Students entering a class late are not excused from completing the missed work. Add/Drop forms are available in the office of the provost and dean of college and require the signatures of the course instructor and faculty advisor. Students may not withdraw from a class to avoid failing due to an issue of academic dishonesty. Students are not allowed to withdraw from courses after the seventh week without permission from the office of the provost and dean of college and this permission is given only in exceptional circumstances.

**Note:** Deadlines may be different for 3- or 7-week courses.

### Withdrawal from a class in the second half of a term.

When a course cannot be completed for some extraordinary circumstances (e.g., illness, injury, or extreme personal circumstances) in the second half of the term, the student must speak with the faculty, the faculty advisor, and the office of the provost and dean of college to request permission to withdraw. Documentation from medical care providers is required for these withdrawals. Withdrawals are noted on transcripts. No refunds are given for withdrawn courses. Withdrawals may be approved only before the last day of class each term, with no exceptions. For computing academic standing, withdrawals will be assessed on a case-by-case basis by the office of the provost and dean of college. In addition, no credit is granted for withdrawals; therefore, cumulative pace is affected when students withdraw from a portion of their program. See the Quantitative Standard section on page 4 for information about minimum cumulative pace requirements.

## Leaves of Absence

Students who wish to leave Bennington for one or two

terms, with plans to resume their studies after one or two terms away, must request approval of a Leave of Absence by submitting the required form to the office of the provost and dean of college by August 1 for fall leaves and February 1 for spring leaves. Leaves are generally granted for one or two terms only. In addition, departing students are required to have an exit interview with a member of the office of the provost and dean of college staff. Leaves are not granted once a term has begun for that same term. If there is a medical issue preventing a student from completing the term, the student must apply for a Medical Withdrawal. If a medical issue does not exist and a student does not wish to finish the term, the student must withdraw. Students planning to take a Leave of Absence should the information on housing assignments for reentering students. International students should be aware that a Leave may jeopardize their I-20 status. Students receiving financial aid must complete a loan exit interview online and may have to begin repayment of student loans (see the Financial Aid Handbook on the Bennington website for more information). For external reporting purposes, students on leaves of absence are reported as withdrawn. Students on Leave must have permission, in advance, from the director of campus safety to visit campus.

## **Withdrawals**

Students may withdraw from the College at any time, but students desiring re-admittance must reapply and have no right to guaranteed readmission following withdrawal. Students wishing to withdraw must submit the required form in writing or via email to the office of the provost and dean of college. Once the office of the provost and dean of college has received the withdrawal form, the student must vacate the campus housing assignment in accordance with the Withdrawal and Housing Policy found in the Residential Policies section. Students may be required to withdraw if they have missed two weeks of classes for any reason. Students who withdraw after the first day of classes will earn zero credits for the term and their cumulative pace will be adjusted accordingly (see Quantitative Standard on page 4) should they apply to reenter at a later date. Between terms, students who withdraw from the College after the first day of the month preceding the month in which they would normally return (August 1 and February 1) will forfeit the deposits they have made to hold a place in their class at the time of admission. Withdrawing students are required to have an exit interview with a member of the office of the provost and dean of college staff. Students receiving financial aid must complete a loan exit interview online and may have to begin repayment of student loans (see the Financial Aid Handbook on the Bennington website for more information about returning federal funds after a withdrawal). International students should be aware that withdrawal jeopardizes their I-20 status. Students who have withdrawn from the College must have permission, in advance, from the director of campus safety to visit campus.

## **FWT considerations for leaves and withdrawals**

If an undergraduate student takes a Leave of Absence or withdraws after the last day of FWT, the student is still required to meet all FWT requirements and deadlines for that winter period. If a student withdraws during FWT or takes a Leave of Absence with an effective start date during FWT, the student's registered employer(s) will be notified that the student is no longer currently enrolled at the College and therefore is unable to use the internship to fulfill an academic requirement.

## **Readmission after withdrawal**

Students who have withdrawn from the College and wish to return may apply for readmission to the Readmission Committee. Readmission after withdrawal is at the discretion of the College. Completed applications for fall-term admission must be made by April 1; applications for spring-term admission must be made by October 1. Applications for readmission must include a description of the student's activities since withdrawal from the College, with particular emphasis on any academic work or employment undertaken. The application must clearly articulate the student's reasons for wishing to reenter the College, as well as the applicant's academic goals. Other materials may be required by the discretion of the Committee, depending upon the circumstances of the student's withdrawal. Students readmitted after withdrawal are subject to all regular requirements for new students (financial, health, etc.) and will be regarded as new students in the housing assignment process. Students with outstanding financial obligations to the College will not be readmitted.

## **Medical Withdrawals**

A student who needs to be absent from the College for an extended period of time (generally more than two weeks during a term or for an entire term or more) for a medical and/or psychological condition may apply for Medical Withdrawal as described below under Applications for Medical Withdrawals. In addition, a student may be placed on Involuntary Medical Withdrawal under the circumstances described below under Involuntary Medical Withdrawals. Students on either type of medical withdrawal are not permitted on campus without the explicit prior approval of the director of campus safety. International students should be aware that a Medical Withdrawal has implications for their I-20 status. Please note that the fact that a student is treated as withdrawn from the College for medical reasons does not necessarily mean that tuition refund insurance will apply; eligibility under the tuition refund insurance policy is determined solely by the insurance company. Further, withdrawing from the term for medical reasons will still impact a student's cumulative pace and may affect academic standing upon reentry (see Quantitative Standard on page 4).

## **Applications for Medical Withdrawals**

Applications for Medical Withdrawals are reviewed by the associate dean for academic services in consultation with the

director of health services and/or the director of psychological services, as appropriate, and the associate provost of the College and the dean of students. Current documentation from a medical professional acceptable to the reviewers must be provided for the Medical Withdrawal application to be considered.

For Medical Withdrawals initiated during a term, students must remain away from the College for the remainder of the term. Due to the application deadlines for reentry from a withdrawal, students typically remain separated from the College for a minimum of one full term. Students who take a Medical Withdrawal during a term will receive a notation of “withdrawn” for all their courses and will not receive credit for their work that term (please see Quantitative Standard on page 4 regarding the impact this may have on a student’s academic standing upon reentry to the College). Students who take a second Medical Withdrawal are typically required to remain separated from the College for a minimum of two full terms.

### **Involuntary Medical Withdrawals**

When the dean of students and the associate provost, after consultation with the director of Health Services and/or the director of Psychological Services, as appropriate, or with an outside physician consulted by the College, have determined that a student’s continuing at the College poses a significant risk to the well-being of the student or others and/or a significant disruption to the community, including but not limited to the academic and residential life of the community, the student may be placed on Involuntary Medical Withdrawal. The student may appeal the decision to the provost and dean of the college or designee in writing within five days of the notification to the student of Involuntary Medical Withdrawal. The decision of the provost and dean of the college is final. Normally, students placed on Involuntary Medical Withdrawal will remain separated from the College for a minimum of two terms.

### **Readmission after Medical Withdrawals**

A student applying to return from a Medical Withdrawal must do so in accordance with the following requirements and as noted in the student’s individual letter concerning the Medical Withdrawal. The process is normally as follows:

1. A student who wishes to apply for readmission must do so by April 1 for the fall term and by October 1 for the spring term. The application must be in writing to the associate dean for academic services and must include all written materials required as noted in the student’s Medical Withdrawal letter and as required by this policy. After the initial submission, the associate dean may require additional information. At minimum, a written statement from the student is required explaining the reasons for the student’s departure, describing the student’s activities since leaving the College, and discussing the student’s readiness to return. The associate dean may require a student to submit an academic Plan as part of the reapplication process.

2. A recent evaluation (dated within a month of the due date of reapplication) by a medical professional with qualifications acceptable to the director of Health Services or the director of Psychological Services must be submitted to the associate dean for academic services. This evaluation shall address the student’s capability of returning to the College and sustaining an independent residential and academic life, and any additional criteria required by the associate dean for academic services. The student must sign a medical release for the medical professional in order to enable additional communication as necessary. In addition, the College may require the student to be evaluated by a medical professional designated by the director of Health Services or the director of Psychological Services.
3. After all documentation has been submitted, the associate dean for academic services and a member of the health and/or psychological services staff will schedule a phone interview with the student.
4. A committee consisting of the associate dean for academic services and the director of health and/or psychological services, or their designee(s), will review the application. Others may participate as determined by the associate dean. Among the factors normally considered by the committee are 1) the circumstances of the student’s departure; 2) an assessment of the student’s current health as it pertains to College life; 3) an assessment of the student’s academic progress and plans; 4) an assessment of the student’s readiness to manage independently the student’s health needs and academic and residential life; and 5) such other factors as the committee deems appropriate in the individual circumstance.
5. The student will be notified in writing about the decision of the committee.
6. Appeals can be made in writing to the provost and dean of the college or designee within 10 days of the receipt of the decision letter. Decisions of the provost and dean of the college or designee or designee are final.

Students readmitted after withdrawal are subject to all regular requirements for new students (financial, health, etc.) and will be regarded as new students in the housing assignment process. Students with outstanding financial obligations to the College will not be readmitted.

### **Readmission after Disciplinary Suspension**

After Disciplinary Suspension, a student may be readmitted only with the approval of the Readmission Committee, which includes representatives from the office of the provost and dean of college and other College staff as determined by the associate provost of the college. In order to be considered for readmission after Disciplinary Suspension, a student is normally expected to have been away from the College for a specific period of time as determined by the disciplinary body. An interview by phone or in person may be required.

The student must submit a detailed written petition for

readmission to the College to the office of the provost and dean of college. This document is critical to the readmission process and must be formulated to address the following issues:

1. The student should assess the problems leading to suspension and state how these problems have been overcome.
2. The student should describe all activities since suspension, with particular emphasis on academic work completed and/or employment undertaken.

The student may be required to undergo, at the student's expense, a drug and alcohol assessment at a licensed treatment center or by a licensed psychologist with expertise in substance abuse, either of which must be approved in advance by the director of psychological services at Bennington College. An evaluative report, including any recommendations for monitoring treatment or other follow-up, must be provided to the director of psychological services prior to reapplication. If treatment is recommended in the report, the treatment provider shall also provide documentation in writing to the director of psychological services of the student's progress and compliance with the recommendations for follow-up. The student must sign a release form to allow the exchange of information among the treatment evaluators and providers and all necessary College officials.

Students who have been readmitted and have satisfactorily completed a full term of study at Bennington may request transfer credit earned prior to readmission. Such credit may or may not be granted in the sole discretion of the College.

Students readmitted after disciplinary suspension are subject to all regular requirements for new students (financial, health, etc.) and will be regarded as new students in the housing assignment process. Students with outstanding financial obligations to the College will not be readmitted.

### Refund Policies

Students withdrawing after a term has begun may be eligible to receive refunds, if any, only in accordance with the College's Refund Policy, unless the student is receiving federal financial aid, in which case, the refund, if any, will be calculated in accordance with the federal refund policies, which are detailed in the Financial Aid Handbook to be found in the student section of the Bennington College website.

**Please note:** Students who are suspended, expelled, dismissed, or required to withdraw from the College will be responsible for the total College charges for that term.

### Withdrawal Refund Policy

For information related to student billing and financial aid see the withdrawal and refund policy and financial aid handbooks in the student billing section of the student resources page on the College's website.

## Transfer Credit

When entering the College, work at other accredited institutions of higher education may, with the approval of the admissions office, be accepted for credit at Bennington. Transfer credit is determined by the Admissions Office at the time of acceptance to the College. Students requesting transfer credit after their admission to Bennington may apply for this through the office of the provost and dean of the college. An application is required and credit may or may not be awarded. All credits are evaluated in relation to the student's academic plan of study. An accumulation of credits alone does not qualify a student for particular term status or early graduation (see Early Graduation).

## Residency Requirement for Transfer Students

Residency requirements vary depending on the number of terms that have been transferred and on the projected area of concentration. A minimum residency of two years is required.

## Part-Time Status

Students may apply for part-time status. Part-time status means that a student is registered for fewer than 12 credits. Students receiving financial aid should be aware that part-time status changes the amount of financial aid for which the student is eligible. Please consult the Financial Aid Handbook on the Bennington website for more details. Housing is not guaranteed for part-time students and is available after all full-time students have secured housing. Part-time students do not accrue residency in housing.

## Early Graduation (graduating a term early)

Normally, students require eight terms of work in order to qualify for graduation. In rare instances a student who demonstrates exceptional work in all areas of study and particular excellence in one may qualify for early graduation. An accumulation of credits alone does not qualify a student for early graduation, nor does financial hardship. To qualify for early graduation, a student must petition the office of the provost and dean. A form is available online at [www.bennington.edu](http://www.bennington.edu) or in the office of the provost and dean. A student must also submit two letters of recommendation from faculty members in different areas of study to the office of the provost and dean. Petitions are reviewed only during the term preceding the anticipated final term (normally the 6th term). The student must show how the College's standards for a liberal education will be met, including advanced work in a particular field, and the student's record must give evidence of distinguished work. Students must still meet the credit requirements set by the College (128 credit hours).

## Completion of Work in Absentia

Only in exceptional cases may a student be permitted to fulfill final degree requirements elsewhere (in absentia). Applications are due by July 15 for the fall term and by January 15 for the spring term. The associate provost and dean of studies will decide whether to approve the request for completion of work in absentia, normally in consultation with the faculty. Generally only up to one term of credit may be granted for work done in absentia.

A faculty member is normally assigned to provide guidance and to certify completion of the agreed program to the associate provost and dean of studies if Bennington-supervised work is necessary to the completion of the Plan. Fees are charged during the in-absentia period for administrative and faculty work as determined by the office of the provost and dean.

## Transcripts

All transcript requests must be made in writing by the student and forwarded to the office of the provost and dean of the college. Transcript request forms are available from that office or online at [www.bennington.edu](http://www.bennington.edu). Processing time is normally two weeks. Please note: Transcripts will not be released for students who have outstanding debts to the College.

## Study Abroad/Study Away

Students are eligible to study away for a term or an academic year during their fourth through seventh terms at the College, and we encourage all students to consider studying elsewhere. A student who is interested in studying at another institution should generally begin planning a year in advance. In order for students to study away, they must be in good academic and disciplinary standing and have approval from their faculty advisor, Plan committee, and the office of the provost and dean of the college. Study away should be included in the student's Plan and discussed at the Plan meeting to allow the Plan committee an opportunity to evaluate programs of study elsewhere and to advise how the courses offered may be coordinated with the student's Plan of study at Bennington. In order to obtain approval from the office of the provost and dean of the college, students must consult with the director of study away and complete the Bennington Application to Study Away. A student who arranges to study at another institution will be on a Study Away Leave of Absence during their approved time away. Students may choose to apply for consortium status from the Financial Aid office. The Financial Aid office will work to facilitate the transfer of federal and other eligible aid to the host school for students who have completed the Consor-

tium Student Agreement with the Financial Aid office. The College also sponsors some exchange options with other domestic colleges and colleges outside the U.S. Contact the director of study away for additional information.

At the end of each term, an official transcript must be sent directly to the office of the provost and dean of the college and official granting of transfer credit will then be determined. A study abroad administrative fee is charged. Additional information is available from the director of study away.

