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Mission Statement

Our Mission

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

Our Impact

Landmark College is a two-year liberal arts institution of higher education, serving students with learning disabilities and attention deficit disorders, which fosters the capacity for independent creative thought, and engaged and responsible world citizenship. Integrating principles of universal design and strategic learning within a technology-rich, learning-centered environment, Landmark's faculty and staff bring unprecedented experience and expertise to their work with students. In the classrooms and residence halls, through the advising model, and through an extensive network of support systems, students receive a high degree of individual attention as they develop self-understanding, self-advocacy, and lifelong learning skills, and learn to function autonomously in mainstream settings.

In recognition of the great societal need for effective educational programs and practices, the Landmark College Institute for Research and Training engages in and supports research relevant to the field, and provides consultancy and professional development opportunities to educators and educational systems, both nationally and internationally, extending our mission across the nation and throughout the world.

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

Landmark College acknowledges but does not accept the societal practice of labeling and stigmatizing students who learn differently. Every aspect of the campus environment is designed to promote individual development and peer interactions that challenge the fundamental assumptions inherent in these labels and that build on the strengths and talents that accompany different ways of learning. The College provides a collaborative teaching and learning environment that supports students in finding their own educational uniqueness and in confidently engaging with and contributing to society and the world. Simply put, we approach every student as a distinctive individual learner with enormous potential and promise.

Purpose of this Handbook

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

Addendums and Changes Between Publications

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

Student Code of Conduct

Standards of Conduct

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

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

Student Rights and Responsibilities

1. Rules, regulations, student rights and responsibilities apply to all students.
2. Students at Landmark have the right to protection against discrimination.
3. Landmark College follows all the applicable laws which may prohibit discrimination on the basis of sex, age, religion, handicap, ancestry, place of birth, race, color, sexual orientation, or national or ethnic origin in the administration of its educational, admissions, financial aid, and employment policies and programs. Students, in turn, are expected to uphold Landmark's nondiscriminatory policies.
4. Students at Landmark have the right to reside in an environment conducive to learning, where reasonable living accommodations and services are provided

and issues of health, safety, and civility are addressed. At the same time, they share responsibility for creating and maintaining such an environment.

5. Students at Landmark have the right to take reasoned exception to the materials or views offered in any course of study and to reserve judgment about matters of opinion, but they are responsible for fulfilling the obligations of any course in which they are enrolled.
6. Students at Landmark have the right to protection against prejudiced or capricious academic evaluation. At the same time, they are responsible for maintaining standards of academic performance established for each course in which they are enrolled.
7. Students at Landmark have the right to protection against improper disclosure. Access to students' academic records will not be allowed to unauthorized persons on campus, or to any person or agency off campus without the expressed written consent of the student involved, except where permitted or required by the Family Educational Rights and Privacy Act of 1974. Additionally, students who are or who have been at Landmark have the right to inspect and review records maintained by Landmark which contain information directly pertinent to them, in accordance with the same Privacy Act.
8. Students at Landmark have the right to express their views, individually and collectively, on issues of institutional policy and on matters of general interest to the student body.
9. Students at Landmark have the same rights to the freedom of speech, peaceful assembly, and petition enjoyed by all United States citizens. As members of the Landmark College community, they are also subject to Landmark College's rules and regulations. While Landmark recognizes the personal and intellectual development that may attend students' exercise of their rights on or off campus, students must exercise these rights within the limits of their obligations to the Landmark community.
10. Students at Landmark have the right to know the standards of conduct expected of them. In addition to the standards that common sense requires of all adults, the standards of behavior which Landmark considers essential to its educational mission and residential life are discussed in this Handbook.

Formal Disciplinary Procedures

Introduction

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

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

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

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

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

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

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

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

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

Goals of the Disciplinary Process

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

Intervention Meetings

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

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

Administrative Hearings

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

Typically, an Administrative Hearing is convened and facilitated by the Academic Dean, Resident Dean, Director of Residential Life, Director of Judicial Affairs, or the Dean of Students. Other staff and faculty with relevant information may be invited to attend Administrative Hearings. Parents may not participate in Administrative hearings. Legal counsel may not appear as support persons in Administrative hearings unless the respondent is concurrently facing criminal prosecution for the conduct which is the subject of the College procedure. In that circumstance, the counsel may be present and advise the student or respondent, but will not be allowed to directly address the College.

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

College Conduct Board Hearings

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

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

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

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

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

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

The outcomes of a College Conduct Board hearing may include:

- the continuation, amendment and/or augmentation of existing interventions and sanctions,
- a decision to impose a disciplinary status and/or other sanctions,

- a decision to suspend or expel a student from the College on a deferred basis while imposing further sanctions,
- a decision to suspend or expel a student from the College.

Appeals

A student who wishes to appeal the decision of an administrative hearing may do so with the Dean of Students. Appeals of this nature must be submitted in writing to the Dean within seven (7) days of the administrative hearing. Appeals at this level will be considered only on the grounds that the evidence was insufficient to warrant the action or the decision was inconsistent with existing College policy. The Dean will determine if the decision and sanctions will be upheld, reversed or modified. The Dean's decision on appeals is final.

A student may appeal a decision of suspension or expulsion to the President of the College (or designee). Appeals must be submitted in writing to the President within seven (7) days of the effective date of the College Conduct Board's decision of suspension or expulsion. The President will consider an appeal only in the event that a decision by the conduct board was erroneous. The President's decision on appeals is final.

General Sanctions

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

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

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

Furthermore, while engagement in the academic program is not an explicit factor in the determination of a sanction, the College may consider the documented level of

commitment the student has made to their academic program in making a final determination. Similarly, a student's honesty and cooperation with College staff throughout an incident may also be considered in a determination of final sanction. Students who do not follow the structures and requirements of any sanctions issued by the College may be subject to further disciplinary action.

Administrative Sanctions

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

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

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

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

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

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

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

Alternative & Educational Sanctions

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

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

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

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

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

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

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

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

Failure to Complete Sanctions

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

Academic Policies

The following represents a selected list of academic policies. For a full list of academic policies, please see the current issue of the Landmark College Bulletin.

