

**Bard College**  
**Policies, Regulations, and**  
**Procedures**



**Graduate Student Handbook**  
**2020-2021**

Last Updated: May 2020  
For Offsite Campuses

## Accreditation

Bard College is accredited by the Middle States Commission on Higher Education. The courses of study leading to the bachelor of arts, bachelor of music, and bachelor of science degrees at Bard are registered by the New York State Education Department. The programs of study leading to the master of arts, master of arts in teaching, master of arts in economic theory and policy, master of fine arts, master of business administration in sustainability, master of music, master of science in environmental policy, master of science in climate science and policy, and master of science in economic theory and policy degrees and the master and doctor of philosophy degrees in decorative arts, design history, material culture at Bard are registered by the New York State Education Department, Office of Higher Education, Room 977 Education Building Annex, Albany, NY 12234; phone 518-486-3633.

Bard is also a member of the American Council on Education, American Council of Learned Societies, Association of American Colleges and Universities, College Entrance Examination Board, Commission on Independent Colleges and Universities, Educational Records Bureau, and Environmental Consortium of Colleges and Universities.

## Educational Rights and Privacy Act

Bard College complies with the provisions of the Family Educational Rights and Privacy Act of 1974. This act assures students attending a postsecondary institution that they will have the right to inspect and review certain of their educational records and, by following the guidelines provided by the College, to correct inaccurate or misleading data through informal or formal hearings. It protects students' rights to privacy by limiting transfer of these records without their consent, except in specific circumstances. Students have the right to file complaints with the Family Policy Compliance Office, U.S. Department of Education, Washington, D.C. College policy relating to the maintenance of student records is available, on request, from the Office of the Registrar.

***Be advised that the provisions of this handbook are not to be regarded as an irrevocable contract between the student and Bard College or its officers and faculty. The College reserves the right to make changes affecting admission procedures, tuition, fees, courses of instruction, programs of study, faculty listings, academic grading policies, and general regulations. The information in this handbook is subject to change without notice.***

# Bard College Policies, Regulations, and Procedures

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## **Bard: More Than a Place to Think**

Everyone who lives, works, or studies at Bard is here by choice and, as part of that choice, is encouraged to behave civilly. Participation in the College's intellectual and social activities contributes to the community's vibrancy. In an open educational environment there will be a frequent and often intense exchange of ideas, even ones that are unpopular and can make others uncomfortable. Each of us should bear this in mind when considering our interactions with others in Annandale-on-Hudson and all places where the College is engaged. The community is strengthened when each member fosters civil interactions. Bard believes firmly in free speech. All members of the College are responsible for maintaining and promoting an open academic and living community. When conflicts arise they should be resolved among the affected parties. The community is designed to support informal resolution through its members, including peers, faculty, administrators, and staff.

Behavior that violates policies articulated in the Student Handbook or in the Bard College Catalogue is not accepted and formal procedures may be initiated in accordance with the Student Handbook.

The College expects all of its students, whether or not they are on campus or are currently enrolled as degree candidates, to behave in a mature and responsible manner. If the College determines that a student has violated the college's Facilities Use Agreement and/or College policies, regulations, and procedures, the College may discipline the student. Since the College expects students to show good judgment and use common sense at all times, not all kinds of misconduct or behavioral standards are specifically identified in this handbook. It is the goal of the College to help provide an environment that is supportive of and conducive to the maximum intellectual, psychological, social, physical, and spiritual growth of all its students. In this spirit, College policy was written with the understanding that students would take on the following responsibilities:

- To treat all members of the College community in a civil and respectful manner.
- To carry and present College identification to authorized College officials upon request, including but not limited to Safety and Security officers, Residence Life & Housing staff, Dean of Student Affairs staff, and Student Activities staff.
- To refrain from the use of force against persons or groups, the abuse of another person, or disruption in the form of coercion or violence.
- To respect the property of individuals, groups, and the College itself.
- To ensure that guests on campus (including other students within one's residence hall room) behave in a manner consistent with the policies and procedures of the College.
- To act as good citizens.
- To observe all duly established College, local, state, and federal regulations.