### Cross-Enrollment: Williams College

A limited number of students may register at Williams College for courses not offered at Bennington for no additional fee. Interested students should consult the office of the provost and dean of the college about applying. Enrollment is usually limited to third-year and fourth-year students in Good Academic Standing. Transportation is not provided by either college. The fall term is generally the best time to take advantage of this option.

## Recipients of Named Scholarships Supporting Bennington Grants

The office of the provost and dean of the college, with the help of faculty and advisers, has the privilege of honoring outstanding students with demonstrated financial need by selecting recipients of the College's named scholarships each year. These prestigious named scholarships have been funded by generous donations from alumni, parents, or friends of the College who want to support and encourage those deserving students who are also in need of financial assistance. Students receiving this honor will be asked to share their Bennington experience, express their gratitude, and perhaps meet with the donor(s) and/or their family and friends who have generously established this need-based scholarship. In some instances, maintaining the scholarship funding will be dependent upon the student's full and timely cooperation with the office of institutional advancement. Questions about these named scholarships should be directed to the institutional advancement or financial aid offices.

## Indication of Preferred Name

Any student wishing to use a name other than their legal name in the course of business and education may do so by listing their preferred name in the College's information systems. The name change will be reflected in campus records and communications and will be used whenever possible, except for in cases where the use of a legal name is required by College business or legal need. The preferred name change will be reflected in the following records: Populi; alumni records; housing rosters; College publications; and



the Bennington Card.

The dean and provost's office have an online form that will generate preferred name and pronoun updates, if applicable, directly to the College Registrar. This online option, as well as an in-person meeting with Jamie Babic, Registrar and Director of Enrollment services, are available to any student wishing to specify their preferred name at any time during their enrollment at the College.

If a new Bennington Card is generated, one's preferred name must be the same in Populi as it will be on their Card. The cost for any new Bennington Card is \$15. Please note that a second form of identification may be required when using your new Bennington Card as a form of identification.

## The Bennington Card

The Bennington Card is the official identification card of Bennington College. Issued to all members of the College community, it is required for identification, access to essential campus services and residential houses, and offers a convenient, prepaid spending account for making cashless purchases around campus.

The Bennington Card Account offers a declining balance feature of the Bennington Card. It is a pre-paid flexible spending account that holds deposited funds to be used by the cardholder for purchases at on- and off-campus locations. All account information is linked to the magnetic stripe on the back of the card. Every time the card is used to make a purchase, the amount is electronically deducted from the pre-paid funds. Use of the Bennington Card account constitutes acceptance of all terms, conditions, and regulations under which it is issued.

The Bennington Card functions as a bank-issued debit card and as such should not be defaced or altered in any way. If your ID is lost or stolen, you must purchase a new card at the cost of \$15 by emailing the Help Desk at [helpdesk@bennington.edu](mailto:helpdesk@bennington.edu) and picking up the new ID card in Information Technology, Dickinson 225.

For more about the Bennington Card go to [www.bennington.edu/BenningtonCard](http://www.bennington.edu/BenningtonCard).

# COMMUNITY STANDARDS

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## Preamble

Bennington College was founded on the principle that intellectual development cannot and should not be isolated from the development of the whole person. The College seeks to educate that whole person as a member of a community—a community with a particular ethos.

A collective challenge is to navigate the inherent tension between individual freedom and general community well-being. As the Bennington commencement statement reminds us, “Student freedom is not the absence of restraint, however; it is rather the fullest possible substitution of habits of self-restraint for restraint imposed by others.”

Bennington’s Community Standards assist in structuring our striving toward “creative and constructive membership in modern society.” These standards support the practice of conscious citizenship, through the cultivation of self-awareness, self-management, empathy, and communication capacities. It is through conscious engagement with and upon our choices, inside and outside of the classroom, that we chart our paths, defining and redefining who we want to be individually and as a community.

In the effort to honor this principle, we have chosen not to present here an exhaustive list of harmful and unhealthy behaviors and their accompanying punishments. Rather, we remind you—and each other—why we are here: to learn and to grow, and to support each other in doing so. As members of the College community, we are therefore expected to behave in a manner that supports the health, safety, and general well-being of both ourselves and of others. Everything follows from this.

The basic elements of the student conduct standards are described below, as are the student conduct procedures that the College adheres to when the standards, and indeed the ethos of the institution, have been breached. Students are hereby made aware that by enrolling in Bennington College they automatically accept its regulations and acknowledge the right of the College to take appropriate action when, in the opinion of the College, the behavior of students threatens, disrupts, or endangers the health, safety, or well-being of the College community or of any person, including the student him or herself, or whose behavior has resulted in damage to, or destruction of, College property, and/or violated College policy.

## Student Conduct Procedures

The provost and dean of the college oversees the administration of all College rules, regulations, and policies as they apply to students. The director of campus safety and the assistant dean of students are responsible for administering the standards of student conduct. Students are urged to report violations or potential violations of student conduct standards directly to one of them.

## Director of Campus Safety

The director of Campus Safety has primary responsibility for administering traffic and parking rules, guest and pet policies, and fire and life safety regulations, and also has the responsibility for investigating other violations and for reporting violations to the assistant dean of students and other relevant staff.

## Assistant Dean of Students

Violations of the Student Conduct Standards, regulations, and policies are referred to the assistant dean of students. The assistant dean of students, or designee, will review any alleged violations and may:

- handle the matter administratively (i.e., adjudicate the matter him or herself, and impose any sanction(s) for any offense as he or she deems appropriate)
- refer the matter to the Judicial Committee for adjudication; or,
- refer the matter to the Administrative Review Committee for adjudication.

Normally the assistant dean of students will first review and discuss alleged violations with the Student Conduct Committee, which generally meets weekly during the term and is made up of key staff members from student life, academic services, psychological services, campus safety, and the provost and dean’s office.

The assistant dean of students, in consultation with the provost and dean of the college (or designee) and the dean of students, is authorized to determine which committee hears each referred matter on a case-by-case basis. The student’s advisor, any other appropriate College officials, and the student’s parents (when permitted by law), may be notified of any violations and sanctions that are determined.

### Note:

- Complaints and reports involving sexual harassment must be referred to the Title IX Coordinator and pursued under the College’s Sexual Harassment Policy.
- Suspension and expulsion may not be imposed as sanctions in cases handled administratively, except for immediate, interim suspensions (discussed below).
- In certain circumstances, the assistant dean of students, or designee, may refer a case to the provost and dean of the college, who may impose penalties without hearing, when the provost and dean has determined that the best interests of the College, its students, or employees warrant such action. Such circumstances may include, but are not limited to, cases of disruption of the ongoing academic responsibilities of the College, physical violence or serious threats to the physical or mental health of any member of the community, or other serious emergencies. The provost and dean may take any action that he or she deems appropriate, including, but not limited to,

immediate suspension from the College. The student(s) must comply with the terms of the suspension until the Administrative Review Committee has heard and determined the case, or until the provost and dean determines that the reason for imposing the interim suspension no longer exists.

### The Judicial Committee

The Judicial Committee is chaired by the assistant dean of students (or a designee), and consists of members of the student body, faculty, and staff, and, as ex-officio members, the provost and dean of the college and the associate provost and dean of studies. A quorum of five members designated by the assistant dean of students determines each case. If a sufficient number of members of the committee is not available to hear the case, the assistant dean of students will appoint substitute members of the committee. Members will be excused from a hearing if a conflict or potential conflict of interest exists, and the committee may proceed with the remaining members, regardless of whether the committee hearing the matter then has fewer than five members for the remainder of the proceeding. Current members of the Judicial Committee can be found on the Bennington College website.

### The Administrative Review Committee

The Administrative Review Committee normally consists of three senior members of the administration, including one chair, appointed by the provost and dean of the college. In cases in which a member of the Committee is unable to participate (for example, if a conflict or potential conflict of interest exists), the provost and dean of the college will appoint a substitute member of the committee.

### Procedures for the Judicial and Administrative Review Committees (excluding appeals)

- **Hearing procedures.** The chair of the committee presides. The student charged will be offered the opportunity to present an oral or written statement and witnesses. The chair will determine whether it is necessary to hear from and/or question particular witnesses. The student charged must submit questions the student may have for witnesses, in writing, to the chair in advance of the hearing. Those questions will be asked by the chair at his or her sole discretion.
- The student charged may bring one member of the College community (i.e., a current student or faculty/staff member) to the hearing for support. Such support person in no case may be legal counsel, and may not participate directly in the hearing.
- Hearings will not be open to the public and may not be recorded.
- Decisions are by a majority vote. The committee has the authority to impose any sanction(s) for any offense as it deems appropriate.
- If the student charged, after reasonable notification, fails to appear without prior written authorization of the chair,

the student waives the right to appear and the hearing will proceed as scheduled. The committee may formulate its own rules and procedures insofar as they are not specified in this Policy. Hearings are not intended to mimic formal legal proceedings, and rules of process, procedure, and/or evidence, such as those applied in criminal and civil courts, will not apply.

- **Notice of decision.** A written notification of the committee's decision will be sent to the student. The student's advisor, any other appropriate College officials, and the student's parents (when permitted by law), will be notified of any violations that are determined and any sanctions imposed by the committee.

### Judicial Committee Decision Appeals Process

All appeals of Judicial Committee decisions and all appeals of disciplinary decisions rendered administratively must be made in writing within four business days of the decision to the Administrative Review Committee in care of the assistant dean of students.

All appeals of Administrative Review Committee decisions (only for cases in which it rendered the original disciplinary decision; not appeals) must be made in writing within four business days of the decision to the provost and dean of the college or designee.

Appeals of disciplinary decisions may be made only on the following grounds:

- to consider new information, sufficient to alter the decision, or other relevant facts, not brought out in the original proceeding, because such information and/or facts were not known to the person appealing at the time of the original proceeding;
- violations of hearing procedure that had a significant effect on the outcome; and/or,
- appeals of the sanctions imposed.

The Administrative Review Committee or the provost and dean of the college (or designee) may, at their sole discretion, affirm, set aside, or modify (increase, decrease, or otherwise change) the original disciplinary decision and/or the sanction(s) imposed, or may return the matter to the assistant dean of students or committee for reconsideration of the original decision and/or sanctions.

The Administrative Review Committee or the provost and dean of the college (or designee) have sole discretion for determining the manner in which any such decisions are reviewed, and their decisions are final.

### Sanctions

Sanctions for violations of College policy may include, but are not limited to, the following, which may be imposed in any order, separately or in combination: written warning or reprimand; housing probation, reassignment, suspension or expulsion; disciplinary probation, suspension, or expulsion; restitution, restoration, or fines; mandatory counseling, testing, or assessment; community service; revocation of admission; and withholding or revocation of degree.

Repeated violations are likely to result in progressively severe sanctions.

**Please Note:**

- Students who are suspended (including temporary, interim suspensions) or expelled from the College at any time during the term will be responsible for the total College charges for that term. The College will not be responsible for any costs incurred due to such action.
- Students suspended (including temporary, interim suspensions) or expelled from College housing at any time during the term will be responsible for that term's total charges for room and board. The College will not be responsible for any costs incurred due to such action.
- Unpaid fines, restoration costs, or restitution will be added to the student's bill and become part of the student's financial obligation to the College.

## Student Conduct Standards

The College's Student Conduct Standards (and attendant Disciplinary Process) applies to conduct that occurs on or off the Bennington College Campus. All students are responsible for their conduct from the time of admission through the actual awarding of a degree, regardless of whether the conduct occurs before classes begin or after classes end (and even if their conduct is not discovered until after a degree is awarded).

The following actions by students violate College standards of conduct, as do attempts to commit, or assistance in or facilitation of the commission of, any of these acts.

1. Violence. Causing physical harm or the reasonable apprehension of harm to another person on or off campus.
2. Harassment, abuse, coercion, or injurious conduct, including but not limited to hazing in any form. Physical or verbal abuse or threatening or intimidating behavior of any sort, including not only direct threats of any kind, but also psychological and sexual harassment.
3. Disruptive conduct. Behavior that, in the opinion of the College or any of its disciplinary officers or agencies, is disruptive to the processes or operations of the College or that interferes with its ability to carry out its functions or provide its members with services.
4. Unauthorized entry. Unauthorized entry into a private room, office, studio or other College space, or an electronic account, without having gained proper permission in advance. This also includes the unauthorized possession, duplication, or use of College keys, or tampering with College locks.
5. Theft. Theft or misappropriation of property and/or services (electronic or otherwise) of another person or of the College.
6. Fraud or otherwise providing false, inaccurate, or misleading information to a College faculty member or official.
7. Malicious mischief/vandalism. The intentional or negligent destruction, defacement, or alteration of property belonging to the College or another person. This also includes property stored electronically.
8. Endangering behavior. Behavior that, in the opinion of the College or any of its disciplinary officers or agencies, endangers the health and safety of oneself or others.
9. Unauthorized recording. The recording or photographing of an individual or group's proceedings, performances, classes, lectures, programs, workshops, or other similar events without the specific authorization of the sponsoring individual, organization, faculty member, speaker, or other party related to the event.
10. Violation of law. Violation of local, state, or federal law. Violation of the law may subject an individual to separate disciplinary action at the College.
11. Failure to respond. Failure to respond to or comply with an instruction or request from a College official, faculty member, or any other College staff member.
12. Failure to comply. Failure to comply with, or the violation of, any College policy or rule.
13. Violation of sanction. Violation of, or failure to fulfill or comply with, any sanction imposed by the College.

# POLICIES AND PROCEDURES

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## Residential Policies

**Residency requirement.** In its commitment to student development and success, Bennington College requires all students enrolled in classes full time to live on campus in College housing.

**Exception to the residency requirement.** The College recognizes that a few students may need an exception to the residency requirement. The College will grant exceptions for an enrolled student who is:

- 23 years old or older.
- Living at one's parents' home, within a 25-mile radius of the College.
- Married or in a civil-union recognized by the state of Vermont.
- A parent or legal guardian of a child. (Bennington does not provide family housing for students.)
- Exempted from the residency requirement as an accommodation for a disability. For more information see the accessibility and support section on page 2.

**Right to assign.** The College reserves the right to assign any vacancy in College housing and/or to reassign any student's College housing placement at any time.

**Occupancy.** Students are allowed to occupy their assigned rooms and to use the common space in their houses and all other College facilities when the College is in session. Students cannot access College facilities between terms except in specific situations. These situations require advance permission from the College.

Information about dates and times that College residences open and close are published in the Academic Calendar, Housing Newsletter, and various publications sent out from the Office of Student Life to all students at the beginning and end of each term. Students are expected to arrive and depart campus in accordance with the set deadlines. Early arrivals and late departures are not permitted unless approved in advance by the Office of Student Life. Unapproved early arrivals and/or late checkouts may incur a monetary penalty.

The monetary penalty for an early arrival or a late departure is a fine of \$200 that will remain dormant contingent upon absence of similar infractions. Any subsequent violation of an early arrival or a late departure during your time at the College, will result in a second fine of \$200 and both fines will be imposed (\$400).

**Assignment Information.** Each spring, upperclass students enrolled and continuing at the College choose housing for the next year by participating in the in-house room selection process or the housing lottery that is run by the Office of Student Life. Housing reservation information is distributed in the latter part of the spring term.

First-year and transfer students are assigned to housing based on their preference form and space availability. Late applicants or students returning from leave are housed on a space-available basis.