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

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

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

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

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

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

committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

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

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

Academic Dishonesty and Plagiarism

As an academic community, Landmark strives to instill and foster intellectual honesty and integrity. Effective evaluation of student work can occur only in an environment where intellectual honesty is respected. Academic dishonesty, which includes the

inappropriate giving or receiving of aid during any test situation, is a clear violation of academic integrity.

To plagiarize is to give the impression that a thought or a piece of writing is original, when, in fact, it was borrowed from another. A form of academic dishonesty, plagiarism is a violation of intellectual integrity and academic responsibility.

The individual student is responsible for ensuring that his or her work does not involve plagiarism. Ignorance of the nature of plagiarism or of Landmark rules may not be offered as a mitigating circumstance. Students with questions on matters of plagiarism should consult their English course instructor and the instructor of the course for whom they are preparing work.

The minimum penalty for plagiarism is no credit (recorded as a zero for the purpose of determining the student's course grade) in the unit of work in which plagiarism has occurred. The maximum penalty for first offense plagiarism is failure for the course in which the plagiarism occurred; in cases of repeated offense, suspension or expulsion from Landmark may be imposed. No opportunity may be granted to make up or otherwise fulfill the requirements of the unit of work involved. A student suspended from Landmark may not transfer to Landmark any course credits earned at other institutions during the period of suspension.

Instructors should report any suspected cases of academic dishonesty and plagiarism to the Academic Dean.

Academic Probation For College-Level Students

The policy statements below outline the steps leading to Academic Probation and that may result in suspension from the College. The policy applies to students who attempt nine or more credits in a given semester at Landmark College.

- If a student's cumulative GPA at the end of a semester falls below 2.0 (or below 1.8 for a student completing the 1st semester), the student will begin the next semester on **Academic Warning**.
- If the student's cumulative GPA remains below 2.0 at the end of the next consecutive semester, the student will begin the next semester on **Academic Probation**.
- If the student's cumulative GPA remains below 2.0 at the end of the next consecutive semester, the student will be liable for **Suspension** from the College for one year.

A semester is defined as the fall or spring term. Summer credit courses and study abroad do not constitute semesters, although grades earned during these programs are factored into the cumulative GPA.

Students who enter the program at the non-credit level in the partial-credit program are expected to earn passing grades of C- or better in EN and FY courses within two

attempts. Students who unable to earn the minimum grade following two attempts at each course may be asked to leave the college and must petition the Academic Dean to continue enrollment at the College.

Adding and Dropping Courses

Students may add credit courses during the first two weeks of the semester, and may drop credit courses prior to the end of the fourth instructional week of the semester without having the course appear on their record.

Students may drop credit courses for any reason prior to the end of the eighth week of classes and receive a W (withdraw) on their transcript. This will not affect the grade point average.

After the eighth week of classes, students will receive a WP (withdraw passing) or WF (withdraw failing) on their transcript. A WF will be factored in to the grade point average as an F.

To add or drop a course, students should consult with their advisor, obtain the permission of the faculty member(s) involved, consult with their advisor, and receive the approval of the appropriate Department Chair.

Administrative Withdrawal

Students may be administratively withdrawn from a course at the discretion of the instructor if they are absent from the course for the equivalent of two weeks. The instructor must also determine that the student:

- Is no longer able to participate effectively in the course.
- Is mathematically unable to pass the course due to missed material.
- Has missed too many scheduled opportunities to demonstrate effectively that meaningful learning has taken place and has been sustained over time, in accordance with the course's learning objectives.

Prior to withdrawing the student, the instructor will:

- Document the student's attendance difficulties and communicate them in a timely manner to both the students and the student's academic advisor.
- Issue at least three current status notices documenting the accumulation of absences and the related academic performance difficulties that could eventually justify administrative withdrawal.
- Attempt to meet with the student and his/her advisor to provide guidance and support.

Appealing Administrative Withdrawal

Any student who is administratively withdrawn from a course has the right to make an appeal. The following broad guidelines govern the appeal process:

- The appeal must be made in writing to both the instructor and the department chair.
- The written appeal must be submitted within five working days of notification of administrative withdrawal.
- During the appeal process, the student may continue to attend the course.
- The department chair will make the final decision on the appeal based on some or all of the following:
 - Review of the student's overall participation and performance in the course.
 - Review of the instructor's adherence to protocols.
 - Meeting(s) with both the student and the instructor.
 - The department chair will document the final decision and submit it to the academic dean.

Attendance

Students generally intend to fulfill all of their academic obligations and perform effectively in their program. However, absences may occur for a variety of reasons during a semester and impact a student's performance in a course. Research has found a direct correlation between student performance on both planned and unplanned exams and the consistency of a student's attendance in that course. This research shows that any absence, regardless of reason, impacts student performance.

Non-Discrimination Policy

It is the policy of Landmark College not to discriminate in its admissions program, student services or employment practices on the basis of race, color, religion, sex, sexual orientation, national or ethnic origin, ancestry, place of birth, age or disability. Inquiries regarding discrimination should be made to the Compliance Coordinator, Landmark College, Putney, VT 05346 (802) 387-6712. Students and employees are encouraged to use Landmark's internal grievance procedures, but are not required to do so before filing a complaint with the agencies listed below as well as in the Sexual Harassment and Sexual Assault complaint procedures of the College.

Students have recourse to file complaints of discrimination to:

- Vermont Attorney General's Office, Civil Rights Unit, 109 State Street, Montpelier, VT 05602, tel: (802) 828-3171 (voice/TDD).

- U.S. Department of Education, Office for Civil Rights, Region One, 707 Post Office Square, Boston, MA 02109, tel: (voice) (617) 223-9662.

Complaints should be filed within 180 days of adverse action, unless filing time is extended by the responsible Department of Education official or his/her designee.