The College will hear complaints pertaining to conduct of Bard College students occurring on Bard College property (including UBS, or Bard in New York), or in Red Hook, in Tivoli, and its environs. The College will also consider hearing cases involving Bard College students that

occur elsewhere off campus. The College's disciplinary process will not be used merely to duplicate the function of federal, state, or local laws; but where the institution's distinct interests as an academic community are involved, the College may invoke its disciplinary authority in response to infractions of the laws of the off-campus community.

In cases of College policy violations, the College first determines the appropriate process to employ based on the individual set of circumstances surrounding the infraction. Cases may be referred to the Student Conduct system, Office of Title IX Coordination, or managed through informal hearings with Residence Life & Housing staff, Student Activities staff, Safety and Security staff, Vice President for Administration staff, or Dean of Student Affairs staff. Academic policy violations are reviewed through the Dean of Studies and/or the Dean of the College's Office.

Students wishing to appeal a decision made by a member of the staff should submit a written letter of appeal outlining the reasons for the appeal to the original administrator within two business days of the issuance of the sanction.

### **Free Speech Policy**

The content and nature of interaction among community members is taken seriously at Bard College. The prevailing ethos encourages open discussion and the expression of individual opinion. The College defends the rights of free speech and expression, dissent and protest.

There can be no intellectual debate without honesty and integrity. Honest debate is often uncomfortable. While that is no reason to avoid difficult themes, it is reason to ask that the discomfort be mitigated by the good intentions of all involved. For this reason:

- Speech or conduct that employs force or threat of force is prohibited. Deliberate conduct that egregiously interferes with another's speech, particularly in the regular academic and intellectual pursuits of the College, is prohibited.
- Threats, harassment, coercion, and acts threatening or causing physical harm are prohibited at Bard, as they are in the public community.
- Speech or expression that is not prohibited, but is rude, lacking in respect, disruptive, or hateful is discouraged. The College may voice its disapproval of such expression through private communications, public condemnation, the organization of public forums, and calls for more speech and open debate.

# **Nondiscrimination, Bias Incidents and Hate Crimes**

## **Notice of Nondiscrimination**

Bard College is committed to ensuring equal access to its educational programs and equal employment without regard to an individual's sex, gender, race, color, national origin, religion, age, disability, gender identity, sexual orientation, predisposing genetic characteristics, marital status, veteran status, military status, domestic violence victim status, ex-offender status, or any other characteristic protected by federal, state, or local law. Students, employees, applicants and other members of Bard College community (including, but not limited to, vendors, visitors and guests) shall not be subject to discrimination or harassment prohibited by law or otherwise treated adversely based upon a protected characteristic. Similarly, the College will not tolerate harassing, violent, intimidating, or discriminatory conduct by its students, employees, or any other member of, or visitor to, the College community. This includes, without limitation, sexual harassment, sexual assault, sexual violence, dating violence, and domestic violence.

While Bard College is committed to the free and open exchange of ideas and to the view that the expression of controversial ideas and differing views is a vital part of campus discourse, it does not condone harassment or expressions of bias or hate aimed at individuals or groups. Speech or expression that is not prohibited, but is rude, lacking in respect, disruptive, or hateful is discouraged. The College may voice its disapproval of such expression through private communications, public condemnation, the organization of public forum and calls for more speech and open debate.

## **Bias Incidents and Hate Crimes**

A bias incident is an event, behavior, or action that is personally directed against or targets an individual or group based on perceived or actual characteristics such as race, ethnicity, sex, gender identity/expression, religion, sexual orientation, national origin, physical or mental disability, age, or military veteran status. The kinds of incidents that may constitute a bias incident include, but are not limited to, hostile and/or abusive verbal, written, or electronic communication, graffiti, stalking, and vandalism. A hate crime is a bias incident that includes a definable crime, such as: property damage, personal injury, threats of violence, and other illegal conduct.

## **Reporting a Hate Crime**

If you think you have been the victim of, or a witness to, a hate crime, you may, in addition to the reporting mechanisms described below, file a report with the New York State Police or local law enforcement agency. What constitutes a criminal act will be defined by the penal code of the jurisdiction in which the misconduct allegedly occurred.