**Room changes.** The Office of Student Life will decide and notify the student body about the room/house change process and any housing assignment changes at the beginning of term via Coffee Hour, College Week, and the Website Announcements. At that time, a deadline will be established and the process explained for changing residences. Adherence to deadlines is crucial to requests being considered and late requests will not be accepted. The request must be made directly to the Office of Student Life in writing, where students will be asked to fill out an application detailing their reasons for wishing to make a change to their housing assignment; they may be required to meet with a member of the Office of Student Life staff before a request is considered. The criteria regarding room eligibility must be met to approve any room change request.

All room changes require prior approval from the Office of Student Life. Failure to obtain permission will result in disciplinary action.

Students establish residency if they move into a house within the first three weeks of a term. If they move into a house after the first three weeks, they will not start accruing residency until the start of the next term. Students who are granted medical singles are not able to accrue residency within their assigned house. When room selection for the following year takes place, a student who has not accrued residency may reserve his or her current room, but will have last priority for any other available rooms in the house.

**Returning from leave of absence/abroad programs.** Returning students who were on leave, or are re-entering after being considered withdrawn by the office of the provost and dean of the college have lost housing seniority and will be assigned based on availability and the housing preference questionnaire. Students returning from study-abroad programs will receive an email from housing prior to their return. While previous residency will be considered, ultimately, returning students will be placed on a space-available basis. Seniority will be taken into account as well.

Students should complete a LOA/Consortium Student Housing Preference form by May 1 for the upcoming academic year and November 1 for the spring term.

**Visiting students.** Students in this category are placed according to their class status (determined by the office of the provost and dean). Visiting students should contact the Office of Student Life as soon as possible to discuss housing options and availability. Visiting students who apply after August 1 or February 1 are offered space on campus based

on availability.

**Welling Town House, Longmeadow House, and Shingle House.** Students who wish to live in these houses must complete an application from the Office of Student Life. Notification about the application process is sent from Student Life during the spring term. Students will be selected and notified prior to the regular housing assignment process. Welling Town House, although located off campus, is subject to all policies applicable to on-campus housing.

**Postbaccalaureate Students.** Housing exists on Campus for postbaccalaureate students during the summer term only. Postbaccalaureate students who wish to be considered for on-campus housing should contact Admissions.

**Personal Property.** The College assumes no responsibility for the theft, loss, or damage to a student's personal property. Students are encouraged to take appropriate steps to safeguard their property and to maintain their own personal property insurance. Any loss or theft of property should be reported to Campus Safety so that an official record is available if needed.

**Accountability.** Students are responsible for all activities taking place in their assigned space, whether they are present or not. Each occupant will be held responsible for any prohibited activity(s) or illegal item(s) found in his or her assigned space.

**Student Rooms.** Students are responsible for maintaining their rooms in a healthy, safe, and livable condition that does not have a negative effect on any co-resident of the room or the house. Students may contact Building and Grounds with concerns about their room or housing condition, as well as place a work order, by emailing [buildingsandgrounds@bennington.edu](mailto:buildingsandgrounds@bennington.edu). Students may also contact Student Life with their room concerns.

Students are not allowed to alter any feature of their rooms or furnishings. Students are responsible for any costs associated with restoring their assigned rooms to the condition in which they were found at the start of each term. Disciplinary action may be taken for unauthorized room alterations. House Chairs and/or Student Life staff members inspect and document the condition of each assigned student room and the College furniture in that room before the start and just after the end of each academic year. This information is recorded on Room Condition Reports. Restoration charges may include, but are not limited to: the repair or replacement cost(s) for damage to the room, College furniture, or equipment provided; repair, labor, replacement, or costs of any extra work necessary to restore the room to its original condition including extra cleaning, moving, or rebuilding of furniture. Students are not allowed to repair any damage to their rooms or to common areas of the houses.

**Room Condition Reports.** At check-in, House Chairs pro-

vide each student with a copy of the Room Condition Report that documents the condition of the student's room and the College furniture in that room. Students are expected to review the Room Condition report, make any necessary revisions, and return it to their House Chair by the first Coffee Hour of the term. If the student fails to hand in their Room Condition Report by the first Coffee Hour, the student will have no basis for an appeal on the state of the room at the end of the year.

If a student is re-assigned by the Office of Student Life during the term, the student must comply with the room check process at the time of reassignment. Upon the resident's departure, the House Chair will complete the original Room Condition Report and will fill out a new one for the space.

Before leaving campus at the end of the academic year, students are encouraged to make an appointment with a House Chair or a member of the Student Life staff to review the condition of the student's individual room against the Room Condition Report generated at the start of the year. After the houses close at the end of the academic year, a House Chair and/or a member of the Student Life staff will check each house and room for damages and all damages or extra cleaning will be billed to the resident(s) of the room. Common area damages will be charged to the whole house or any individual student who has taken responsibility for the particular damage prior to departure.

**Common areas.** Common areas are for the use and enjoyment of all members of the Bennington community. House common areas include, but are not limited to, living rooms, kitchens, hallways, bathrooms, and laundry rooms. House residents are both individually and collectively responsible for the condition of their common areas and the College furniture provided. House common areas are expected to be kept in a clean, healthy, safe, and livable condition.

**Common area inspection.** The Office of Student Life reserves the right to inspect all common areas without notice throughout the term. The House Chairs and/or Student Life staff members, inspect all house common areas before the start and at the end of each academic year to assess the condition of those areas and the status of College property, in addition to regular checks during the term. House residents are accountable for any damage (beyond normal wear and tear), repair or replacement costs, or extra work necessary to restore the house to its original condition.

**Damage and Restoration Charges.** Throughout the year, housing damage bills will be reviewed on a monthly basis with the House Chairs of each house. The House Chairs will have a subsequent discussion with the members of their house at their next Coffee Hour.

The house will have until the end of the year to identify the responsible individual(s). If no individual is identified, the charge will be divided equally among the residents of the particular house and billed equally to each student account.

If residents of a house believe they know who is responsible, they should notify their House Chair, a member of the Student Life staff, or the director of Campus Safety as soon as possible.

Students are responsible for all restoration charges to cover costs of repair or replacement of any damaged (beyond normal wear and tear) or missing items of their particular rooms. If damage is discovered upon first occupation of a room it must be reported immediately. In the case of restoration charges for common areas, the resident(s) responsible will be held accountable whenever possible. If no one is identified as personally responsible for common area damage, the charges will be prorated to all residents of that particular house. In such instances, a notice of the charge(s) will be sent to the House Chairs to discuss with house residents at Coffee Hour.

When College furniture is moved from its designated location the house residents will be held accountable for costs to return each item. If the furniture is damaged in any way, the house residents will be responsible for the cost to repair or replace the items, in addition to the moving fine. If a student removes any common area furniture into their own room, they may be charged a fine for the misappropriation of College-owned property and a moving charge if the College has to move it back.

Confirmed damage charges will be added to a student's bill at the end of the year or after a student graduates/departs from the College.

**Damage Charge Appeals.** Shortly after the end of each academic year, all students will be sent a damage bill, which includes the cost of each individual's room damage as well as the prorated cost of all common area damage. Should a student find a discrepancy in the damage charges, it is the student's responsibility to call or write to the Office of Student Life to request an Appeal form. Students are encouraged to apply for an Appeal in advance of returning to campus. Appeal forms should explain in specific detail the reasons for contesting the charge(s). Appeals will be accepted and reviewed by the Appeals Committee up until the first three weeks of the beginning of the academic year and will notify the student in writing of the Committee's decision. The decision of the Appeals Committee is final, unless the student appealing can provide new or additional information that may change the Committee's decision. Charges being appealed will appear on the student's bill and will be credited or upheld based on the Appeals Committee's decision.

. Over FWT, students in selected houses need to remove all of their personal belongings. Over the summer break, rooms in every house must be completely emptied. Residents will receive information about what is expected at checkout and off-campus storage options in the End-of-Term announcements distributed prior to the end of each term. House Chairs will discuss this information with residents at Coffee Hour.

**Room Keys.** At the start of each term and throughout the room change period, keys are distributed from the Office of Student Life. At other times of the year, keys are issued from the Key Room in Buildings and Grounds.

Each student is expected to sign out a room key before "taking occupancy of the student's space. Failure to sign out a room key within the first three weeks of arrival could result in a fee if a student is inhabiting a room without having a signed key contract with the Office of Student Life. If the room is found unlocked, Campus Safety should be notified. The College urges students to lock their rooms when away and to carry their room keys at all times.

Students will keep their room keys for the duration of the academic year and are responsible for the use of their individual keys. All houses not in use by outside groups during FWT will be locked. Students found accessing their individual rooms or other areas of the College that they do not have permission to enter during FWT will be subject to disciplinary follow-up at the discretion of the College.

Keys must be returned prior to departure at the end of each academic year and an electronic receipt will be provided.

**Expectations for House Events.** House residents who host/ sponsor events or gatherings in their houses are responsible for promoting a violation-free environment and controlling attendance, noise, and cleanup. The College does not sponsor these events. Sponsors must have a majority of the house members agree to hold the event before the event takes place. If the gathering occurs without house consent, the sponsor of the gathering will be held accountable for any violations and damages that may occur during the event. Students must cooperate with Campus Safety if a problem or concern is brought to their attention. If violations occur and/or the house does not cooperate with Campus Safety, Campus Safety may shut down the event. Gatherings or events may not exceed a total of 50 people in combined common areas of the house and all events must end by 2:00 am.

**Right to Enter.** Bennington College reserves the right of College personnel to enter any College building or space within that building, including student rooms, at any time, to respond to an emergency; monitor health and safety standards and/or compliance with College rules and policies; make repairs; perform cleaning, maintenance, or inventory; conduct any inspection or search; enforce College rules and regulations; secure buildings; and for any reasonable purpose as determined by the College. The resident's absence will not prevent such entry, nor is consent required.

**Suspension, Dismissal, or Withdrawal.** Once the Office of Student Life has received notification of suspension, dismissal, or withdrawal, housing assignments of the student are cancelled. The student must vacate the assigned room and return the room key and student ID to the Office of Student Life within the time prescribed by the provost and dean of the college or contained in the disciplinary letter.

The student must retrieve any belongings stored on

campus within five business days of that decision. Property remaining in an assigned space or left on campus after the five-day period is considered abandoned and will be donated to local charities or discarded at the discretion of the Office of Student Life.

### **Door Access System**

Exterior entrances of all student residence houses are locked at night between 11:00 pm and 7:00 am daily. All major residential houses are equipped with exterior door access control.

- Cards lost or stolen during normal business hours (9:00 am-5:00 pm, Monday through Friday) should be reported immediately to the Help Desk at [helpdesk@bennington.edu](mailto:helpdesk@bennington.edu) or Information Technology, Dickinson 225.

After normal business hours, students should immediately report missing cards to Campus Safety.

- During weekends and in the evenings, a temporary courtesy card will be provided by Campus Safety. This temporary card will expire at the end of the first business day. Lost cards will be deactivated and students will be required to purchase a new card, at the cost of \$15, by emailing the Help Desk at [helpdesk@bennington.edu](mailto:helpdesk@bennington.edu) and picking up the new ID card in Information Technology, Dickinson 225.
- Courtesy cards must be returned to the Campus Safety on the next business day. If the courtesy card is not returned, an additional charge of \$15 will be incurred.

**Note:** Personal guests of students, faculty, or staff members are not eligible for temporary access cards.

### **Replacement Card Costs**

Replacement cards cost \$15. This replacement card will be issued to the student only after the original card has been rendered inoperable from the system. No person may possess two operable cards. A new 16-digit ISO number will be issued on the new card and the old ISO number retired from future use.

### **Tampering**

Tampering with any component of the Enhanced Card Access System may result in a fine or disciplinary action. Propping a door open is a breach of the residential security system. This breach will activate both a local alarm (at the door) and an alarm at the monitoring station. Propping a door is considered tampering with the system and the above penalties may be imposed.

## **Dining Services**

### **Student meal plans**

The residential full board plan is a 19-meal per week, per term plan. All students living in traditional campus housing are required to purchase the full board plan.\* This plan can be used in the Dining Hall for breakfast, lunch, and dinner, Monday–Friday, and brunch and dinner on weekends, or in the Student Center Cafe Monday–Friday for lunch and dinner. The Student Center Cafe offers Grab ‘n Go take-away meals to accommodate academic scheduling.

The Lunch-Only Meal Plan is available to off-campus students and residential students who have been approved to be off the full meal plan. This plan provides five lunch/brunch units to be used any day of the week in the Dining Hall or Snack Bar each week. The cost is \$850 per term. Requests to purchase the Lunch-Only Meal Plan should be directed to the Office of Student Life.

Students who have not purchased a meal plan and guests are welcome at any dining location and may pay by cash or credit card at the door.

Declining balances, via the Bennington Card, can be added and used at any dining facility at face value.

A student’s Bennington Card is required for entry to the Dining Hall. At the beginning of each term, students’ ID cards are validated as proof of payment for the board plan. Students must present their ID cards at each meal. If your ID is lost or stolen, you must purchase a new card at the cost of \$15 by emailing the Help Desk at [helpdesk@bennington.edu](mailto:helpdesk@bennington.edu) and picking up the new ID card in Information Technology, Dickinson 225.

Meal plans are nontransferable and noncumulative. Students who attempt to use another student’s meal plan/ID card may be referred to the Student Conduct Committee.

The Student Center Cafe serves beer and wine to persons 21 years of age and older with valid, government-issued ID. Please note that student IDs are not an acceptable form of identification for the purchase of alcohol. Alcohol will not be served to those under 21. Alcoholic beverages may not be brought into or removed from the Student Center.

Unauthorized removal of food or service ware from the Dining Hall or Snack Bar is considered theft and is prohibited and subject to a \$25 fine and possible disciplinary action. Students who are ill or otherwise unable to attend a meal period may contact a College agent (Campus Safety, Dining Services, House Chair, Health Services, etc.) and have a take-out meal arranged. This meal can then be picked up by a House Chair or friend. The person picking up the meal must have the individual’s ID at the time of pickup.

Dining Services food or service ware recovered from student housing is subject to a \$25 fine for each offense and/or possible disciplinary action. Items recovered from common spaces during house inspections will be the responsibility of the house members collectively. If notified 48 hours ahead of time, Dining Services will help facilitate the return of any Dining Hall serviceware without penalty.

Per Vermont Health Code, Dining Services requires patrons to wear proper attire in any foodservice location. This includes pants, shirt, and shoes worn in the intended manner.

\*Students with specific dietary needs, intolerances, or allergies should speak directly with the director of Dining Services and the executive chef to arrange for adjustments and modifications within the existing meal plan. If it is determined through that process that Dining Services is unable to meet a specific need, students should complete the Disability Accommodation Request Form (available at [www.bennington.edu](http://www.bennington.edu) or in the Dean’s Office) to request formal



accommodations or an exemption from the full board plan.

## Buildings and Grounds Policies

The Buildings and Grounds staff works to maintain the campus buildings and grounds for student, faculty, and staff use. The staff includes housekeepers, electricians, plumbers, a boiler technician, carpenters, locksmiths, painters, groundskeepers, movers, supervisors, and office staff. Students can help the Buildings and Grounds staff by reporting any damage or potential problems by calling ext. 4584 during the business day or by reporting problems to Campus Safety, ext. 0 after hours. In addition, each student is responsible for reporting any safety issue to Campus Safety.