General Campus Policies

Accommodations Policy and Procedures

I. Accommodations Policy Statement

As an institution devoted to the education of students with learning disabilities and attention deficit disorders, Landmark College fully supports and recognizes the standards set forth in Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA) of 1990, and similar state laws (“applicable law”), which are designed to eliminate discrimination against qualified individuals with disabilities.

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

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

II. Certification and Accommodation Procedures

A. Certification and Accommodation

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

1. Certification

The first step in the process requires that students provide information from which the College can determine whether the student is a person with a disability within the scope of this policy. Such certification is a prerequisite to the reasonable accommodation dialogue described in section I.A.2. below. Students seeking certification must fill out a Special Needs Identification Form and provide the

information and documentation requested on the form. The form requests, among other things:

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

The Special Needs Identification Form and documentation should be submitted to the Dean of Students as far in advance of the period for which the accommodations are requested as possible. The College may not be able to arrange for accommodations that are not requested in a timely manner.

The Dean of Students reviews the Special Needs Identification Form and the accompanying documentation, and pursues one of the following courses of action:

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

2. Accommodation Dialogue

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

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

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

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

Note: The College reserves the right to recommend accommodations that differ from the specific approaches suggested by the student or individuals documenting the

student's disability, so long as the accommodations proposed by the Dean of Students achieve the objective of program accessibility as required by law.

Agreed-upon accommodations will be documented in a written accommodations plan that will be signed by the student and the Dean of Students or designee. If accommodations are not agreed upon, the Dean of Students will provide to the student a written (or e-mail) description of what accommodations were deemed reasonable and offered by the College.

If accommodations acceptable to the student cannot be developed through cooperative dialogue, the student may appeal the decision of the Dean of Students through the Appeals Process described in Section III below.

B. Role of the Student

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

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

1. completing the Special Needs Identification Form in a timely manner;
2. ensuring that the Dean of Students has received appropriately current, adequate and comprehensive medical and/or psychological documentation of a disability and the manner in which it limits a major life activity relevant to the student's participation in Landmark's programs.

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

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

C. Documentation

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

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

Generally, documentation must:

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

The Dean of Students determines whether the documentation submitted is adequate to support certification or a requested accommodation and whether the individual preparing the documentation is qualified to make the diagnosis at issue.

III. Appeal Procedures

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

Any appeal must be submitted to the Office of the President of the College within 10 calendar days of the written (or e-mail) decision appealed. The appeal should state the grounds for the appeal in detail. A copy of the appeal must also be provided to the Dean of Students at such time. The President will either decide the appeal personally, or will designate another administrative official to do so. Temporary relief pending appeal, in the form of the accommodations sought or otherwise, may be requested in writing along with the appeal. Such relief may be granted by the President or designated administrative officer, at his or her discretion.

As soon as practicable following receipt of the copy of the appeal from the student, the Dean of Students will provide to the President's Office a copy of the student's Special Needs Identification Form, attached documentation, and record of other communications with the student or other documents that might be relevant to the appeal. The President or designated official may review such documents in reaching a decision on the appeal.

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

IV. Complaints Regarding Disability-related Harassment and Discrimination

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

V. Assistance for Students with Temporary Impairments

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

Alcohol and Other Drugs

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

1. Students should be educated, informed, and at times, counseled in the areas of substance use and abuse, and supported when they choose to seek assistance regarding these issues.

2. In order to help maintain a safe environment that is conducive to living and learning for all students, the College must hold students accountable for violations of the policy on the use of alcohol and other drugs.

Alcohol and other drugs profoundly affect learning and performance by interfering with perception and memory. For this reason, and the reasons stated above, **the possession or use of alcohol or illicit drugs by students on the campus is inconsistent with Landmark's educational mission and is not permitted.**

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

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

The College will address any behavior relating to drugs and alcohol outlined below:

Alcohol Policy

The College prohibits the possession, use, distribution or transportation of alcohol on campus. The following behaviors regarding alcohol will be met with disciplinary action by the College.

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

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

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

While the College cannot prohibit students of legal drinking age from consuming alcohol off campus, abstinence from the use of alcohol is still recommended for maximum academic performance and development. For those of legal drinking age who choose to consume alcohol off campus, the College encourages moderate, responsible use for the safety of self and others.

Alcohol Containers

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

Drug Policy

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

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

1. The actual presence, use, distribution or transportation of illicit drugs on campus.
2. The presence of smoke or odors, as in the case of marijuana.
3. Being under the influence of illicit drugs.

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

Prescription Drugs

Students who are found to be sharing, selling, or trading prescription medications on campus, or abusing or misusing their own prescription medications on campus will be

subject to sanctions ranging from Disciplinary Probation to suspension or expulsion from the College.

Drug Paraphernalia

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

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

Driving Under the Influence of Alcohol or Other Illicit Drugs

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

Anti-Hazing Policy

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

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

Anti-Harassment Policy

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

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

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

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

Automobile Regulations

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

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

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

Registering Your Vehicle

- All vehicles, including motorcycles, ATVs and snowmobiles, on Landmark College property must be registered with the Department of Safety & Security within 24 hours of the vehicles arrival on campus.
- Being issued a permit does not guarantee that a space will be available. The lack of an appropriate parking space is not an excuse for parking illegally.
- Registration forms are available at the office of the Department of Safety & Security, Student Life, or the Business Office. Submit the completed form, along with copies of the valid state registration, insurance, and operator's license to the Department of Safety & Security.
- Any false or incorrect information given at the time of registration will automatically void the permit.
- Permits will be displayed on the lower left (driver's side) corner of the windshield. Permits must be visible whenever the vehicle is on campus.
- Guests who wish to park a vehicle on campus must register their vehicle with the Department of Safety & Security upon arrival on campus.
- Registered owners are responsible for their vehicle. Citations issued are the responsibility of the register owner despite the operator at the time of the citation.
- Landmark College parking and traffic regulations are enforced by the members of the Department of Safety & Security, Residential Life, and Facilities.