To file a criminal report, contact:

New York State Police (845-876-4194)  
Red Hook Police Department (845-758-0060)

## Reporting Bias Incidents or Hate Crimes

Bard College strongly encourages the reporting of all bias incidents and hate crimes that occur on campus, at college-sponsored events, or activities occurring off campus. If you believe that you have been the victim of a bias incident or hate crime, or if you believe one has occurred, you are strongly encouraged to report it as quickly as possible. For emergencies, contact the Bard College Office of Safety and Security at 845-758-7777 or go to the Old Gym. You can also contact any of the offices below. It is important to indicate that you are making an official report to the College of a bias incident or hate crime.

### Office of Safety and Security

John Gomez, Director  
845-758-7460  
845-758-7777 (emergency #)  
[jgomez@bard.edu](mailto:jgomez@bard.edu)  
Old Gym

### Human Resources

Kimberly Alexander, Director  
845-758-7428  
[hr@bard.edu](mailto:hr@bard.edu)  
Ludlow

### Office of Gender Equity

Kimberly I. Gould, J.D., Title IX Coordinator  
845-758-7452  
[titleix@bard.edu](mailto:titleix@bard.edu)  
Gahagan House

### Dean of Students:

Bethany Nohlgren, Dean of Students  
845-758-7454  
[nohlgren@bard.edu](mailto:nohlgren@bard.edu)  
Sottery Hall

## Community Response and Support

In addition to its commitment to investigating reports of bias incidents and hate crimes, the College is committed to providing support to individuals who are directly or indirectly affected by them and to developing programs and policies to reduce their incidence. In addition to the offices and individuals listed above, community members who are affected by bias or hate crimes can seek support from the offices and individuals listed above, and any member of the Bard College Chaplaincy, Counseling Services, and Bias Incident Community Response Team.



## NOTICE OF GENDER-BASED MISCONDUCT POLICY

**Bard College strongly recommends reading its entire Gender-Based Misconduct Policy, which can be obtained online by visiting [www.bard.edu/genderequity/policy/](http://www.bard.edu/genderequity/policy/), or by request via email ([titleix@bard.edu](mailto:titleix@bard.edu)) or via telephone (845-758-7542).**

### Bard's Gender-Based Misconduct Policy Statement

Bard College and its affiliated programs are committed to providing learning and working environments free of sexual and gender-based harassment, discrimination, sexual assault, sexual exploitation, stalking, and intimate partner violence (hereafter collectively referred to as "gender-based misconduct").

Bard College is committed to preventing, responding to, and remedying occurrences of gender-based misconduct. To that end, the College provides services and support for individuals who have been impacted by gender-based misconduct, as well as accessible, prompt, thorough, and impartial methods of investigation and resolution of incidents of gender-based misconduct.

Additionally, the College provides educational and preventative programs for employees and students throughout the academic year that promote awareness of gender-based misconduct. These include: primary prevention and awareness, definitions of domestic and intimate partner violence, dating violence, sexual assault, stalking, consent, bystander intervention techniques and safe practices, and risk reduction in the form of recognizing warning signs and how to avoid unwelcome interaction.

The Gender-Based Misconduct Policy should be interpreted and applied in a manner consistent with the principles of free inquiry, free expression, and free speech to which Bard College is committed. The College's policy is not intended to stifle these freedoms. Prohibited discrimination, harassment, retaliation, and other misconduct are neither legally protected expression nor the proper exercise of academic freedom.

Bard's Gender-Based Misconduct Policy is in accordance with federal and state laws and regulations prohibiting discrimination and harassment, as well as provisions of response and services for victims of interpersonal violence. These laws include but are not limited to: Title IX of the Education Amendments Act of 1972, Americans with Disabilities Act ("ADA"), Section 504 of the Rehabilitation Act, Title VII of the Civil Rights Act of 1964, the New York State Human Rights Law, Section 304 of the Violence Against Women Reauthorization Act, the Clery Act, and New York State Education Law 129-B ("Enough is Enough"). These laws and the College prohibit discrimination and harassment, including gender-based misconduct.