**College Furniture.** College furniture may not be removed from individual rooms, common areas, or buildings. This furniture is for the use of all current and future residents and is expected to remain in place throughout the term. If any College furniture is missing at the end of the term, students will be billed for the replacement cost of the missing pieces. Furniture replaced from individual rooms will be billed to the occupants. Common area furniture or equipment replaced will be billed to the individual responsible if that individual is identified. If the responsible individual is not identified, the bill will be prorated among all house residents.

**Personal Furniture.** Students who leave personal furniture in their rooms will be charged a fee for removal. Students who move personal furniture into common areas during the term may be charged a moving fee if the items are not moved back to their appropriate location within 24 hours of notice.

**Trash and Recycling.** Students are responsible for disposing of all their own trash and for placing recycling in the proper outside receptacles.

**Health or Safety Hazards.** Health or safety hazards that come to the attention of Buildings and Grounds or Campus Safety may be reported to the Office of Student Life for follow-up and possible disciplinary action.

## Hazing Policy

Bennington College prohibits hazing, whether by an individual or an organization. The College defines “hazing” as any act committed on- or off-campus by a person, whether individually or in concert with others, against a student in connection with pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization that is affiliated with Bennington College, and that is intended to have the effect of, or should reasonably be expected to have the effect of, humiliating, intimidating or demeaning the student, or endangering the mental or physical health of the student. Hazing also includes soliciting, directing, aiding, or otherwise actively or passively participating in the above acts. All members of the College com-

munity are encouraged to report possible hazing incidents to the dean of students.

Any individual, group, or organization found responsible for hazing will be subject to disciplinary action, which may result in suspension, dismissal, or revocation of College recognition. Consent or acquiescence is not a defense to disciplinary action under this Policy.

The College will report allegations of hazing to law enforcement authorities when, in its judgment, the nature of the allegations suggest that the hazing activity, if it occurred or is occurring, presents a serious risk of harm to students or other persons, or involves a potentially serious violation of law.

## Campus Safety

The Bennington College Office of Campus Safety is located in the small building at the entrance of the main campus, opposite the Barn. The office is open 24 hours a day, 7 days a week.

**Campus Safety (ext. 4250)**  
Emergencies (ext. 767, SOS)  
Non-emergencies (ext. 4250 or “0”)  
From off campus (802) 447-4250

Campus Safety officers have full authority granted by the College to enforce the rules and regulations as outlined in this student handbook. They are not commissioned police officers. Campus Safety officers also have the authority to report violations of state laws, including but not limited to those regulating underage drinking and the use of illegal and controlled substances, all of which are also violations of College disciplinary rules. Campus Safety officers have the authority to detain individuals on campus and to request identification and may contact the Bennington Police Department if suspected criminal activity is observed or reported or if an individual is not authorized to be on campus. The Office of Campus Safety maintains a positive working relationship with the Town of Bennington Police, which assists Campus Safety when requested, but does not conduct routine patrols of College-owned property.

Students are responsible for locking all windows and doors in their rooms, and should report unknown individuals or suspicious activity of any kind to the Office of Campus Safety. Day and overnight guests are allowed in student houses but are limited to six days per month. All students must register their guest(s) with Campus Safety, at which time a pass is issued, with the guest required to leave an ID. This ID is returned when the guest pass is surrendered and the guest departs campus. **Note:** Students are responsible for the conduct of their guest(s) at all times.

**Safety Programs.** Campus Safety programs are coordinated by the Office of Campus Safety. Campus Safety officers are trained in first aid, AED, CPR, blood-borne pathogens, and fire safety.

Programs and seminars for students are normally offered each term regarding such issues as fire safety, personal safety, and protection of personal property. Students are informed of Campus Safety services and of on-and-off campus resources for help, including counseling services, health services, and rape crisis services.

Campus Safety officers conduct a combination of foot and vehicle patrols, but they cannot cover every room of every building around the clock. All members of the College community must be security conscious. If students witness crimes, suspicious activities, or a medical emergency, they should dial ext. 767 (SOS) immediately and be prepared to provide as much information as possible. Doors, windows, locks, lights, or unsafe conditions in need of repair should be reported immediately to Campus Safety. A College Safety Committee periodically reviews matters pertaining to safety on campus and welcomes suggestions from students.

**Bennington College Emergency Response Plan.** The Bennington College Emergency Response Plan is designed to provide a systematic and comprehensive response to a wide range of emergency conditions that might occur on campus. This emergency response plan outlines the procedures necessary to respond to a crisis and to attend to the physical, structural, or technical repairs needed to restore the facilities to optimal functioning. The primary goal of the plan is to respond to any crisis (short term or long term) that affects the safety of the College community.

The Emergency Response Plan calls for a team approach with all emergencies reported to Campus Safety. Depending on the nature of the emergency, Campus Safety may investigate the emergency, activate the Emergency Response Plan, or immediately activate the on-call system. Campus Safety officers are first responders. The on-call administrator determines the level of emergency and activates the Emergency Response Team as necessary.

**Emergencies.** The College uses Send Word Now, an emergency notification system that notifies students, faculty, and staff via phone, email, pagers, etc. of campus emergencies. Campus Safety also activates the College's emergency siren.

Campus Safety should be called immediately in the event of accident, illness, or other emergencies. The emergency number is ext. 767 (SOS); this is an emergency number only and should not be dialed for any other reason. The caller should state the nature of the emergency, the location of the emergency, and the caller's name, and should not hang up until advised to do so by the Campus Safety officer.

**24/7 Access—Dial 767 (SOS) for Emergencies.** Campus Safety can activate, depending on the situation, the following on-call resources:

- On-call Student Life staff member
- On-call College physician
- On-call Psychological Services counselor
- On-call Campus Safety supervisor

**Missing Persons Notification Policy.** Any individual who believes that a currently enrolled student who resides on campus has been missing for more than 24 hours should immediately report this to Campus Safety at extension 767 (SOS).

Following receipt of this notification, Campus Safety will investigate the report, contact the Dean's Office, and determine whether the student is missing and has been missing for more than 24 hours.

If Campus Safety makes a determination that the student is missing and has been missing for more than 24 hours, then within 24 hours after making such determination:

1. Campus Safety will inform the appropriate law enforcement agency.
2. The dean of students or designee will inform the person shown by the College's records to have been designated by the student as the student's contact in case of a missing person report with respect to that student.

If the missing student is under the age of 18 and not an emancipated individual, the College will contact the student's parent or legal guardian immediately after the determination by Campus Safety.

**Note:** Each term it is required that each student acknowledge and/or update the missing person contact information to designate a person to be contacted in the event of a missing person report.

**Student houses.** All student houses are equipped with sprinkler systems, fire extinguishers, heat, carbon monoxide and smoke detectors, and fire alarm systems.

**Fire Drills.** Announced and unannounced fire drills are held once per term. The community is required to cooperate by clearing the buildings as soon as possible. Failure to evacuate during a fire alarm, whether a drill or not, is a violation of College policy.

If there is a fire in a College house, students should meet their House Chairs in Commons Lounge immediately. The House Chairs, working with the Student Life staff and Campus Safety, will help account for students and provide further information.

**In the event of fire:**

1. Pull the red FIRE ALARM box in the building. Everyone should become familiar with the location of these FIRE ALARM boxes.
2. Evacuate the building and proceed to Commons Lounge.
3. Call Campus Safety immediately at ext. 767 (SOS).
4. Campus Safety will respond and check the building and, if appropriate, contact the local fire department

## Fire and Life Safety Policies

The following are violations of Fire and Life Safety Policies:

1. **Setting fire.** This includes intentional or accidental fire,

even those caused by cooking, fireplace use, or smoking anywhere inside a building.

2. **Setting off fire alarms.** This includes intentional or accidental fire alarms.
3. **Failing to evacuate.** When a fire alarm sounds, all occupants must evacuate the building promptly.
4. **Tampering with or misusing fire protection or other life safety equipment.** This includes, but is not limited to: fire extinguishers, FIRE ALARM boxes, fire hoses, emergency exit lights, fire doors and related closures, alarms, sprinkler head obstructions, and smoke, carbon monoxide, and heat detectors.
5. **Possessing and/or using flammable materials.** This includes, but is not limited to: gasoline, lamp oil, campstove fuel, fireworks, AC-powered holiday lights (battery-operated holiday lights are permitted), paint thinners, candles, and incense. This does not include scented oil infusers.
6. **Tampering with wiring.** This includes, but is not limited to: electrical equipment, cable TV, computer wiring, or overloading electrical outlets. Only UL approved, surge-protected extension cords are allowed.
7. **Causing or contributing to a fire safety hazard.** This includes, but is not limited to: obstructing exits, stairwells, hallways (bicycles are not allowed inside buildings), or passageways; storing an excessive amount of waste paper or other waste; having halogen lamps or heat lamps; having ceiling hangings (they may spread fire and smoke more rapidly); covering more than 50 percent of the wall space in an assigned room; or having an excessive number of personal belongings in any College space. Common areas of student houses may have approved personal belongings such as musical instruments and related equipment.
8. **Violations of the Town of Bennington or the state of Vermont Fire Safety Regulations.**
9. **Roofs/Other exterior structures.** Bennington College strictly prohibits anyone from climbing on any College building, tree, or structure. In addition, any student who allows another individual to access the roof or exterior of a building from the occupant's assigned room is in violation of this policy. The College assumes no financial or legal responsibility for injury due to such prohibited acts.
10. **Pools.** Bennington College prohibits pools and or any structure used to collect water.
11. **Weapons, ammunition, explosives, or hazardous material.**  
Any item that, in the opinion of the College or any of its disciplinary agencies, is or appears to be a weapon, ammunition, explosive, or other hazardous material is not permitted in College buildings or on College property. This includes, but is not limited to: guns, paintball guns, bb guns, ammunition, knives, fireworks, and combustible or hazardous material. Students using such material for academic purposes must arrange with their faculty

members or departmental coordinators to store the said material away from College houses in an approved and properly secured space. Campus Safety must be notified of any such material.

12. **Smoking.** Smoking is prohibited inside any building and is limited to designated exterior areas on campus. See the College's Smoking Policy.
13. **Fireplace use.** Fire screens must be employed whenever fireplaces are in use, and the student in charge of the event must take responsibility for the use of the fireplace.
14. **Bonfires.** Bonfires are prohibited without the approval of the director of Campus Safety. Students who wish to have a bonfire in conjunction with an event must register the bonfire through the Office of Student Life at least 10 days in advance. Approval for a bonfire is subject to the safety and environmental conditions as determined by the North Bennington Fire Department and the director of Campus Safety.
15. In accordance with fire codes, occupancy is limited to eight people per room, regardless of room size.
16. Gatherings in student rooms where there is not at least one resident present will result in Campus Safety clearing the room of all persons and securing the room door.

#### **Fire Safety Violations.**

1. Tier 1–prohibited item(s); the fine remains dormant contingent upon no further fire safety violations for the current academic year. Any fire safety sanction within same academic year by individual or same residential shared room, both sanctions will be applied. The following infractions are included in this tier: smoking in a building or smoking within 30 feet of a door or window; possessing prohibited items and or appliances in residential rooms including but not limited to the following; lit and unlit candles; incense; heat lamps; hot pots; coffee pots; air conditioners; toasters; toaster ovens; gas stoves; burners, camping stoves; halogen lamps; any appliance, whether listed here or not, that exceeds 1,000 watts; also prohibited is any appliance that is not specifically approved by Underwriters Laboratory (UL), is in poor working condition, is not properly wired or lacks an appropriate cord, or is deemed inappropriate by the director of Campus Safety; failing to evacuate when a fire alarm is activated; possessing or using flammable materials. These are flat-rate fines of \$200 for a violation (not per item).
2. Tier 2–Immediate imposed sanction due to severity and unsafe nature of the violation. This would include but may not be limited to the following: tampering with fire suppression equipment and devices such as: smoke detectors, fire extinguishers, sprinkler systems, fire alarm panels, fire alarm pull stations; starting fires intentionally; activating the fire alarm system intentionally and without probable cause; unapproved fires of any origin including bonfires, campfires, grill fires; any other fire code violation not listed here the college deems severe in nature. These fines are \$500.

**Kitchens and Cooking.** The College provides kitchens in each of the College houses for student use. Students are expected to take responsibility for their use of the kitchens, food, or other personal belongings. Students who use the kitchens are responsible for appropriate use, cleaning up, and for disposal of food and trash. Report any problems or concerns to your House Chair immediately. The kitchens in the College houses are not meant to replace the dining halls, but are provided for student enjoyment and convenience. Cooking is not allowed in any other space in the College houses.

**Electricity Safety.** Each College house is adequately equipped to handle the normal volume of electricity demanded by the student body. However, to prevent electrical overload and to avoid the hazards that arise from such an overload, some appliances are permitted while others are not.

**Permitted Appliances.** Appliances permitted include computers, computer equipment, stereos, TVs, VCRs, DVD players, clock radios, hair dryers (not exceeding 1,000 watts), small fans, refrigerators less than 3 cubic feet, and lamps with incandescent bulbs of 60 watts or less.

**Prohibited Appliances.** Appliances prohibited include air conditioners, any appliance with an exposed heating element, hot plates, toasters, toaster ovens, gas stoves or burners, camping stoves, halogen lamps, and any appliance, whether listed here or not, that exceeds 1,000 watts.

Also prohibited is any appliance that is not specifically approved by Underwriters Laboratory (UL), is in poor working condition, is not properly wired or lacks an appropriate cord, or is deemed inappropriate by the director of Campus Safety or Facilities Management; such appliances must be removed from College spaces.

When in doubt as to whether or not an appliance is allowed on campus, students should ask the director of Campus Safety or director of Facilities Management for clarification.

**Smoking Policy.** The College's smoking policy complies with Vermont State law. Smoking is prohibited in all indoor areas at Bennington College, including but not limited to: classrooms, offices, dining halls, common spaces, hallways, bathrooms, rehearsal rooms, and studios. Smoking is also prohibited in all student houses. The areas within 30 feet of entryways, exits, windows, and balconies of all buildings are also designated as nonsmoking areas. Evidence of violating the smoking policy includes any smoking material such as cigarette butts, cigar butts, and ashtrays or other items that contain ashes.

**Guest Policy.** Students may have up to two guests on campus at any one time. Guests must be registered, by the student host, at the Office of Campus Safety at the time of the guest's arrival on campus with proper ID as described below. Guests, including alumni and former students (except when attending public performances), must present a photo

ID and receive a visitor's pass. Access to student houses is restricted to current students and their signed-in guests.

Note: The College reserves the right to limit or deny guests and may revoke guest or hosting privileges for any reason, at any time for any reason, including, but not limited to, violation of this guest policy or any College regulation or policy.

**1. Hosting a guest.** Only current students of the College can serve as hosts for guests. Students are responsible and accountable for the conduct of their guests at all times. Guests must comply with all College policies and regulations. The student host may also be subject to College disciplinary action if his or her guest violates a College regulation or policy. Student hosts must be with their guest and not allow the guest to move freely about the campus on their own. Hosts may not have guests (including alumni and former students) prior to the date that returning students move into the houses at the start of the fall and spring terms. Guests are not allowed after the last day of classes. Guests may accompany students into College facilities, but are not permitted to use College supplies for their own personal use. Only residential students may sign in overnight guests. Guests of non-residential students must depart campus by 2:00 am. Guests are not allowed to take up residence on campus, and overnight and/or day visits are limited to six days per month. A day visit is quantified as a minimum of one hour and a maximum of 24 hours. Guests may not stay the last six days of one month followed by the first days of the next month. There must be at least 10 days between such visits. Any request for an extension of the six-day limit must be approved by the director of Campus Safety in consultation with Dean's Office staff.