Parking Permits

- Student permits are issued at the beginning of the fall semester, or if there is a change in vehicle. Employees will be required to register their vehicles once. If a change in vehicle occurs, then the new vehicle needs to be registered within 24 hours.
- All expired permits must be removed prior to the new permit being installed.
- Permits will be displayed on the lower left (driver's side) corner of the window. Permits must be visible whenever the vehicle is on campus.
- Vehicles are assigned parking in specific parking lots. If a vehicle is found in a lot other than the one assigned, than the registered owner of the vehicle will receive a citation.

Parking on Campus

- A vehicle is considered parked any time it is stopped, other than at a stop sign, whether the vehicle is attended or unattended by driver or passenger.
- At no time should a vehicle be parked on any walkway or sidewalk.
- In all areas where there is designated parking, the driver must park within the marked space, so that the painted lines show on either side of the vehicle.

- In parking areas where there are no painted lines, the driver must park in a manner as to allow other vehicles to be parked uniformly.
- Vehicles must be parked in a way that does not obstruct the flow of traffic.

Employees

Employees will be issued a permit that corresponds with the assigned parking lot. Lot assignment will be based on the employee's office location.

Students

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

Lot A

Lot A is the small parking lot at the Admissions building. Parking for this lot is for employees assigned to the Admissions Building or the Day Care center. Students may park in one of the visitor spaces only if they have business in the Admissions Building.

Lot B

Lot B is comprised of the marked spaces along Perseverance Lane. Both employees and students will be assigned to this lot. Students assigned to Lot B will have completed a minimum of three semesters at the college. At no time should any individual be parked within the fire lane.

Lot C

Lot C is comprised of the designated spaces within the Main Campus. This includes the parking spaces between the Administration Building and the Sports Center and near the Tennis Courts. This lot will be assigned to both employees and students. Commuting students will be assigned to Lot C.

Lot D

Lot D is comprised of both the upper and lower FAB parking lots. First year students will be assigned to this lot. Employees who work in the FAB and EAB will also be assigned to this lot. This is a gravel lot so it is the responsibility of the operator to park his or her vehicle in a responsible manner.

Guest Parking

Any guest wishing to park a vehicle on campus is required to register that vehicle with the Department of Safety & Security upon arrival to campus. The individual will be issued a temporary permit that will be displayed on the driver's side dash board so that the writing can be read from the outside of the vehicle. The permit shall be returned to the Department of Safety & Security upon the individuals leaving campus. All guests are required to park their vehicle in Lot C.

Temporary Permits

On occasion an individual will need to have a short term permit. These are to be displayed in the same manor as a regular permit. Vehicles with temporary permits will be assigned to a lot based on the circumstances for the permit.

Handicap Permits

Any individual with a handicap permit from his/her state of registration is allowed to use any of the available handicap designated spaces. On-campus handicap parking is granted only with approval from Heath Services. Misuse of an on-campus handicap permit will result in the permit being revoked.

Reserved Parking

There are several types of reserved parking around campus. Individuals are not allowed to park in reserved spaces without prior approval from the Department of Safety & Security. The only exceptions are the spaces marked for visitors. These are designated for guests of the college.

Service & Delivery Parking

Allowance is made for the parking of delivery and College owned vehicles along the jersey barriers on Perseverance Drive for the purpose of unloading or job duties. The operator of the vehicle must be within the immediate vicinity of the vehicle in case of emergency. A designated space for service and delivery vehicles has been established at the Administration Building east entrance.

Violations & Fines

Multiple violations can be added onto one citation.

\$25.00 fines include:

- Illegal parking
- Parking on the grass or landscaped areas
- Parking in an unauthorized lot
- Parking in a reserved space
- Parking hillside (jersey barrier side) of Perseverance Drive
- Parking in a “No Parking” zone
- Blocking any loading zone or the kitchen drive
- Parking on a service road
- Blocking any walkway or driveway
- Not properly registering a vehicle
- Operating a vehicle under the colonnade
- Operating a vehicle on the grass or in landscaped areas

\$50.00 fines include:

- Driving at an excessive speed
- Driving recklessly
- Parking in a handicap space without authorization
- Parking in a fire lane

Driving at excessive speed and/or driving recklessly on campus are considered to be serious violations of the Landmark College's Student Code of Conduct. Students who violate this policy may, in addition to a fine, be referred for immediate disciplinary action.

Payment of Fines

- Payments of citations are due within 10 days of the date of issue. After the 10 days the fine will double.
- Payments are to be made at the Business Office, in the Administration Building.
- All citations issued to students that remain unpaid at the end of the semester will be billed to the student's account.
- All citations issued to employees that remain unpaid after 20 days will be handled through the Human Resources Office and the individual's supervisor.

Appeals of Citations

- Individuals who received a citation and believe that the citation was issued in error or that there were mitigating circumstances may petition for reconsideration.
- An appeal form may be obtained at the Office of Safety & Security, Aiken Hall.
- The appeal form must be submitted prior to the date the citation is due to be paid. Any appeals received after the due date will not be accepted.

Repeat Offenders

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

Third Citation

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

Fourth Citation

When a vehicle has received four citations in one semester a written warning, advising that upon receiving a fifth citation the vehicle will be banned from campus, will be sent to the registered owner. If the registered owner is a student a copy of the letter will be sent to the student's Resident Dean as well as the Director of Residential Life. If the registered owner is an employee then a copy will be sent to Human Resources who will speak with the employee's supervisor.

The vehicle will also be subject to either having a vehicle restraint device applied or being towed off campus at the owner's expense.

Fifth Citation

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

Vehicle Restraint Device (Boot)

A vehicle restraint device may be applied for the following reasons:

- Receiving four violations in one semester
- Parking on the hillside of Perseverance Drive
- Parking on or blocking loading docks/areas
- Parking in or blocking the kitchen drive
- Parking on or driving under the colonnade
- Driving under the influence of alcohol or drugs
- Excessive speeding or reckless driving
- Parking on the lawn or gravel anywhere on campus

Written notification will be sent to the registered owner advising that the vehicle has had a restraint device applied. If the registered owner is a student a copy of the letter will be sent to the student's resident dean and the Director of Residential Life. If the registered owner is an employee a letter will be sent to the employee and a copy to the Human Resources Department.