### Reporting Options & Immediate Assistance

Any member of the Bard community, or a guest or visitor, who believes they have been subjected to gender-based misconduct, is encouraged to seek support and assistance through at least one of the resources listed below. Seeking assistance promptly may be important to ensure safety, to obtain medical care, and to preserve evidence to assist the response of law enforcement and/or the College. Behaviors that do not rise to the level of policy violations can also be reported, as the College may still be able to provide options for resolution, remedy, or support.

The College's primary concern is the health, safety, and well-being of its community members, guests, and visitors. If you, or someone you know, have experienced gender-based misconduct, please seek assistance.

### Confidential Reporting

Confidential resources listed in this section are not required by law or College policy to relay reports of gender-based misconduct to the Bard College Title IX Coordinator. Information provided to the resources listed below will not be disclosed without stated permission, except in extreme circumstances, such as a health or safety emergency. Rules of civil and criminal procedure and law may result in records and information maintained by confidential resources, and persons serving as confidential resources, being subject to subpoena. Information shared with confidential resources may only be shielded or protected from disclosure if shared with a medical, licensed counseling, or pastoral provider covered by a legal privilege or protection. Information shared with confidential resources may be reported for statistical purposes without identifying information in accordance with the Clery Act.

#### **On-Campus Confidential Resources:**

Counseling Services	845-758-7433
Health Services	845-758-7433
EAP (Employee Assistance Program)	800-272-7255
Chaplaincy	845-758-7335
BRAVE 24/7 Counselors (Ask for BRAVE)	845-758-7777

#### **Off-Campus Confidential Resources**

Family Services Rape/Sexual Assault Hotline (Dutchess)	845-452-7272
Family Services Domestic Violence Hotline (Dutchess)	845-485-5550
Grace Smith House	845-452-7155
LGBTQ Antiviolence	212-714-1141
RAINN (Rape, Abuse, and Incest National Network)	800-656-4673
National Domestic Violence Hotline	800-799-7233

Anonymous reports made within the Bard community are filed and reported for statistical purposes only in accordance with the Clery Act. Reports made to off-campus resources are filed and reported for statistical purposes without identifying information if Bard is made aware of such reports.

### Internal Reporting - Reporting to Bard College (Private, Non-Confidential)

Any member of the community who wishes to file a report of gender-based misconduct with the College may do so by following the procedures outlined below. Bard College offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. Information you provide to a non-confidential resource at the College will be relayed only as necessary for the Title IX Coordinator<sup>1</sup> to investigate and/or seek a resolution. Bard College will limit redisclosure as much as possible and comply with federal and state privacy laws, but information reported to the College may be subject to disclosure pursuant a lawful subpoena issued to the College or pursuant to a request or investigation by an authorized government agency.

Any responsible employee with knowledge of gender-based misconduct involving members of the Bard community must notify the Title IX Coordinator of any and all reports of potential gender-based misconduct that they receive. Upon receiving a report of potential gender-based misconduct, responsible employees must inform a reporting individual of their own reporting responsibilities (i.e., that they can provide privacy, not confidentiality) and the option of seeking assistance from confidential resources and support services. In addition, responsible employees must provide the following information to the reporting individual at the first instance of disclosure of sexual assault, intimate partner violence, and/or stalking:

- You have the right to make a report to Bard College security, local law enforcement, and/or state police, or choose not to report.
- You have the right to report the incident to your institution, Bard College.
- You have the right to be protected by the College from retaliation for reporting an incident.
- You have the right to receive assistance and resources from the College.

Individuals or persons who have questions regarding the reporting procedures for gender-based misconduct may meet in person or talk by telephone with the Title IX Coordinator, to discuss the process, policies, resources, their institutional rights, as well as rights for reporting to the local authorities. They may also discuss options for No Contact Orders through the College and Orders of Protection through the court system. When information pertaining to specific incidents of reported gender-based misconduct is shared, the Office for Gender Equity will attempt to protect the privacy of all parties involved, but is required to initiate a preliminary inquiry and determine what, if any, further actions will be taken.