**2. Alumni guests.** Alumni are allowed to visit campus for unlimited day visits without being signed in. Alumni guests are not allowed in student housing at any time unless signed in as a regular guest. After 8:00 pm, alumni must be signed in by a current student and are limited to six overnight visits per month.

**3. Parents.** Parents who plan to visit campus should arrange to stay off campus in town and may not stay in student housing.

**4. Group Performance Visitation Policy.** Groups such as bands who wish to perform at Bennington College must sign in as guests of a single host supplying proper photo ID to Campus Safety. Upon completion of the performance, the members must return to Campus Safety and either leave campus or sign in again following the regular individual guest policy.

**Pet/Animal Policy.** The College has established strict policies regarding the presence of pets and animals on campus. While the College appreciates the special nature of the owner/pet relationship, the College is a workplace and residence for many and as such, the welfare of the entire community

must be considered paramount. **With the exception of small fish, service animals, and approved emotional support animals (ESA), the College prohibits any person from bringing or keeping pets or animals of any kind in student residences or any administrative, service, or academic building. Pets are not allowed in such facilities as classrooms, libraries, studios, food service areas, administrative spaces, or public access areas.** Students who need to request an accommodation for an ESA in campus housing should contact the assistant dean for students at 802-440-4330. Individuals found in violation of the pet policy will be fined \$200 and will be given 48 hours to remove the animal from campus. It is the responsibility of the individual to provide proof (verbal and written) to the director of Campus Safety, or his designee, that the pet has been removed; Campus Safety will also re-inspect the room to ensure compliance. If the pet has not been removed within 48 hours, a subsequent fine of \$50 per additional day will be assessed. The individual may also be subject to disciplinary actions. The Office of Campus Safety will arrange (with or without notice) to remove from the campus pets or animals that are in violation of policy. Should external assistance be used to remove a pet, the owner will be responsible for any cost incurred. Any damage or repairs arising from pets being brought onto or kept on campus by students will be charged to the student. Students are responsible for their guests' compliance with the College's policy and will be held accountable for reimbursement of any damage or any costs incurred by the College related to violations. Animals of unknown ownership roaming loose on the campus will be taken to the local animal shelter. Dogs temporarily brought onto the campus by residents, employees, or visitors must be in the full control of their owner or other custodian. All dogs are to be on a leash at all times. Under no circumstances are dogs allowed to run loose or to be tied to buildings, handrails, trees, bicycle racks, or other objects. Infractions or complaints are to be brought to the attention of Campus Safety.

**Emotional Support Animal (ESA) Policy.** The College recognizes the importance of service animals, as defined by the Americans with Disabilities Act Amendments Act (ADAAA), and the broader category of "Assistance Animals" under the Fair Housing Act. An "Assistance Animal" is not a pet. It is an animal that provides physical and/or emotional support to individuals with disabilities. The College allows individuals with disabilities the use of a service animal on campus to facilitate their access to and participation in the College's programs and activities. The College is also committed to allowing approved emotional support animals (ESAs) necessary to provide individuals with disabilities an equal opportunity to enjoy and use College housing. This policy explains the specific requirements application to an individual's use of an approved ESA in College housing. This policy applies solely to emotional support animals which may be necessary in College housing. It does not apply to service animals as defined by the ADAAA.

The College has established strict policies regarding the presence of pets and animals on campus. The College will, however, consider a request by an individual with a disability for reasonable accommodation from the no Pet/Animal policy to allow an ESA in College housing that is necessary because of a disability and reasonable. Individuals wishing to request such an accommodation must complete the Disability Accommodation Request form. Please see page 2 for more information on requesting accommodations.

### **Definitions**

**Emotional Support Animal (ESA).** "Emotional support animals (ESAs)" provide assistance, or perform physical tasks for an individual with a disability and/or provide necessary emotional support to an individual with a mental or psychiatric disability that alleviates one or more identified symptoms of an individual's disability, but which are not considered Service Animals under the ADAAA. Some Assistance Animals are trained, but they can also provide support to individuals with disabilities without any formal training or certification. Any animal may serve a person with a disability as an ESA.

**Owner.** The "Owner" is the individual who has requested the accommodation and has received approval to bring an ESA into College housing.

### **Access to College Facilities by Emotional Support Animals (ESAs)**

An ESA must be contained within the Owner's privately assigned living accommodations except to the extent the individual is taking the animal out for natural relief. When an ESA is outside the owner's assigned living accommodations, it must be in an animal carrier or controlled by a leash or harness. ESAs are not allowed in any College facilities other than the College housing to which the owner is assigned. No owner shall permit the animal to go loose or run at large. If an animal is found running at large, the animal is subject to capture and confinement and immediate removal from College housing.

### **Owner's Responsibilities for Emotional Support Animal (ESA)**

If the College grants the Owner's request to live with an ESA, the Owner must meet the following requirements:

1. The Owner must abide by current town, county, and state ordinances, laws, and/or regulations pertaining to licensing, vaccination, and other requirements for animals. It is the Owner's responsibility to know and understand these ordinances, laws, and regulations. The College has the right to require documentation of compliance with such ordinances, laws, and/or regulations, which may include a vaccination certificate. The College reserves the right to request documentation showing that the animal has been licensed.

2. The Owner is required to clean up after and properly dispose of the animal's waste in a safe and sanitary manner.
3. The Owner is required to ensure that the animal is well cared for at all times. Any evidence of mistreatment or abuse may result in immediate removal of the ESA and/or discipline for the responsible individual.
4. The Owner is not required to pay a fee or surcharge for an approved ESA; however, the Owner may be charged for any damage caused by their ESA beyond reasonable wear and tear to the same extent that other individuals are charged for damages beyond wear and tear.
5. The Owner's living accommodations may be inspected for fleas, ticks, or other pests if necessary as part of the College's standard or routine inspections. If fleas, ticks or other pests are detected through inspection, the residence will be treated using approved fumigation methods by a College-approved pest control service. The Owner will be billed for the expense of any pest treatment above and beyond standard pest management in the residence halls. The College has the right to bill your account for unmet obligations under this provision.
6. The owner must fully cooperate with College personnel with regard to meeting the terms of this agreement and developing procedures for care of the ESA (e.g., cleaning the animal, feeding/watering the animal, designating an outdoor relief area, disposing of feces, etc.)
7. ESAs may not be left overnight in College housing to be cared for by any individual other than the Owner. If the Owner will be absent from assigned living accommodations overnight or longer, the animal must accompany the Owner. The Owner is responsible for ensuring that the ESA is contained, as appropriate, when the Owner is not present during the day while attending classes or other activities.
8. The Owner will abide by all equally applicable residential policies such as assuring that the animal does not unduly interfere with the routine activities of the house or cause difficulties for individuals who reside there.
9. The ESA is allowed in College housing only as long as it is necessary because of the Owner's disability. The Owner must notify the Assistant Dean for Students, who serves as the disability services coordinator for housing accommodations, in writing if the ESA is no longer needed or is no longer in residence. To replace an ESA, the new animal must be necessary because of the Owner's disability and the Owner must submit a new Disability Accommodation Request form when requesting a different animal.
10. College personnel shall not be required to provide care or food for any ESA including, but not limited to, removing the animal during emergency evacuation for events such as a fire alarm. Emergency personnel will determine whether to remove the animal and may not be held responsible for the care, damage to, or loss of the animal.
11. The Owner must provide written consent (see Acknowledgement and Release of Information Consent Statement

below) for the College to disclose information regarding the request for and presence of the ESA to those individuals who may be affected by the presence of the animal including, but not limited to, Student Life personnel and potential and/or actual roommate(s)/neighbor(s). Such information shall be limited to information related to the animal and shall not include information related to the individual's disability.

12. The College may require the Owner to remove the animal from College housing if:
  - a. the animal poses a direct threat to the health or safety of others or causes substantial property damage to the property of others
  - b. the animal's presence results in a fundamental alteration of a College program;
  - c. The Owner does not comply with the terms set forth above; or
  - d. the animal or its presence creates an unmanageable disturbance or interference with the College community.

The College will base such determinations upon the consideration of the behavior of the particular animal at issue, and not on speculation or fear about the harm or damages an animal may cause. Any removal of the animal will be done in consultation with the assistant dean for students, who serves as the disability services coordinator, and may be appealed to the associate provost and dean of studies, who serves as the College's ADA/Section 504 compliance officer.

Should the ESA be removed from the premises for any reason, the Owner is expected to fulfill their housing obligations for the remainder of the housing contract.

**Solicitation.** Soliciting is not allowed in College houses and is only allowed on campus with permission from the director of Campus Safety.

**Motor Vehicle Regulations.** All vehicle and traffic laws promulgated by the state of Vermont are effective on the Bennington College campus. Vehicles in operation must be licensed, registered, insured, equipped, and otherwise legal to operate in the state of Vermont.

All motor vehicle accidents that occur on campus must be reported promptly to Campus Safety. Motorists are reminded that leaving the scene of an accident or failure by a motorist to file a Report of a Motor Vehicle Accident is a violation of Vermont law.

In addition to state law, the College also has campus-wide motor vehicle rules and regulations, which are enforced by Campus Safety. Anyone who violates a College motor vehicle rule or regulation may be prohibited from driving on campus. The College also may ban a specific vehicle from campus.

## **Motor Vehicle Rules and Regulations, and Parking Permits**

1. All motor vehicles operated and/or parked on the College campus must be registered with Campus Safety and must comply with the Parking Rules and Regulations, available at the Office of Campus Safety.
2. A parking sticker is provided at a cost of \$140 per academic year upon presentation of a valid driver's license, state registration, proof of insurance, and a completed application. Residents of Welling Town House, Shingle, and Long Meadow are not subject to the \$140 fee but must still register all vehicles with Campus Safety.
3. Vehicles must also have a valid inspection sticker.
4. Parking stickers do not guarantee the availability of a parking space in every lot at all times.
5. All campus roads are fire lanes, which must be kept clear at all times. Cars parked in fire lanes are subject to ticketing and/or towing.
6. Unregistered (no current College parking decal) vehicles will be ticketed; repeat offenders may have their cars towed at their expense.
7. Vehicles must be parked only in areas to which they are assigned.
8. Drivers responsible for multiple violations totaling \$250 or more in the current academic year will be subject to disciplinary referral.
9. Parking ticket appeals should be addressed to the director of Campus Safety and must be made in writing within five days of the date of the ticket.

**Speed Limits.** No vehicle shall be operated at a speed above the posted speed limit. Violators may be subject to suspension of driving and parking privileges.

**Reckless Driving.** Reckless driving, as determined at the discretion of Campus Safety, is prohibited. Examples of reckless driving include, but are not limited to: being or appearing under the influence of alcohol or drugs, driving at an excessive rate of speed (per posted speed limits or for campus conditions), failure to yield to pedestrians, and driving across lawns. Violators may be subject to suspension of driving and parking privileges, and local authorities may be notified.

**Van Policy.** The College has three vans: one van provides regular service into town and to nearby Williamstown, MA on weekends so that Bennington students may use the Williams College library; the two other vans are used for academic or co-curricular events involving members of the College community. Vans may not be used by individuals for personal activities. On occasion, vans may be needed for health emergencies; such emergencies have priority over all other activities.

Recognized student organizations may reserve a van for field trips. Organizations must seek approval from the Office of Student Life prior to reserving the van with the assistant director of Campus Safety. The expenses of hiring a van

driver will be charged to the organization's account.

**Please note:** There is a 200-mile limit for trips. If the round trip is beyond 200 miles, the trip must first be approved by the director of Campus Safety or his designee. For further information, students may contact Campus Safety at ext. 4250.

**Please note:** All drivers of College vans must be pre-approved by the director of Campus Safety and the Human Resources Office and successfully complete a road test and an online defensive driving course under the supervision of the associate director of Campus Safety.

## **College Policy on Alcohol and Drugs**

Bennington College students are required to comply with state and federal law and College policies regarding alcohol and other drugs. Any student involved in the illegal use, abuse, possession, sale, or distribution of alcohol, drugs, or drug paraphernalia; or who is cited in a police and/or Campus Safety Report involving such an offense; or whose behavior the College believes indicates alcohol or illegal drug abuse; or who violates any of the College's alcohol regulations or commits any of the drug or alcohol offenses described below, is in violation of the College Policy on Alcohol and Drugs.

If a student is determined to have violated the College Drug and Alcohol Policy, Campus Safety will issue a written infraction notice and submit a report to Student Life. The student will be required to meet with the dean of students who will either determine an appropriate sanction or make a disciplinary referral to either the Judicial Committee or the Administrative Review Committee. Alcohol or drug use or abuse is not an excuse for other unacceptable behavior or for acts violating other College policies or regulations. The association of mind- or mood-altering substances with such behavior/ acts may be considered an exacerbating factor, not a mitigating one, in the disciplinary process.

If a student is determined to have violated the College Policy on Alcohol and Drugs, the dean of students or designee may require a substance abuse assessment (through an outside agency). The student will bear the cost of this assessment. The student may be required to seek treatment as a result of the assessment.

**Support and Counsel.** Alcohol and drug abuse can present serious legal and medical problems. The College encourages any student with alcohol- or drug-related problems to seek assistance from appropriate College services or private agencies. The educational, counseling, and referral services of the Health and Psychological Services staff are available to those experiencing difficulty with the use/abuse of alcohol and/or drugs. These services are available to the user and to those students whose lives are affected by the use/abuse of others. The use of Health and Psychological Services for alcohol or drug abuse advice or referral is confidential. Confidentiality will be maintained unless otherwise required by law. Health and Counseling Services can provide information about Alcoholics Anonymous,

Narcotics Anonymous, Al Anon, and Adult Children of Alcoholics groups and can assist students who are interested in attending meetings either on campus or in the local community.

**24/7 Access—Dial 767 (SOS) for Emergencies.** Campus Safety can activate, depending on the situation, the following on-call resources:

- On-call Student Life staff member
- On-call College physician
- On-call Psychological Services counselor
- On-call Campus Safety director

Individuals are also encouraged to seek support and advice from the following resources:

- AA meetings (447-1285)
- Al Anon (AA) (447-1285)
- United Counseling Services (442-5491)
- Southwestern Vermont Medical Center ER (442-6361)
- Turning Point Club (442-9700)

**Alcohol Policy.** The College Alcohol Policy is intended to encourage lawful and responsible decision making on the part of all Bennington College students. It is intended to be consistent with state and federal law; to stress moderation, safety, and individual accountability for those who choose to drink lawfully; to prevent alcohol abuse and its effects; to provide information and education for all community members; and to provide confidential advising and counseling for those with concerns related to alcohol use and alcoholism.