If a vehicle is booted twice in one semester, the operator will lose the ability to park or operate a vehicle on campus for no less than 30 days that classes are in session.

Removal

Arrangements for removal of a restraint device need to be made with the Department of Safety & Security duty officer. A vehicle restraint device will be removed only after the registered owner agrees in writing that he/she will pay the college the amount of \$60.00.

Tampering

Tampering with the vehicle restraint device or attempting to remove the device from a vehicle without proper authorization will result in the loss of on-campus driving and parking privileges for a minimum of 30 days that classes are in session. Any repair or replacement required for a damaged device will be charged to the registered owner of the vehicle on which the device was installed.

Towing

Vehicles may be subject to towing at the owners expense for violations as listed under the vehicle restraint device section of these regulations, impeding the removal of snow, or receiving five or more citations in one semester. A vehicle may be towed at the College's expense if the vehicle is in the way of emergency work, or if the car may sustain damage from work being conducted near the vehicle. In these cases a full attempt to locate the registered owner will be conducted first.

Upon a vehicle being towed a letter will be sent to the registered owner advising which company towed the vehicle and contact information for retrieval. If the registered owner is a student a copy of the letter will be sent to the student's Resident Dean and to the Director of Residential Life. If the registered owner is an employee a copy of the letter will be sent to Human Resources.

Abandoned Vehicles

Vehicles that appear to be nonfunctional, abandoned, or unregistered that are left on campus for more then seven days will be towed to a local facility for storage at the owner's expense. The owner will be informed in writing that the vehicle has been towed and the location to which it is towed. Landmark College assumes no responsibility for damage or loss resulting from the removal of such vehicles from campus.

Parking During Break Periods

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

Loading/Unloading

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

Revocation of Student Parking Privileges

Upon accrual of five parking citations and/or two speeding/reckless driving citations, parking and driving privileges will be revoked for a minimum of 30 days that classes

are in session. If the vehicle is found to be on campus, or the banned operator driving a vehicle on campus, during the ban period, the ban will be re-started.

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

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

If a registered owner is arrested on campus for a Driving While Intoxicated or Driving Under the Influence charge then the registered owner's privilege to operate or park a vehicle on campus will be revoked pending the judicial outcome. If convicted of the charge the operator's vehicle will be permanently removed from campus and the operator will not be allowed to operate or park a vehicle on campus for the remainder of the semester and the following semester.

Snow Removal

When significant snowfall requires snow removal by facility personnel notices will be posted and an e-mail sent to the community advising of such. It is the responsibility of the registered owner to be aware of the need to move the vehicle. Any vehicle found to be in the way of snow removal will be towed at the owner's expense. Vehicles that are moved while snow removal operations are in effect will be charged \$40.00.

Compliance with College Officials

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

Computer & Network Use Policy

Introduction

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

Rights and Responsibilities

Computing and networking resources at Landmark College are provided for academic and administrative purposes in support of the College mission. The College network

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

Existing Legal Context

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

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

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

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

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

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

Enforcement

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

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

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

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

Conduct Which Violates this Policy

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

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

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

E-mail

Provisions of Service

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

Unacceptable Use

Unauthorized Access

The following constitute unauthorized forms of access:

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

Inappropriate Content

Acceptable use of e-mail is based on common sense, respect for others, and civility applied to the electronic communications environment. The e-mail system may not be used to transmit sexually explicit images or messages that may be reasonably

construed as harassment nor may it be used for any communications that contain ethnic slurs, racial epithets, or anything that may be reasonably construed as disparagement of others based on race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs. Moreover, it is important to note that the perception or reaction of the recipient is a major factor in determining if a specific communication is harassing, offensive, defamatory, or abusive. Various federal and state laws and College policies apply to this requirement.

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

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

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

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

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

E-Mail Privacy and Confidentiality

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

The College does not monitor or read e-mail of users as a matter of course. However, the College reserves the right to examine mail messages without authorization from sender or recipient where there is reason to suspect a breach of this Policy. In compliance with state and federal law and College policies, the College may permit the inspection, monitoring, or disclosure of e-mail in situations when there are reasonable expectations that violation of policy or law have occurred.

Culpability

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

Fireworks

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

Gambling

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

Potential Harm to Self or Others

If the College determines that a student has engaged in behavior or appears to be in circumstances indicating that the student may potentially pose a risk of harm to him/herself or others, the College will exercise its discretion to take steps that it deems reasonable and necessary in the best interests of the student and/or the College community. Such steps may include, by way of example but not limitation: interim or longer-term disciplinary or administrative withdrawal from the College (either with or without the invocation of the College's student disciplinary process, as deemed appropriate under the circumstances); psychological assessment(s); parental notification; periodic assessment requirements; and/or related documentation requirements.

Ordinarily, an appropriate representative or representatives of the College will meet or otherwise communicate with a student and/or his or her representatives or parents as soon as practicable following the determination described above. This will usually occur within 24 hours of the student's being available on campus, or a shorter period if that seems necessary under the circumstances.

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

Identification cards

All students will be issued a Landmark College identification card during the registration process and are required to carry a valid I.D. card with them at all times. A valid Landmark College I.D. card is required for entry to the Dining Hall. In addition, this card is also used to access College bookstore and Strauch Family Student Center café debit accounts.

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

Lost cards should be reported to the Office of Student Life. There is a \$10 fee for replacement cards.

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

Knives and Weapons

Only non-automatic pocket knives with blades less than three inches will be permitted on campus. All knives not fitting these requirements will be confiscated. Knives and weapons of any sort may not be brought into classrooms or spaces used for teaching and community assembly. Firearms and ammunition of any kind, including BB guns, pellet guns, paintball guns, or any instruments that discharge projectiles such as bows and slingshots, and any other weapons are prohibited from campus. Students possessing such weapons will be subject to immediate disciplinary action up to and including suspension or expulsion.