Reports can be submitted by contacting the Office for Gender Equity, either:

by phone (845-758-7542);

by email ([titleix@bard.edu](mailto:titleix@bard.edu));

through campus mail at 201 Gahagan House; or

through the online reporting system at [www.bard.edu/genderequity](http://www.bard.edu/genderequity) by clicking “Make a Report.”

#### External Reporting Line

Misconduct Reporting Line: 888-323-4198

Any person who feels uncomfortable or otherwise unable to file a complaint through the channels set forth above may make a report via the Misconduct Reporting Line. The Misconduct Reporting Line is administered by an external entity hired by the College to receive reports on a non-confidential basis. Reports of alleged violations of this policy may be made anonymously to the Misconduct Reporting Line. However, individual identities may be disclosed through the process of investigation.

Alleged violations of this policy will be referred for investigation in accordance with the procedures set forth herein. Any reports received via the Misconduct Reporting Line will be filed for statistical purposes, even if made anonymously. Reports regarding alleged misconduct by the Office for Gender Equity may be made through this reporting line.

### Anonymous Report

Anonymous reports may be submitted to the Title IX Coordinator by sending a report with no identifying information through campus or regular mail to:

Title IX Coordinator  
Office for Gender Equity  
Bard College  
30 Campus Road/Gahagan House 201  
Annandale-on-Hudson, NY 12504-5000

or

Online at: [www.tinyurl.com/BardTitleIX](http://www.tinyurl.com/BardTitleIX)

Due to restricted identifying information, the College's ability to investigate and respond to anonymous complaints may be limited.

**False Reporting:** An individual who is determined to knowingly have made false complaints, or accusations, or provided false information during an investigation, may be subject to disciplinary action by the institution. This provision does not apply to reports made in good faith, even if the facts alleged in the report cannot be substantiated by subsequent investigation.

### Criminal Reporting

Individuals have the right to decide whether to file or decline to file a report with the New York State Police or the local law enforcement agency where the misconduct occurred. The Title IX Coordinator and other campus authorities are available to assist individuals in reporting to law enforcement.

What constitutes a criminal act will be defined by the penal code of the jurisdiction in which the alleged misconduct occurred. The College system and legal system have investigation processes that work independently of each other and can happen concurrently. The standard of proof in a criminal proceeding is beyond a reasonable doubt, which is higher than the standard of proof for violations of Bard's Gender-Based Misconduct Policy, which utilizes the preponderance of evidence standard (whether it is more likely than not that a policy violation occurred). In addition, the stringent laws applied in criminal court regarding submission and admissibility of evidence do not apply in the College conduct process, which is not governed by formal rules of evidence.

To file a criminal report, individuals may contact the following, and/or any other appropriate law enforcement agency:

New York State Police 845-876-4194  
New York State Police Campus Sexual Assault Victims Unit 844-845-7269  
Red Hook Police Department 845-758-0060

## Student Bill of Rights

All students have the right to:

- Make a report to local law enforcement and/or state police.
- Have disclosures of domestic violence, dating violence, stalking, and sexual assault taken seriously.
- Make a decision about whether or not to disclose a crime or violation and participate in the judicial or conduct process and/or criminal justice process free from pressure by the institution.
- Participate in a process that is fair, impartial, and provides adequate notice and a meaningful opportunity to be heard.
- Be treated with dignity and to receive from the institution courteous, fair, and respectful health care and counseling services, where available.
- Be free from any suggestion that the reporting individual is at fault when these crimes and violations are committed or should have acted in a different manner to avoid such crimes or violations.
- Describe the incident to as few institution representatives as practicable and not be required to unnecessarily repeat a description of the incident
- Be protected against retaliation by the College, any student, the accused and/or the respondent, and/or their friends, family and acquaintances within the jurisdiction of the College.
- Access to at least one level of appeal of a determination.
- Be accompanied by an advisor of choice who may assist and advise a reporting individual, accused, or respondent throughout the judicial or conduct process, including during all meetings and hearings related to such process.
- Exercise civil rights and practice of religion without interference by the investigative, criminal justice, or judicial or conduct process of the College.