### Alcohol Regulations

1. Only persons of legal drinking age under Vermont State law (21 years of age) may consume or possess alcohol.
2. Selling and/or providing alcoholic beverages to an individual who is under the age permitted (21) to consume them by the state of Vermont is prohibited.
3. Kegs of beer, beer balls, or any container capable of holding more than 144 ounces of alcohol (the equivalent of a traditional 12 pack) are prohibited.
4. Alcohol games are not permitted. Consumption of alcoholic beverages or possession of an open container of alcohol is prohibited in common areas of student houses, nonresidential College buildings, and out of doors except at authorized College events (under the auspices of Dining Services).
5. Operating a motor vehicle on campus while under the influence of alcohol as determined by Campus Safety is prohibited.
6. The use of a false ID, the ID of another person, or falsifying one's ID for the purpose of purchasing alcohol is prohibited.
7. Publicity and posters for College functions and/or private parties may not mention alcohol or imply that it will be available.

Specific alcohol regulations regarding gatherings in student rooms:

1. Each resident of the room is responsible for events or guests in his or her room and for abiding by Vermont State law and College policies regarding the use of alcohol.
2. Gatherings in student rooms where there is not at least one resident present may result in Campus Safety clearing the room of all persons and securing the room door.

Alcohol-free rooms (at least one occupant is under the legal drinking age of 21):

1. Alcohol is prohibited in any student room where one or more of the occupants is under the legal drinking age of 21.
2. Visitors, including guests, students, family members, or alumni may not bring alcohol into a room occupied by people under the age of 21.

Alcohol-permitted rooms (all occupants are of the legal drinking age of 21).

1. Alcohol is permitted in student rooms where all occupants and persons present (guests, other students, etc.) are of the legal drinking age of 21.
2. Underage persons are not allowed to possess alcohol at any time in any location. When violations are observed, regardless of the source of the alcohol, all occupants will be held accountable and subject to disciplinary action for supplying alcohol to minors, and the underage students will also be subject to disciplinary action.

**Drug Policy.** The use, sale, possession, or distribution of illegal drugs or drug paraphernalia; the misuse or abuse of prescription drugs; or the attempt to commit any of the previously listed acts, is a violation of College policy. Any student in violation of this policy will be subject to disciplinary action.

The College will cooperate fully with local, state, and federal law enforcement agencies in the investigation and prosecution of illegal drug use and distribution. Federal regulations require revocation of federal student aid to anyone prosecuted and convicted of a drug offense.

### Nondiscrimination Policy

Bennington College is committed to a policy of nondiscrimination as defined under applicable state and federal laws, including but not limited to Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities. The College does not discriminate in its programs and activities on the basis of race, color, age, sex, religion, disability, national or ethnic origin, sexual orientation, gender identity, HIV test, or any other legally protected status. Complaints of any type of unlawful discrimination that do not fall within the Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking Policies and Procedures should be directed to the director of Human Resources, whose office is located at Barn 102, whose telephone number is 802-440-4423, and whose email address is hfaley@benning-



ton.edu. The director of Human Resources shall adjudicate any complaint of unlawful discrimination in a prompt and equitable manner, which will permit the complainant to make a written submission, to respond to any submission by the person complained against, to be given a written decision by the director of Human Resources, and to take a written appeal to the vice president for finance and administration, whose decision, which will be rendered in writing, will be final. Except in extraordinary circumstances, such grievance shall be determined by the director of Human Resources within 60 days of the filing of the complaint.

**Please note:** Any complaint determined by the Title IX coordinator to fall within the jurisdiction of the Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking Policies and Procedures must be brought pursuant to that policy.

## Information Technology Policy

The College makes certain computing and network resources available to its students. Currently, these resources include, but are not limited to: wired and wireless network connections, shared computer labs and devices, software for educational use, and services for email, printing, storage, and information access. This policy for the College computing and network resources also applies to the information held on any computers and storage devices provided by the College or connected to its network. These resources and information are to be used in a manner consistent with College policy and the law.

You may only use information resources for which you have authorization. You may not use another individual's account or attempt to acquire other users' passwords. You may not attempt to access, alter, deface, destroy, or remove restricted portions of the network, computing equipment, an operating system, security software, applications, or databases without authorization. You may not scan or monitor network transmissions.

You may only connect devices (e.g., desktop and laptop computers or printers) to the network at approved points. Equipment that extends or modifies the network, such as routers, switches, or hubs, must not be connected unless specifically approved by the IT Department. You must not use hardware, software, or processes that disrupt the College system or other computer or network users, or that degrade performance of any part of a system.

You must abide by all applicable federal, state, and local laws including, but not limited to: those concerning copyright, the protection of intellectual property, and illegal pornography. You may not use, copy, or distribute copyrighted works, including but not limited to, music, videos, games, images, or software unless you have the legal right to do so. You are required to comply with all contractual and licensing agreements that apply to resources the College has purchased and made available for your use.

You may not use the computing and network resources

for any activity that would jeopardize the tax-exempt status of the College, for political purposes, or for personal economic gain. You may not use computing and network resources to libel, slander, harass, or threaten any other person.

You are expected to respect the privacy of others, and you are prohibited from accessing another user's email, data, or programs without explicit permission from that user. The College reserves the right to access and review information transmitted on the network or stored in its systems without prior notice.

Students found in violation of any part of the Information Technology Policy will be subject to disciplinary action.

## Policy on Email for Official College Communications with Students

Electronic mail (email) is an official College communication mechanism with students. Along with other forms of campus communications such as campus mail, students are responsible for receiving, reading, complying with, and responding to email communications from the College.

All students must register for a Bennington College network ID and email address at [register.bennington.edu](http://register.bennington.edu). All official College communications will be sent to this email address. Students who do not register for this network ID will not receive official College email. Because some official College communications may be sent solely via email, this means such students will not receive all necessary information from the College.

The College provides several mechanisms so that students may access their official Bennington email accounts. Although students may also forward their email from their official Bennington email address to another email address, they do so at their own risk. Bennington College is not responsible for the student's receipt of any email forwarded to another email address.

Faculty may assume that a student's official College email is a valid mechanism for communicating with a student, and faculty may use email for communicating with students registered in their classes. This policy ensures that all students are informed of course requirements communicated to them by email from their course instructors. Students must submit coursework according to the acceptable guidelines established by their instructors.

**Please note:** A student's failure to receive or read in a timely manner College communications sent to the student's official email address does not absolve the student from knowing and/or complying with the content of the communication.

## Family Educational Rights and Privacy Act (FERPA) Annual Notice

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their "education records." **Note:** The term "education records" as used in this Notice is defined as in FERPA and subject to all exceptions and limitations stated therein. 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 the academic department, or other appropriate official, a written request that identifies the record(s) the student 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 the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. A student who wishes to ask the College to amend a record should write the College official responsible for the record, clearly identify the part of the record the student wants changed, and specify why it should be changed. If the College decides not to amend the record as requested, the College will notify the student in writing of the decision and the student's 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 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 20202-5901
4. The right to provide written consent before the College discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent in certain situations. For a complete copy of FERPA listing all such exceptions, please request this from the Dean of Studies' Office. The following is a description of some of those exceptions:

The College discloses education records without a student's prior written consent under the FERPA exception for 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 campus safety personnel and health staff); a person or company with whom the College has contracted as its agent to provide a service instead of using College employees or officials (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a 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 responsibilities for the College. Upon request, the College also discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

The College may in its discretion disclose education records without the student's consent to the parents of a student who is a dependent upon one or both parents for U.S. federal income tax purposes, as defined in Section 152 of the Internal Revenue Code of 1954. A form certifying tax dependency/ non-dependency is provided to each entering student. The designation made by the entering student will remain in effect for the duration of the student's time at the College, unless the student notifies the College in writing of a change in tax dependency or unless a parent provides documentation to the contrary. Supporting documentation satisfactory to the College may be required at any time. The College must be notified immediately of any change of a student's dependent status.

As permitted by FERPA, "directory information" may be disclosed by the College for any purpose at its discretion. Bennington College designates the following categories of student information as public or "Directory Information":

- Name
- Campus address and email
- Campus telephone number
- Dates of attendance
- Class
- Previous institutions attended
- Major field of study
- Awards
- Honors
- Degree(s) conferred (including dates)
- Past and present participation in officially recognized sports and activities
- Date and place of birth
- Photograph

Currently enrolled students may withhold disclosure of "Directory Information" in whole or in part by notifying the assistant registrar in writing within two weeks after the first day of classes for each term. Forms for this purpose are available in the Dean's Office. The absence of such a prior written request from any student to withhold all or any category of "Directory Information" permits disclosure in the College's discretion.

Students may have copies made at their expense of their Bennington-generated records with certain exceptions, e.g., a copy of the academic record for which a financial "hold" exists, or a transcript of an original or source document that exists elsewhere.

Students may not inspect or review the following as provided by FERPA: financial information submitted by their parents; confidential letters and recommendations associated with admission, employment, job placement, or

honors, to which they have waived their rights of inspection and review; or education records containing information about more than one student, in which case the College will permit access only to the part of the record that pertains to the inquiring student. The College is not required to permit students to inspect and review confidential letters and recommendations placed in their files prior to January 1, 1975, provided those letters were collected under established policies of confidentiality and were used only for the purposes for which they were collected. In addition, "education records" do not include records of instructional, administrative, and educational personnel that are in the sole possession of the maker thereof and are not accessible or revealed to any individual except a temporary substitute, records of campus safety, health records, employment records, or alumni records. Health records, however, may be reviewed by physicians of the student's choosing.

Questions concerning FERPA may be referred to the Registrar's office.

## HIV/AIDS Policy

Bennington College seeks to provide academic programs, support services, and social/cultural activities to all enrolled students without regard to Human Immunodeficiency Virus (HIV) infection and Acquired Immune Deficiency Syndrome (AIDS). The College is committed to the following policy statements that serve as a framework for handling situations involving HIV infection:

1. Health-related information, including HIV status, when voluntarily provided by employees or students, will be kept in confidence in the affected person's medical records at the Health Service, or the Personnel Office in the case of staff.
2. Release of confidential health records will only occur with written consent of the individual to whom the re-

ords pertain, except as otherwise required by law.

3. Students, faculty, and staff should be allowed to participate in all aspects of campus life that do not directly endanger others as long as they are mentally and physically capable of meeting the requirements of their position.
4. HIV infection will not be a factor in the admission or hiring process for the College. Likewise, promotions and advancement of faculty, staff, and students, respectively, will not be affected by HIV status.
5. The College Health Services recommends that all students notify them of personal history of HIV infection, in the hope of improving medical care to those individuals, including early notification of significant communicable diseases on campus, which might pose a special threat to immunosuppressed individuals.
6. Information about support services for medically affected individuals is available either on campus or by referral to outside organizations.

# SEXUAL HARASSMENT, SEXUAL MISCONDUCT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING POLICY AND PROCEDURES

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At Bennington College we value individual responsibility, self-exploration, and discovery, as well as focused self-direction. Sexual harassment, sexual misconduct, and other acts covered in this policy subvert the fundamental core of our values and the educational mission of Bennington College and threaten the well-being of students, faculty, and staff. The College is committed to take action, and may be required to take action, if it learns of potential violations of this policy, even, in some instances, if the person subjected to such misconduct does not wish to formally file a complaint.

## Consent Policy

At the foundation of this policy is the understanding that in order to engage in behavior of a sexual nature there must be clear, knowing, and voluntary consent prior to and during sexual activity. Under Vermont law, “consent” to sexual activity is defined to mean “words or actions by a person indicating a voluntary agreement to engage in a sexual act.” For purposes of the College’s Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking Policy, the following is true of consent:

- Consent is informed, active, and freely given and is grounded in rational and reasonable judgment. It requires clear communication between all persons involved in the sexual encounter.
- Consent can be communicated verbally or by action(s). Consent must be mutually understandable by all parties involved in the sexual experience, which a reasonable person would interpret as a willingness to participate in agreed-upon sexual conduct.
- The person initiating the sexual contact is always responsible for obtained consent from their partner(s). It is not the responsibility of one party to resist or communicate “no” to the sexual advances of another.
- Consent is not the absence of resistance. Silence is an inactive behavior and does not constitute consent. If a partner is inactive (for example, silent or physically still) sexual activity must stop until both partners have communicated clearly with each other about what, if any, sexual activity is mutually desired.
- Consent to one form of sexual activity does not imply consent to another form of sexual activity. Each new sexual act requires new consent.
- Consent can be withdrawn by either party at any time.
- Consent at one time and to one sexual act does not imply consent at any other time to that or any other sexual act at a later date and regardless of previous relations.
- Consent to engage in sexual activity with one person does not imply to consent to engage in sexual activity

with another.

- Consent may not be given by minors, when a physical or mental condition is present such that the person cannot knowingly or voluntarily give consent, or by incapacitated persons. A person may be incapacitated as a result of alcohol or other drug use. A person who is unconscious, unaware, or otherwise physically helpless cannot give consent to sexual activity.
- A person will be considered unable to give valid consent, for example, if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation. Individuals who consent to sex must be able to understand what they are doing.
- Imbalance of power (supervisor-supervisee, faculty member-student, etc.) may lead to confusion about consent.

Consent cannot result from force, or threat of force, coercion, fraud, intimidation, incapacitation (due to drunkenness for example), or imbalance of power. The College will use an objective standard when determining incapacitation-related questions; that is, the College will determine whether from the standpoint of a reasonable person, the respondent knew or should have known that the complainant could not effectively consent because he or she was incapacitated.

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.

## Notice of Nondiscrimination on the Basis of Sex

Bennington College is committed to providing an environment free from discrimination as defined under applicable state and federal laws, including but not limited to, Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs and activities. Prohibited sex discrimination includes sex-based discrimination and sexual harassment and sexual misconduct as described in this policy. The College does not discriminate on the basis of sex, nor does it tolerate sexual harassment or sexual misconduct in its education programs or in the employment setting.

The College expects all members of the campus community to conduct themselves in a manner that does not infringe upon the rights of others consistent with Title IX, and in accordance with amendments to the federal Clery Act made by the Violence Against Women Reauthorization Act of 2013. This policy is intended to define community expectations and prohibited conduct regarding issues of sexual

harassment, sexual misconduct, domestic violence, dating violence, and stalking; establish a mechanism for determining when those expectations have not been met; define procedures for responding to incidents of such misconduct; provide resources available to those affected by such behavior; and provide for corrective and remedial action where necessary.

The College is committed to educating our community to effectively identify and reduce the existence of sexual harassment, sexual misconduct, domestic violence, dating violence, and stalking /sexual harassment as defined in this policy and all related laws. This policy reaffirms our commitment to providing a safe and nondiscriminatory working and learning environment.

## Title IX Coordinator

The senior vice president for strategic initiatives is the College's Title IX Coordinator, 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 respond to inquiries regarding sex-based discrimination, sexual harassment, or sexual misconduct, and 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.

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| <b>Title IX Coordinator</b><br>David Rees<br><i>Senior Vice President for Strategic Initiatives</i><br>One College Drive<br>Bennington, VT 05201<br>802-440-4300<br>rees@bennington.edu | <b>Deputy Title IX Coordinator</b><br>Oceana Wilson<br><i>Dean of the Library</i><br>One College Drive<br>Bennington, VT 05201<br>802-440-4600<br>owilson@bennington.edu |
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## General Definitions

### **Complainant**

For ease of reference and consistency, the term "complainant" is used 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.

For purposes of this policy, a complainant is usually a student, employee, or third party involved in some way in an academic, 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 employee respondent.

### **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) who is reported to have violated the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking Policy.