Off-Campus Conduct

The College reserves the right to take appropriate disciplinary action against Landmark College students who are involved in any off-campus incidents of criminal activity or otherwise inappropriate non-criminal behavior, particularly when such incidents have implications for the safety of members of the campus or local community, or are detrimental to the welfare of the College. Examples of these

behaviors include, but are not limited to driving under the influence of alcohol, underage possession or use of alcohol or other drugs, fighting or other violent episodes.

Parental Notification

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

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

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

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

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

Because Landmark seeks to emphasize the role of choice and personal responsibility in students' lives, in general, Academic Advisors or Deans will involve students

before notifying parents of specific concerns regarding academic performance. Parents will be mailed a copy of the letter notifying the student of any formal disciplinary decision to place that student on academic probation.

Sexual Harassment Policy

The Definition of Sexual Harassment

It is against the policies of Landmark College, and may also be illegal under state and federal law, for any student or employee, male or female, to sexually harass another student or employee. Landmark College is committed to providing a campus free from such unlawful conduct.

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

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

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

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

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

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

Reporting and Investigating Sexual Harassment

In the event Landmark College receives a complaint of sexual harassment, or otherwise has reason to believe that sexual harassment is occurring, it will take all necessary steps to ensure that the matter is promptly investigated and addressed. Landmark College is committed, and required by law, to take action if it learns of sexual harassment, even if the aggrieved student does not wish to formally file a complaint.

Every supervisor is responsible for prompt response to, or reporting of any complaint or suspected acts of sexual harassment. The supervisor should report these issues to the Dean of Students at (802) 387-6713. Failure by a supervisor to appropriately report or address such sexual harassment complaints or suspected acts shall be considered in violation of this policy.

Care will be taken to protect the identity of the person with the complaint and of the accused party or parties, except as may be reasonably necessary to successfully complete the investigation.

If the allegation of sexual harassment is found to be credible, the College will take appropriate corrective action. The College will inform the complainant and the accused person of the results of the investigation and what actions will be taken to ensure that the harassment will cease and that no retaliation will occur. Any employee, supervisor, student or agent who has been found by the College to have harassed another student or employee will be subject to disciplinary sanctions appropriate to the circumstances, up to and including suspension or expulsion from the College.

If the allegation is not found to be credible, the complainant and the accused person shall be so informed.

Options for students who believe they have been sexually harassed

Any student who believes she or he has been the target of sexual harassment, or who believes she or he has been subjected to retaliation for having brought or supported a complaint of sexual harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop. If the student does not wish to communicate directly with the alleged harasser or harassers, or if direct communication has been ineffective, then the complainant is encouraged to report the situation as soon as possible to the Dean of Students, a Resident Dean, or to his or her Academic Advisor. It is helpful to an investigation if the student keeps a diary of events and the names of people who witnessed or were told of the harassment, if possible.

If the complainant is dissatisfied with the College's action, or is otherwise interested in doing so, she or he may file a complaint by writing or calling the U.S. Department of Education, Office for Civil Rights, Region One, 707 Post Office Square, Boston, MA 02109, tel: (voice) (617) 223-9662. Complaints should be filed within 180 days of adverse action, or 60 days after the conclusion of internal College proceedings, unless filing time is extended by the responsible Department of Education official or his/her designee.

To understand how to file a complaint for sexual harassment at Landmark College, please see the section below on Complaint Procedures for Sexual Harassment and Sexual Assault.

Sexual Assault Policy

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

Definition of Sexual Assault

Committing sexual assault upon another person, either male or female, is against the law and violates College policies. Sexual assault is when a person engages in a sexual act with another person and compels the other person to participate in a sexual act:

- Without his or her consent. (see definition below); or
- By threatening or coercing the other person; or
- By placing the other person in fear that any person will suffer imminent bodily injury; or
- Knowing the other person's ability to give or withhold consent is impaired by the consumption of drugs, alcohol or other intoxicants, or is subject to any physical or mental incapacity such as sleep or unconsciousness.

Engaging in a sexual act with a person who is under the age of 16 is also sexual assault. The College defines a **sexual act** as conduct between persons consisting of:

- Contact between the penis and the vulva, whether clothed or unclothed.
- Contact between the penis and the anus, whether clothed or unclothed.
- Contact between the mouth and the penis, whether clothed or unclothed.
- Contact between the mouth and the vulva, whether clothed or unclothed.
- Any intrusion, however slight, by any part of a person's body or any object into the genital or anal opening of another.
- Any fondling, groping or touching of the genitals, pubic area, buttocks or, if such a person be female, breast, whether clothed or unclothed.

In relation to the College's policy, the College defines **consent** with the following three criteria:

1. That consent given is **informed**. A person engaging in sexual activity should be made aware of the full intentions of their partner.
2. That consent given is **voluntary**. A person being offered to engage in sexual activity must be freely offered the opportunity to decline.
3. That consent is **clearly established**. An individual must be clear that their partner wishes to engage in sexual activity.

Responsible, respectful communication is a standard of behavior that the College expects members of its community to uphold. It should be understood by all that the lack of resistance by a partner to sexual activity cannot be assumed to indicate consent. It is the responsibility of the one who initiates sexual activity that consent is clearly given, rather than assumed by silence.

It should be noted that ignorance of the policy noted above will in no way be considered an excuse for violating the policy.

Reporting a Sexual Assault

If you believe you have been sexually assaulted by anyone, you may pursue criminal charges with local law enforcement agencies. If you believe you have been sexually assaulted by a member of the Landmark College community or a third party on College premises, you may also file a sexual assault complaint at the College.

Complaints against students will be handled under this policy. Complaints against College employees will be handled by Human Resources through the sexual harassment policy applicable to College employees. Complaints against third parties will be handled as appropriate and practical, depending upon the nature and/or extent of the third party's relationship with the College.

In all cases, students may report a sexual assault to any of the College employees suggested below. You may choose, but are not required, to seek informal resolution of any sexual assault charges with the Dean of Students or other College personnel prior to filing a formal complaint.