## **Affirmative Consent**

Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant's sex, sexual orientation, gender identity, or gender expression. Previous consensual sexual activity and/or consent to one sexual act does not constitute consent to any other sexual act. Consent is required regardless of whether the person initiating the act is under the influence of illegal substances and/or alcohol. Consent may be initially given but withdrawn at any time.

Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity. Incapacitation may be caused by a lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Consent cannot be given when it is the result of coercion,

intimidation, force, or threat to harm. When consent is withdrawn or can no longer be given, sexual activity must stop.

***Bard College strongly recommends reading its entire Gender-Based Misconduct Policy, which can be obtained online at [www.bard.edu/genderequity/policy/](http://www.bard.edu/genderequity/policy/), or by request via email ([titleix@bard.edu](mailto:titleix@bard.edu)) or via telephone (845-758-7542).***

## **Consensual Relations**

The College strongly discourages amorous or sexual relationships between faculty members and students, administrators and students, and staff members and students. Although the College recognizes that adults, including young adults, may make choices regarding personal relationships, amorous or sexual relationships between students and faculty, administrators, or staff, raise serious concerns about conflicts of interest, validity of consent, and preferential treatment jeopardizing a student's educational program, as well as the learning environment for all students. These relationships may be less consensual than perceived by the individual whose position confers power. The relationship also may be viewed in different ways by each of the parties, particularly in retrospect. Furthermore, circumstances may change, and conduct that was previously welcome may become unwelcome. Even when both parties have consented at the outset to a romantic or sexual involvement, this past consent may not remove grounds for a later charge of a violation of applicable sections of the faculty/staff handbooks. Faculty and staff engaged in such relationships should be sensible to the constant possibility that they may be placed unexpectedly in a position of responsibility for the student's instruction or evaluation. Individuals who hold positions of power put both themselves and the College at risk when they engage in such relationships. Risks may include loss of professional standing with colleagues and students, allegations and charges of sexual harassment, disciplinary action by the College, and legal liability. A faculty member, administrator or staff member who is involved in an amorous or sexual relationship with any student must make the relationship known to their divisional chair, dean, or supervisor and must cooperate fully in making alternative arrangements for the supervision, evaluation, teaching, grading, or advising of the student and/or assist in making such arrangements for the future. Failure to do so can result in disciplinary action ranging from verbal warning to dismissal.

## **Alcohol and Drug Policy**

Bard College is committed to providing a healthy learning environment that facilitates the highest level of academic achievement and fosters the full development of all students. The community strives to support and promote safe and legal behavioral norms and standards with respect for individual integrity coupled with our shared responsibility to create a safe and vibrant academic environment. The purpose of policies related to alcohol and illegal drug use is to:

- Stress safety, well-being, and individual accountability for all Bard College students;
- Provide an atmosphere free from coercion to abuse alcohol, or illegal or prescription drugs;

- Discourage and prohibit the illegal use of alcohol and drugs or misuse of prescription drugs;
- Prohibit the manufacturing, sale, and distribution of illegal and prescription drugs;
- Prevent problem behavior, and to combat alcohol and drug abuse;
- Provide prevention and intervention information and education for all students;
- Provide students with information about confidential on- and off- campus resources to address issues related to alcohol and drug use and abuse.

Every member of the community is responsible for abiding by the alcohol and drug policy and for encouraging others to do the same. The College expects that all members of the community will, through year-round educational programming and orientation events, familiarize themselves with the physical risks of and legal constraints on alcohol and drug use, and that they will make informed decisions regarding their own behavior. The use, sale, transfer, or manufacturing of illegal drugs, the abuse of alcohol, and the abuse of prescription medications disturbs and offends members of the Bard community. This brings unintended consequences that create an atmosphere of fear and distrust at odds with the educational mission of the College.