### **Retaliation**

Any attempt by a member of the College community to penalize, intimidate, or retaliate in any way against a person because he or she makes a report or complaint, in good faith, of 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 is prohibited. Such retaliation 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 immediately contact the Title IX Coordinator. Any person who takes such retaliatory actions will be subject to disciplinary action.

## Sexual Harassment Policy

Sexual harassment is a form of sex discrimination, which is illegal under state and federal law, including Title IX of the Education Amendments of 1972, as amended ("Title IX"). Conduct, whether intentional or unintentional, that results in sexual harassment is prohibited and will not be tolerated. This policy applies to the entire College and to the conduct of students, faculty, administration, and staff alike, as well as any third parties participating in the College's programs or activities, regardless of sexual orientation or gender identification.

Bennington encourages members of the College community and covered third parties to report unwelcome conduct of a sexual nature so that the College may investigate reports appropriately, as outlined in the procedures 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, and 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.

### ***The Definition of Sexual Harassment***

Sexual harassment is unwelcome conduct of a sexual nature, and can include, but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature, where:

- Submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or education; or
- Submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting the individual; or
- Such conduct has the purpose or effect of substantially interfering with an individual's academic or work performance or creating an intimidating, hostile, or offensive work or educational environment.

Examples of sexual harassment include, but are not limited to the following:

- 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;
- 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 that 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. Sexual harassment may occur in a setting in which the power inherent in a faculty member's

or supervisor's relationship to his or her students or subordinates is exploited. While sexual harassment most often takes place between persons of unequal power and/or status, it can also occur between equals, i.e., student-student, faculty-faculty, or staff-staff.

In determining whether alleged conduct constitutes sexual harassment, those entrusted with carrying out this policy will look at the record as a whole and at the totality of the circumstances, such as the nature of and the context in which the alleged incidents occurred. Bennington 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. Bennington 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**

Bennington College prohibits conduct by students, faculty, or staff that affects other students, faculty, staff, or covered third parties that constitutes sexual misconduct, domestic violence, dating violence, or stalking, as defined below. The College is committed to take action, and may be required to take action, if it learns of potential sexual misconduct, even, in some instances, if the person subjected to such misconduct does not wish to formally file a complaint.

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. The College also encourages individuals affected by such conduct to seek support from the College and the resources identified here, even if they choose not to pursue a formal complaint with the College.

#### ***Definitions***

The definitions of sexual assault, domestic violence, dating violence, and stalking used in this policy below 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, the Bennington 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.

- **Sexual Misconduct**

Sexual misconduct may include sexual assault, sexual exploitation, or both.

- *Sexual Assault*

Sexual assault may be either rape, fondling without consent, incest, or statutory rape, as defined in 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. Sexual assault can be committed by any person against any other person, regardless of gender, gender identity, sexual orientation, or past or current relationship status. Sexual assault may occur with or without physical resistance or violence.

- *Sexual Exploitation*

Sexual exploitation occurs when a person takes sexual advantage of another person for the benefit of anyone other than that other person without that other person's consent. Examples of behavior that could constitute sexual exploitation include but are not limited to the following:

- Recording or capturing through any means images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nudity without that person's consent;
- Distributing images (e.g., video, photograph) or audio of another person's sexual activity, intimate body parts, or nudity, if the individual distributing the images or audio knows or should have known that the person(s) depicted in the images or audio did not consent to such disclosure and object(s) or would object to such disclosure; and
- Viewing another person's sexual activity, intimate body parts, or nudity in a place where that person would have a reasonable expectation of privacy, without that person's consent, and for the purpose of arousing or

gratifying sexual desire, if the individual viewing the other person's or persons' sexual activity, intimate body parts, or nudity in such a place knows or should have known that the person(s) being viewed would object to that.

Exception: The College's prohibition of sexual exploitation is not intended to prohibit the use of sexually explicit materials that are reasonably related to the College's academic mission. Specifically, this section is not intended to proscribe or inhibit the use of sexually explicit materials, in or out of the classroom, when in the judgment of a reasonable person they arise appropriately to promote genuine discourse, free inquiry, and learning.

- **Domestic Violence** is violence committed by a current or former spouse or intimate partner of the person subjected to the violence;
  - By a person with whom the person subjected to the violence shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the person subjected to the violence as a spouse or intimate partner;
  - 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;
  - 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.
- **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.
- **Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - Fear for the person's safety or the safety of others; or
  - Suffer substantial emotional distress.

For the purposes of this definition—

*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, meth-

od, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

*Reasonable person* means a reasonable person under similar circumstances and with similar identities to the person subjected to the stalking.

*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:

- Nonconsensual communication, including face-to-face communication, telephone calls, voice messages, e-mails, text messages, written letters, gifts, or any other communications that are unwelcome.
- Pursuing, following, waiting for, or showing up uninvited at or near a residence, workplace, classroom, or other places frequented by the person.
- Surveillance or other types of observation including staring or “voyeurism”; gathering information about an individual from friends, family, co-workers; or accessing private information through unauthorized means.
- Threats to harm self or others
- Defamation and/or lying to others about the person, or
- Using a third party or parties to accomplish any of the above.

### ***Consensual relationships***

The College strongly discourages consensual romantic and sexual relationships where an imbalance of power, authority, or influence exists between the parties. While relationships with students are not explicitly prohibited in the College's policy, when the College feels that it is unhealthy for a student or disruptive in general, the College will intervene. While the College respects every individual's right to make personal choices, consensual romantic or sexual relationships between faculty and students, between staff and students, and between supervisors and subordinate employees, are fundamentally imbalanced in nature and raise serious questions regarding conflict of interest. These relationships may be less consensual than perceived by at least one of the parties involved. Individuals who teach, mentor, or supervise exercise power over others, whether in giving them praise or criticism, evaluating them through comments, making recommendations for their further studies or future employment, or conferring any other benefits. Trust and respect are diminished when those in positions of authority abuse this power. It undermines, in fact or by perception, the integrity essential to an effective educational and working environment.

Even when all parties consent at the onset of a romantic or sexual relationship, grounds for a later complaint of sexual harassment, sexual misconduct, or sexual assault may still exist if consent is withdrawn by either party. Individuals

who engage in such relationships may risk both disciplinary action by the College and legal liability. Even in cases where no current direct supervisory or instructional relationship exists, individuals should be sensitive to the constant possibility that a conflict of interest may arise if they are placed in a position of responsibility over an individual with whom they have or have had a relationship.

Faculty members should be aware that any sexual relationship with students, and supervisors should be aware that any sexual relationship with subordinate employees, makes them liable for formal disciplinary action if a charge of sexual harassment or sexual misconduct is lodged against them. A sexual relationship between a faculty member and a student occurring during a period of instructional or advising responsibilities carries a presumption of coercion if a charge of sexual harassment or sexual misconduct is lodged against them, or if disciplinary action is otherwise deemed appropriate by the College. Even when a faculty member and student, or supervisor and subordinate employee, have mutually consented at the outset to the development of such a relationship, it is the faculty member or supervisor who, by virtue of his or her special responsibility, will be held accountable.

**Note:** Consensual romantic and sexual relationships are prohibited between students and employees in Health Services, Student Life, Psychological Services, and Campus Safety, who provide resources and support to individuals who may have experienced sexual harassment or sexual misconduct.

## **Options for Reporting and Confidential Disclosures**

The College encourages individuals who experience an incident of sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking to talk to someone about what happened—so they can get the support they need, and so the College can respond appropriately.

There is no such thing as an “unofficial” complaint of sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking. The College takes all complaints seriously and to that end feels it important, and our legal obligation, to address all such complaints appropriately and as practicable given the circumstances of each case, the complainant's wishes regarding the handling of the complaint, and the College's obligation to maintain a safe campus community.

However, the College also recognizes that individuals who have concerns about sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking may wish to speak to someone without making a formal complaint, and therefore look for assurances of confidentiality. Different employees on campus have different abilities to maintain a person's confidentiality. Some individuals are required to maintain near complete confidentiality; talking to them is sometimes called a “privileged communication.”



Other employees may talk to an individual in confidence, and generally only report to the College that an incident occurred without revealing any personally identifying information. Third, some employees (called “Responsible Employees”) are required to report all the details of an incident to the Title IX Coordinator.

This policy is intended to make students, faculty, and staff aware of the various reporting and confidential disclosure options available to them—so they can make informed choices about where to turn if they are subjected to conduct that violates this policy. Regardless of whether a victim files a complaint with the College or with local law enforcement, the College will provide written notification to students and employees about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other available services, both within the College and in the community. Similarly, when a student or employee reports an incident to the College, whether it occurred on or off campus, the College will provide the student or employee with a written explanation of his or her rights and options.

### ***Leniency***

Sometimes, individuals are reluctant to come forward to report perceived violations of this policy out of fear that they may be charged with violations of Student Conduct standards (for example, underage drinking at the time of the incident). It is of paramount importance to the College that all perceived violations of this policy be reported, so that those affected can receive the support and resources needed. Therefore, in order to facilitate reporting, the College may choose to not charge students who report violations of this policy with violations of Student Conduct standards.

### ***Interim Accommodations***

Regardless of whether a victim of sexual assault decides to report the crime to Campus Security Officers, the Title IX Coordinator, and local law enforcement, the College will take interim measures to promote the safety and general well-being of the parties involved and/or the broader College community, provided the complainant requests them and such protective measures are reasonably available. The College will provide written notification to complainants about options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures, described as follows. These measures will be kept confidential unless maintaining such confidentiality would impair the College’s ability to provide accommodations or protective measures. Such interim measures may include one or more of the following or additional accommodations as determined by the College:

- academic accommodations (i.e., alter academic schedules, withdraw from/retake a class without penalty, access academic support such as tutoring);
- change in housing;
- changing in dining facilities;
- change in work schedules;

- issue no contact orders;
- change in transportation and/or working situations.

### ***Confidential Resource | On Campus***

Select staff within the Psychological Services and Health Services Offices are not required to report any information about an incident to the Title IX Coordinator without an individual’s permission. These individuals are considered to be “confidential resources.” This means that in most cases, these confidential resources will not inform anyone of such communications without a complainant’s consent, and the College will not endeavor to take any 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 living, working, transportation, or course schedules accommodations, 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:**

- Director of Psychological Services  
802-440-4451
- All other clinical staff within Psychological Services  
802-440-4451
- Director of Health Services  
802-440-4426
- All other clinical staff within Health Services  
802-440-4426

If you dial x767 (SOS) on campus or 802-447-4250 from any

non-campus phone, emergency personnel on campus can arrange for you to speak with the Psychological Services on-call counselor or Health Services on-call clinician.

### ***Partially-Confidential Resources | On Campus***

While certain staff may be able to maintain an individual's confidentiality, these individuals have an obligation to provide select details to the College including the nature, date, time, and general location of an incident.

The following are considered to be partially-confidential resources:

- All non-clinical staff within Health Services
- All non-clinical staff within Psychological Services
- Sexual Harassment/Misconduct Process advisors (SHMP advisors), as explained below

Sexual Harassment/Misconduct Process advisors (SHMP advisors) (which include students, faculty, and staff) are appointed by the president or the president's designee. Any member of the Bennington College community who believes that he/she has been subjected to conduct in violation of this policy, or who is responding to such a complaint, may seek the assistance of one of the College's Sexual Harassment/Misconduct Process advisors (SHMP advisors) in any or all of the following respects: (1) The advisor will listen to and discuss the case with the advisee; (2) The advisor will outline for the advisee the possible courses of action open to him or her in those cases under this policy, (3) The advisor may assist the advisee with gathering the necessary documentation to bring a formal complaint or to pursue a complaint through informal resolution or mediation and may accompany the advisee through the College's informal resolution, mediation, and/or formal complaint procedures if the advisee has decided to follow such procedures and wants his or her advisor present.

**Note:** If a sexual harassment/misconduct process advisor determines that there is a threat to the advisee or to others, the advisor must report the incident/concern to the Title IX Coordinator.

### ***Non-Confidential Resources (also called "Responsible Employees") | On Campus***

Most faculty and staff at the College are considered to be "responsible employees." A responsible employee is a College employee who has the authority to address incidents of sexual harassment, sexual violence, domestic violence, dating violence, or stalking and is obligated to report such incidents, or whom an individual 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 maintain confidentiality.** Responsible employees include all College faculty and staff employees, except as defined above in confidential or partially-confidential resources, and all student employees other than Resident Assistants, who are considered to be responsible employees. General inquiries or questions about the Sexual Harassment, Sexual Misconduct, Domestic Violence,

Dating Violence, and Stalking Policy and Procedures do not have to be reported, may remain private, and the College will strive to protect the privacy interests 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, once any responsible employee learns of an incident of sexual misconduct, sexual harassment, dating violence, domestic violence, or stalking, written or unwritten, the responsible employee must immediately notify the Title IX Coordinator of such complaint. The responsible employee must report all relevant details about the incident (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). Such notice to the College generally obligates the College to investigate the incident and take appropriate steps to address the situation. Within the requirements of applicable laws and policy, confidentiality will be observed as practicable.

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, nondiscriminatory environment for all individuals, including the complainant. If the College honors the request for confidentiality, a complainant must understand that the College will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the alleged perpetrator. Although rare, there are times when the College may not be able to honor a victim's request in order to provide a safe, nondiscriminatory environment for all individuals.

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.

### ***Additional Resources | Off Campus***

There are a number of local and national agencies available to provide support to individuals who have experienced sexual harassment, sexual misconduct, dating violence, domestic violence, or stalking. The College can assist an individual with accessing these, and other, resources.

- National Sexual Assault Hotline  
800-656-HOPE
- National Domestic Violence Hotline  
800-799-7233
- Project Against Violent Encounters (PAVE)  
802-442-2111

- Southwestern Vermont Medical Center  
802-442-6361
- United Counseling Services (UCS)  
802-442-5491

Note that an individual is not obligated to notify or utilize any of these resources.

### **External Reporting Options**

In addition to the off-campus resources noted above, complainants may also seek assistance through other external organizations. Making a complaint pursuant to the College's Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking Policy does not foreclose either civil or criminal legal action by the complainant, and a complainant who wishes to consider pursuing such action should seek legal advice. A complainant may simultaneously pursue a criminal complaint and a complaint under these procedures.

A complainant may also file a complaint by writing or calling the following state or federal agencies, as applicable:

- Bennington Police, 118 South Street, Bennington, VT, 05201, phone: 802-442-1030
- Vermont Attorney General's Office, Civil Rights Unit, 109 State Street, Montpelier, VT 05602, phone: 802-828-3171 (voice/TDD).
- Equal Employment Opportunity Commission, 1 Congress Street, Boston, MA 02114, phone: 617-565-3200 (voice), 617-565-3204 (TDD).
- Vermont Human Rights Commission, 133 State Street, Montpelier, VT 05633-6301, phone: 802-828-2480 (voice/TDD).
- Office for Civil Rights (OCR), U.S. Department of Education, 8th Floor, 5 Post Office Square, Boston, MA 02109, phone: 617-289-0111 (voice), 800-877-8339 (TDD).