You are encouraged to report a sexual assault to College security personnel, the Dean of Students, Resident Deans, Academic Advisors, Counselors, Administrators, or local law enforcement officials. If you wish, these persons will support and assist you in reporting an incident of sexual assault to local law enforcement authorities.

Whether or not you decide to pursue criminal charges or a complaint at the College, you are encouraged to immediately seek medical care after a sexual assault and to seek help from appropriate College personnel. It is important to preserve all possible evidence in case you decide to pursue criminal charges. Therefore, you should refrain from changing clothes, showering or otherwise changing your physical state until after you have consulted with medical personnel about how to best preserve evidence.

If you report the assault to College authorities, personnel in the Dean of Students office can work with you to determine whether alternative academic and living accommodations are reasonably available and necessary in your particular case. You do not have to file a formal complaint or participate in a disciplinary process to ask for such help from the Dean of Students office.

Community Assistance and Resources for Victims of Sexual Assault

Women's Crisis Center	257-6954
Windham County Victim Advocate	257-2860
Brattleboro Memorial Hospital ER	257-8222
Brattleboro Health Center	258-3905
Windham County Sheriff	365-4942
Vermont State Police	254-2382

Complaint Procedures for Sexual Harassment and Sexual Assault

Students who believe they have been sexually harassed or sexually assaulted may seek informal resolution of the issues without filing a formal complaint by contacting appropriate College personnel. The general procedures outlined below may be followed for filing a formal complaint regarding sexual harassment or sexual assault. At the discretion of the Dean of Students, the consideration of a complaint under this section may be assigned to his or her designees. Time periods may be changed at the discretion of the Dean of Students. Care will be taken to protect the identity of the person with the complaint, and of the respondent, except as may be reasonably necessary to successfully complete the investigation.

There is no requirement that the steps of the sexual harassment and sexual assault complaint procedure be followed in sequence, or that all levels must be used for any given complaint. The Dean of Students, at his or her discretion, may modify the procedures as appropriate, including any time periods within which procedures should occur. The College is committed to take action, and may be required by law to take action, if it learns of potential sexual harassment or sexual assault, even if the aggrieved student does not wish to formally file a complaint. Students found to have violated the College's sexual harassment or sexual assault policies will be subject to disciplinary sanctions up to and including suspension or expulsion from the College.

Filing a Formal Complaint

A student may file a formal complaint of sexual harassment and sexual assault by contacting the Dean of Students, or in the case of a complaint against the Dean of Students, by contacting the President of the College, who may designate a representative.

After an initial discussion, the student will be asked to prepare a written statement describing the complaint. The statement should include the date and time of the alleged assault or harassment, the name of the respondent, the circumstances of the alleged assault or harassment, and the identity of any persons who may have knowledge or information regarding the circumstances.

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

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

The Dean of Students (or designee) will conduct an appropriate investigation which may include interviews with the complainant, respondent, and other persons with information.

If the complaint is not resolved by investigation, the Dean of Students (or designee) may recommend the convening of a College Conduct Board hearing to consider the

complaint. The Board may ask the complainant, respondent and others to meet with them, separately or together. **Conduct Board hearings addressing sexual harassment and sexual assault will be conducted in the manner outlined in this Handbook under the title “Formal Disciplinary Procedures” and subtitle “College Conduct Board Hearings”.**

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

Prior to and after the hearing the Dean of students may require the avoidance of contact between the complainant and the respondent by placing either party in separate residence halls or removing either party from campus.

The complainant may withdraw his or her complaint at any point during the process.

Appeal Procedure for Sexual Harassment and Sexual Assault Decisions

Within seven (7) working days of the College Conduct Board’s written decision, the complainant or respondent may appeal the decision to the President of the College (or designee) by delivering a written statement of appeal to the President and to the other party. The other party may be notified of any submitted appeal through the Dean of Students or his or her designee. The other party may submit a written response to the appeal to the President within 5 working days of delivery of the statement of appeal. The decision of the President is final.

Skateboarding, Snow Boarding, Roller Blading, Biking etc.

Skateboarding, roller blading, and biking are not permitted in any Landmark building or in the area around the entryways to the buildings. When skateboarding, roller blading or biking, students must keep clear of pedestrian traffic and vehicles at all times. Students who violate this policy or who are found responsible for any damage to Landmark property through the use of such conveyances may be subject to disciplinary action.

The College recognizes that students may engage in these and other physical activities while on campus as a form of recreation. These activities, when taken to extremes, may pose the risk of injury to the student him/herself or to other individuals, and could also result in damage to property. Students who engage in these activities in ways determined to be potentially hazardous may also be subject to disciplinary action.

Smoking

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

- All College buildings and facilities.
- Within a 25 foot radius of any College building or facility.
- Inside College vehicles or other means of transporting students or employees.
- In any outdoor area where 'no smoking' signs are posted.

For Landmark College, smoking is defined as the act of smoking or carrying a lighted cigarette, cigar, pipe or any other smoking material or device.

All members of the Landmark College community are responsible for observing this policy and its provisions. Documented violations of this policy can be met with sanctions that include fines, community service and placement on disciplinary status.

Violence

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

Residential Life Policies

Room Use and Occupancy

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

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

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

Personal Property Liability

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

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

Room Check-In Procedure

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

Room Check-Out Procedure

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

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

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

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

Locking Doors

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

Lock-Outs

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

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

Lofts

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

Lost Room Keys

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

Noxious odors

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

Windows

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

Room Consolidation

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

Room Changes

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

Room, Automobile, and Personal Effects Inspections and Searches

Periodic inspections of rooms, suites and automobiles by members of the Residential, Security and Facilities staff ensure that fire, health, and safety regulations are being upheld, and that occupants are maintaining Landmark property in good condition. Typically, students are notified of a general inspection of their rooms at least 24 hours in advance. Students are encouraged to be present during inspections.

In the event that a student makes a request for work to be done in the room, students should know that Facilities will enter the room to complete the task without advance notice. The student is then responsible for taking whatever steps he/she feels are necessary to maximize his/her privacy (i.e. securing valuables, private items). In the event that the College requires access to a student room for Facilities or maintenance

work while the College is in session, students will be informed about the need to enter rooms and any other requirements that may need to occur (moving furniture away from a wall, etc). Students will then be responsible for taking whatever steps they feel are necessary to maximize their privacy and security.

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

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

Damage to College Property

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

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

Appliances

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

College Furniture

Residence Hall and Chumley Hall lounge furnishings such as chairs, sofas, tables, televisions, cabinets, and portable VCR/DVD players are provided for common use and may not be removed from any lounge or common area. Students found with college furnishings in their rooms will be required to return them immediately and assessed a \$50.00 fine. If not, the Facilities Staff will promptly be called to remove

the items, and an additional \$50.00 fine will be charged to the student responsible for moving the furniture. If it is not possible to determine responsibility for the moved furniture, both residents of the student room where items are found will be charged for the removal.

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

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

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

Fire Regulations and Safety Procedures

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

Evacuation Guidelines

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

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

Whenever the fire alarm sounds:

- DO NOT PANIC.
- Shut your window.
- Close your door as you leave.
- Bring a towel to cover your mouth and nose to protect yourself from smoke inhalation.
- Do not take personal items with you. Items will hinder you from exiting quickly.
- Move quickly and carefully in the hallway.
- Do not try to escape through any area full of smoke or fire—use an alternate exit.
- Stay low to the ground or crawl to the nearest exit when there is any smoke in the air.
- Move to the designated meeting point for your building during a fire alarm.
- Listen for directions from staff or emergency personnel.

- Do not try to go back into the building for any reason until instructed by a College or Fire Department representative.

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

Prohibited Items

1. Electrical appliances including but not limited to halogen lamps, hot plates, toasters, immersion coils, “George Foreman” type grills, toaster ovens, electric blankets, space heaters, sun lamps, and power tools are not permitted.
2. Candles, camp stoves, lanterns, hurricane lamps, incense, or any other items with open flames are not permitted.
3. Fireworks, explosives, volatile liquids, and fuel are not permitted.
4. Posters, pictures, and other combustible wall decorations which are not placed flat against the wall or block or hinder entryways are not permitted. Combustible materials may not cover more than 20% of each wall.
5. Ceilings may not be decorated with fabric, posters, fishnet, or other combustible material that might ignite.
6. Wooden constructions (lofts, overstuffed chairs, etc.) unless they are approved by the Resident Dean, Safety & Security or the Facilities personnel, are not permitted.
7. Room contents must not obstruct doors, passageways, or corridors. Tapestries may not be hung from the ceiling or across closet openings.
8. Extension cords and multi-plug outlets are not allowed unless they have manufactured surge protection devices.
9. Hallway doors may not be propped open. Doors may only be held open by magnetic door holders that are connected to the fire alarm system.
10. Gas or charcoal grills are not allowed within 25 feet of the Bridges buildings.

Tampering or Damaging Fire Safety Equipment

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

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

Fire Setting

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

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

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

Guests & Visitation

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

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

Non-Student Guests

- Students may have non-student guests on campus, but must receive written permission for overnight guests from the Resident Dean in the form of a guest pass.
- Guest rooms are not provided on campus.
- Non-student guests must be prepared to show personal identification to the Resident Dean, fill out a guest pass, carry a copy of their guest pass with them at all times, and show it to any Landmark official upon request.
- Students are allowed to sign in a maximum of two non-student guests at the same time.
- Non-student guests may stay on campus for up to three consecutive days within a 14-day period.
- Landmark College assumes no liability for the personal property of any guest, registered or unregistered.

- In case of emergency, or upon a non-student guest's inappropriate behavior or violation of any Landmark College policy, the College reserves the right to notify the family or institution of the guest.
- Non-student guest parking is located in the Tennis lot on Robert Rhodes Lane.
- **Host students are responsible for the behavior of their non-student guests, for their compliance with Landmark's regulations, and for paying any citations or damages to Landmark College property if caused by their guest's behavior.**
- The Resident Dean and Campus Security personnel may require non-student guests to leave campus immediately if they violate any campus policy or behave in such a manner as to adversely affect Landmark College, a member of the College community, or the living and learning environment on campus. Landmark may ban any guest from campus indefinitely and may revoke a student's privilege to have guests on campus.

Pets

Bowl/tank fish are the only pets permitted in student rooms. Owners of pet fish must make arrangements for the care of tanks and fish during vacation periods. Students may not have any other pets in the residence halls or on campus permanently or temporarily.

Quiet and Courtesy Hours

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

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

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

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

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

Grievance Policy and Procedures

Definitions

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

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

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

Grievance Procedure

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

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

1. A grievant should discuss the matter with the respondent in an effort to resolve the grievance.
2. If no resolution is reached, or if discussion with the respondent is not possible, the grievant should discuss the matter with the Dean of Students, a Counselor, Resident Dean, or any College administrator.
3. If no resolution is reached, the grievant should submit a written statement of the grievance to the Dean of Students. The written grievance must include the name of the grievant, the name(s) of the respondent(s), the date of the grievance, the nature of the grievance, the redress sought, and any steps already taken to resolve the grievance. A copy of the formal written grievance must be given to the respondent(s).
4. The Dean of Students, at his or her discretion, may conduct an investigation, or may meet separately or jointly with the respondent, grievant or others and resolve this matter in an administrative hearing. If the grievance is not resolved at this level, or addresses behavior that may require a student's suspension or expulsion from the College, the Dean of Students may present a report to the Dean of the College recommending a course of action, including referral to a College Conduct Board.
5. The Dean of the College may accept, amend, reject or return the recommendation for reconsideration. The final decision on any grievance, and

responsibility for implementation of actions, rests with the Dean of the College.

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

Suspension or expulsion for any reason is not grievable.

Formal Procedures Outside the College

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

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