These agencies can conduct impartial investigations, facilitate conciliation, and, if it is found that there is probable cause or reasonable grounds to believe sexual misconduct or harassment occurred, they may file a charge or a complaint. The Office of the Dean of Students, the Title IX Coordinator, or the Office of Campus Safety will offer to, and will upon request, assist students or employees in contacting law enforcement agencies. 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-con-

tact 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 a person decides to pursue criminal charges or a complaint at the College, individuals 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 a person is unsure initially whether she or he will want to pursue criminal charges or seek a protection order, it is important to preserve all possible evidence in case an individual later decides to do so. Therefore, a person should refrain from changing clothes, showering, or otherwise changing his or her physical state after an incident, until after he or she has consulted with medical personnel about how to best preserve evidence. Any such individual should also consult with College officials, law enforcement officers, or health care professionals regarding his or her ability to have evidence collected by a Sexual Assault Nurse Examiner ("SANE"). Individuals 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. Anyone with questions about how to do this should consult with College officials.

## **College Procedures for Reviewing/ Handling Complaints**

Any member of the Bennington College community or covered third party who believes that he or she has been subjected to sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking by any member(s) of the Bennington College community may, depending on the nature of the alleged misconduct, make use of some or all of these three options: (1) **informal resolution**, (2) **mediation**, or (3) **administrative investigation**. Whichever option(s) the complainant utilizes, Bennington College endeavors to ensure the complainant and respondent are treated in an unbiased manner with dignity, respect, and sensitivity. A complainant may use all three options (subject to limitations noted below), or may bypass the first two options and proceed directly to an administrative investigation. 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.

The complaint process begins by the complainant or other reporting person's making a written or oral complaint with the Title IX coordinator. As explained below, while an initial complaint need not be in writing, a written complaint

will have to be submitted if the complainant wishes to have an administrative investigation conducted. The complaint may be written by the complainant, or dictated to a College official and approved by the complainant. For cases involving complaints against the president, the complainant must file a request with the office of the provost and dean of the college who will transmit the request to the Board of Trustees. The board will proceed from that point in a manner to be determined in its sole discretion.

There is no time limit for the filing complaints. However, prolonged delays in reporting may limit the College's ability to conduct a full and fair investigation. Every effort will be made to investigate and resolve complaints of sexual harassment, sexual misconduct, domestic violence, dating violence, or stalking within a reasonable period of time, which will not exceed sixty (60) calendar days except in extraordinary circumstances, in which event the complainant and the person charged will be notified of the reason and expected duration of the delay.

The College may take any interim emergency measures it deems fit pending the resolution of a complaint, including such measures as are necessary to protect the complainant, the respondent, or third parties.

A person should contact the Title IX Coordinator if:

- a) as a visitor to the College (e.g., a guest of another student a prospective student, or an alumnus or alumna), he or she believes that he or she has been subjected to conduct in violation of this policy by a member or former member of the College community; or,
- b) as a member or former member of the College community he or she believes that, while a member of the College community, he or she has been subjected to conduct in violation of this policy by a vendor, contractor, visitor, or other third party.

The College will investigate and respond as appropriate and practicable, given the nature of its relationship to the parties. 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.

### **Sanctions**

Sanctions for violations of this policy may include one or more of the following:

- Expulsion
- Suspension
- Written Reprimand or Warning
- Verbal Reprimand or Warning
- Separation from employment

- Disciplinary Probation
- Employee or Faculty Probation
- Nonrenewal of contract
- Revocation of honors, awards, or degrees
- Restricted access to College facilities or activities, including student organizations or athletic or intramural participation
- Community Service
- Issuance of a "No Trespass" or "No Contact" Order
- Removal from student housing

In addition, the College may determine that additional remedies are warranted, such as education or training for some or all members of the College community. Although sanctions for violation(s) of this policy can include any form of discipline as stated above, students found to have engaged in sexual, sexual violence, or other forms of serious violence will most likely receive a sanction of suspension or expulsion.

### **Option 1 | Informal Resolution**

- A. Any member of the Bennington College community or covered third party who believes that he or she has been subjected to conduct in violation of this policy by any member(s) of the Bennington College community may pursue a complaint through informal resolution, except that **informal resolution will not be used to resolve complaints of sexual violence.**
- B. Complaints may be written or oral. Once a complaint is made, the Title IX Coordinator will appoint an investigator to investigate the complaint, and, in consultation with the investigator, will determine whether continuing with the informal resolution procedure is appropriate. If the Title IX Coordinator determines that continuing with informal resolution is not appropriate, he or she will notify the complainant in writing. If the complainant wishes to pursue the complaint, he or she may request to proceed with mediation or administrative investigation and review as outlined below. If the Title IX Coordinator decides that continuing with informal resolution is appropriate, then the complainant and the Title IX Coordinator may agree to adopt one of the following courses of action, to be completed within 10 working days of that agreement:
  1. The Title IX Coordinator will attempt an informal resolution of the complaint directly and privately with the respondent.
  2. The Title IX Coordinator and the complainant will seek an informal resolution of the complaint by meeting together with the respondent.
  3. The Title IX Coordinator will appoint someone from the College community who will seek to resolve the complaint informally. This person will meet with both parties, either separately or together.
- C. Each party may be accompanied by an advisor of his or her choice in any stage of this informal procedure. Such persons may, but need not be, chosen from among the

College's Sexual Harassment/Misconduct Process advisors (SHMP advisors).

- D. A complaint pursued through informal resolution will be considered to have been resolved when both parties have signed a statement indicating their acceptance of the outcome of the process, and the Title IX Coordinator (or appointee who has directed the procedure) has also approved and signed the statement. A complaint that has been resolved through informal resolution may not be filed as a formal complaint.
- E. If a complaint cannot be resolved through informal resolution, or if the Title IX Coordinator determines at any point that the case is not appropriate for informal resolution, the Title IX Coordinator will refer the case to mediation or administrative investigation and review as described below.

### **Option 2 | Mediation**

- A. Any member of the Bennington College community or covered third party who believes that he or she has been subjected by any other member(s) of the Bennington College community to conduct in violation of this policy may pursue a complaint through a mediation procedure. Mediation is generally defined as intervention between parties to promote reconciliation, settlement, or compromise. Mediation is different from the "Informal Resolution" procedure outlined above because a neutral, independent, third party (i.e., someone other than the Title IX coordinator) will meet with the complainant and respondent, either separately or together, in order to understand the parties' respective positions, and then attempt to help the parties come to a mutual understanding. **Mediation will not be used to resolve complaints of sexual violence.**
- B. A complaint may be written or oral. Once a complaint is made, the Title IX Coordinator will appoint an investigator to investigate the complaint, and, in consultation with the investigator, will determine whether there are grounds for continuing with the mediation procedure. If the Title IX Coordinator determines that mediation is not appropriate, he or she will notify the complainant in writing. If the complainant wishes to pursue the complaint, he or she may request to proceed with administrative investigation and review as outlined below. If the Title IX Coordinator decides that mediation is appropriate, then the Title IX Coordinator will appoint a mediator who will seek to resolve the complaint using mediation. This person will meet with both parties, either separately or together. Both parties must consent in order for the mediator to meet with both parties together.
- C. Each party may be accompanied by an advisor of his or her choice any stage of this mediation procedure. Such persons may, but need not be, chosen from among the College's Sexual Harassment/Misconduct Process Advisors (SHMP Advisors).
- D. A complaint pursued through mediation will be consid-

ered to have been resolved when both parties have signed a statement indicating their acceptance of the outcome of the mediation procedure, and the Title IX Coordinator (or appointee who has directed the procedure) has also approved and signed the statement. A complaint that has been resolved through mediation may not be pursued through administrative investigation.

- E. If the complaint cannot be resolved through mediation, or if the Title IX Coordinator determines that the case is not appropriate for mediation, the Title IX Coordinator will refer the case to administrative investigation and review as described below.

### **Option 3 | Administrative Investigation and Review**

Any member of the Bennington College community or covered third-party who believes that he or she has been subjected to conduct in violation of this policy by any other member(s) of the Bennington College community or covered third parties may pursue a complaint through an administrative investigation. All proceedings will include a prompt, fair, and impartial process from the initial investigation to the final result. The investigation and decision-making process are conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, and on how to conduct an investigation process that protects the safety of victims and promotes accountability.

Throughout the process, the College will provide the complainant and the respondent with the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. While the College will not limit the choice of advisor or presence for either the complainant or the respondent in any meeting or institutional disciplinary proceeding, the College has established restrictions regarding the extent to which the advisor may participate in the proceedings, as described below.

A written complaint must be filed with the Title IX Coordinator in order to initiate an administrative investigation. This could be prepared in writing by the complainant, or dictated by the complainant to the Deputy Title IX Coordinator, Director of Campus Safety, or the Title IX Coordinator and approved by the complainant. Once a written complaint is filed, the Title IX Coordinator will appoint an investigator to investigate the charges. The Title IX Coordinator, in consultation with the investigator, will determine whether there is sufficient evidence to determine whether a violation has or has not occurred. If it is determined that there is sufficient basis to pursue an investigation, the College will handle the case in the manner described below. Otherwise the Title IX Coordinator will issue a notice of dismissal.

A complaint may also be filed (to be handled through the administrative investigation procedure) by the provost and dean of the college, the associate provost and dean of studies, or the vice president for finance and administration, if it has come to such person's attention that a member of the Bennington College community may have been subjected to

conduct in violation of this policy by any other member of the College community or a covered third party.

In all cases, the final decision of whether to conduct an administrative investigation rests with the Title IX Coordinator. The issuance of a notice of dismissal cannot be appealed. The complainant is free at any time to pursue civil or criminal action against the respondent.

Where there is sufficient basis to pursue an investigation, both parties will receive written notice that an investigation is being conducted. The written notice will include a copy of this policy. The complainant and respondent will be afforded the same rights throughout this investigation.

A “No Contact Order” is normally issued to restrict contact and communication between a complainant and respondent for the duration of the investigation. No contact orders are not disciplinary in nature (though violation of them could result in College discipline). This is in addition to other measures that may be taken as previously outlined, such as changing the living accommodations for one of the parties.

The investigator will conduct a thorough fact-finding investigation (which will conclude with a final report to be reviewed by the Title IX Coordinator to make a determination whether any alleged violation of this policy occurred). The investigation will include meetings with the complainant and the respondent separately, as well as any witnesses to the events that are the basis of the complaint. The investigator may also collect and examine any physical evidence or documents, emails, text messages, etc. that may be relevant to the events in question. At any time during the investigation, the complainant and respondent may provide written statements or other supporting materials that may be helpful to the investigator.

The complainant and respondent are entitled to be accompanied by a support person of their choice whenever meeting with the investigator. Such persons may, but need not be, chosen from among the Sexual Harassment Misconduct advisors (SHM advisors). Advisors can confer privately with their advisee, but cannot act as advocates or address the investigator. At no point will the complainant be forced to be in contact or in the same room as the respondent. The parties will be given periodic status updates throughout the investigation.

Should a respondent who has been notified of an investigation/adjudication fail to cooperate with the investigator, the investigation may proceed, a finding may be reached, and a sanction may be imposed based on the information available.

The complainant may request that the investigation be stopped at any time. Bennington College, in coordination with the Title IX coordinator and the investigator will determine whether the investigation can be terminated, or whether, due to countervailing concerns of campus safety, it is unable to honor the complainant’s request to terminate the investigation.

At the conclusion of the investigation, before the investigator’s report is finalized, the complainant and respondent

will be given the opportunity to review their own statement and, to the extent appropriate, may also be provided with a summary of other information collected during the investigation. The complainant and respondent will then have five calendar days to submit any comments about their own statements, or on any investigation summary that might be provided.

### ***Making a determination***

The investigator will submit a final report to the Title IX Coordinator. The final report will include the investigator’s recommended finding of whether the policy or policies under investigation have been violated, the investigator’s rationale, and investigation materials, including both parties’ written responses and supporting materials, if submitted. The investigator’s recommendation will be based on the preponderance of evidence standard, i.e., whether it is more likely than not that the policy was violated.

After careful review of the full report, the Title IX Coordinator is responsible for making the determination of whether any Bennington policy under investigation has been violated. The Title IX Coordinator’s determination will also be based on a preponderance of the evidence standard, i.e., whether it is more likely than not that the policy was violated. The Title IX Coordinator is not bound by the investigator’s report (rather, it serves to advise) and may accept or reject the investigator’s recommended finding in whole or in part, and may request additional relevant information before making a determination. The Title IX Coordinator may consult with the investigator, the Deputy Title IX Coordinator, and/or other persons at the discretion of the Title IX Coordinator.

Either party may choose to meet individually with the Title IX Coordinator prior to the Title IX Coordinator’s determination. The Title IX Coordinator may also request an individual meeting with either party or any other person(s) as appropriate. This meeting is intended to provide each party with an opportunity to make a brief statement. This meeting is not intended to serve as a hearing or a cross-examination, although the Title IX Coordinator may ask questions as needed.

If the Title IX Coordinator does not find that a violation of this policy has occurred, he/she will so inform the parties, simultaneously and in writing. In such cases, the complainant may appeal the decision within five working days to the dean of the college on the grounds, and pursuant to the procedures, set forth below.

If the Title IX Coordinator finds that a violation of this policy has occurred, a written notification recommendation is sent to the associate provost and dean of studies, or his or her designee. This notification includes recommended sanctions (if any).

In those cases in which the Title IX Coordinator recommends that disciplinary action against a student should be imposed, it may recommend an appropriate sanction, up to and including expulsion from the College. This recommendation will be made to the associate provost and dean of

studies, or his or her designee, who will decide the case and may implement, modify, increase, or suspend the recommended sanctions. The associate provost and dean of studies (or designee) will send the complainant and the respondent simultaneous written notice of the outcome of the complaint, the option to appeal, and the Title IX Coordinator's letter of finding and recommendation.

a. If *either the complainant or the respondent are faculty or staff employees* the Title IX Coordinator will schedule the case for administrative review following receipt of the investigator's report. An administrative review of the case will be conducted by the dean of the college (for cases involving faculty) and conducted by the director of Human Resources (for cases involving staff) to determine the appropriate sanction.

Where formal disciplinary action is to be taken against a faculty or staff member, appropriate sanctions may range from a verbal warning up to and including discharge from employment. The complainant and the respondent will receive simultaneous written notice of the outcome of the complaint and the option to appeal. The faculty or staff employee may appeal the decision of the dean of the college or vice president for finance and administration within five working days to the dean of the college.

The complainant or the respondent may appeal the decision within five working days to the president (in the case of faculty members) or to the provost and dean of the college (in the case of staff employees) on the grounds, and pursuant to the procedures, set forth in the Appeals section below.

### **Appeals**

Either the complainant or the respondent may appeal the determination of a case and/or the sanctions. The right to appeal is contingent upon participation in the administrative investigation process. Appeals by students must be filed with the **provost and dean of the college** within 5 working days of the case determination. Appeals by faculty must be filed with the **president** within 5 working days of the case determination. Appeals by staff employees must be filed with the **vice president for finance and administration** within 5 working days of the case determination.

The president or dean of the college will determine, in his or her sole discretion, the format of appeals. The president or dean of the college may implement, modify, increase, or suspend the sanctions recommended or imposed and will send his or her appeal decision letter to the appellant. A notice of the appeal decision letter will also be sent simultaneously to the complainant and to the individual who conducted the administrative review. The decision of the president or dean of the college is final in all cases.

Appeals may be based only upon the following:

- a. Newly discovered evidence that could not have been discovered at the time of the hearing and would have had a significant effect on the outcome;
- b. A violation of the procedures under this Policy that had a significant effect on the outcome; or
- c. An appeal of the sanction(s) imposed.

# GENERAL INDEX

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