Students are recognized as adults and, therefore, held responsible for their own behavior. All students are expected to obey all local, state, and federal laws as well as college policies and regulations. The College expects moderation, restraint, and care in the use of alcohol for students of legal age; only students age 21 or older may consume alcohol in designated campus locations or at college-sponsored events. Those students are permitted to consume alcohol only at registered college events that have been approved to serve alcohol. Possession of open containers of alcohol outside a registered venue will result in disciplinary action. The responsible use of alcohol on campus by those of legal age is a social privilege which, if abused, may be revoked. A room whose occupants are under 21 cannot have any alcohol stored or consumed in it.

Safety and Security, Residence Life and Housing and Dean of Student Affairs staff will confiscate alcohol if a student is not of age or quantities are considered larger than individual servings. Drinking games and other activities that encourage rapid ingestion of alcohol are not permitted.

All members of the Bard community must take responsibility for their own actions and comply with the laws of New York State and the Drug-Free School and Communities Act. The major points of the law are as follows:

- Legal Age and Intoxicated Individuals: No person shall sell, deliver, give away, cause, permit, or procure to be sold, delivered, or given away any alcoholic beverages to: (1) any person actually or apparently under the legal age (21); or (2) any intoxicated person or any person under the influence of alcohol.
- Dram Shop Liability: Any person who shall be injured in person, property, means of support, or otherwise by an intoxicated person or by reason of the intoxication of any person, whether resulting in death or not, shall have a right of action against any person who shall, by unlawfully selling to or unlawfully assisting in procuring liquor for the

intoxicated person, have caused or contributed to the intoxication. In any such action, the injured person will have a right to recover actual and exemplary damages.

- **Social Host Liability:** If intoxication results in injury or damages to a third party, anyone who knowingly furnishes alcoholic beverages to any intoxicated person under the legal age of purchase, can be held subject to civil liability.

### **Dangerous Drinking**

The safety and health of students is the College's overriding concern. Any member of the community who observes another member involved in dangerous drinking should feel a responsibility to discourage the behavior and help the intoxicated individual. In cases of intoxication, alcohol poisoning, or alcohol and/or drug overdose, individuals are asked to call for medical assistance (x7777) for themselves or for any members of the Bard community. The College believes it is the personal responsibility of each student to call for medical assistance in cases of an alcohol or drug-related medical emergency. Special consideration for policy infractions will be given in cases where students voluntarily seek medical attention for themselves or other members of the community. Serious sanctions may result in cases where students do not seek appropriate medical treatment for intoxication or overdose.

### **False Identification**

Any person under the legal age of purchase who is found to have presented or offered false or fraudulent written identification of age for the purpose of purchasing or attempting to purchase alcoholic beverages will be sanctioned and the false identification will be confiscated.

### **Possession or Distribution of Alcohol, Illegal Drugs, and Improper Use of Prescription Drugs**

An academic environment is incompatible with the use of illegal drugs, the abuse of any drugs, and the use of drugs not medically prescribed and supervised. Federal and New York State law prohibit the possession of illegal drugs that are defined as controlled substances which cannot be obtained legally or which, although available legally, have been obtained illegally. This includes prescription drugs that have not been lawfully prescribed for the individual (see the Federal Controlled Substances Act for a list of controlled substances).

While the College's emphasis is on preventive and educational approaches to substance use and abuse, the College will not protect students from local, state, or federal laws. The College prohibits the unlawful possession, use, manufacture, or distribution of alcohol or illegal drugs, or misuse of legal or prescription drugs by students. Bard College cannot and will not protect students from prosecution under federal, state, or local law; nor are students immune from legal investigation or arrest by civil authorities resulting from the unlawful possession, use, manufacture, or sale of any dangerous drugs. The sale, transfer, or manufacturing of alcohol or of illegal or prescription drugs, will result in prompt and forceful action and include immediate removal from campus and possible prosecution under Section 220.000 of the New York State penal code. Information received about drug dealers is shared with local police agencies.



Further, persons suspected or found using illegal drugs or voluntarily being in the presence of their use are potentially subject to disciplinary action by the College.

Paraphernalia includes those items made expressly for the purpose of supporting the use or distribution of illegal drugs, or items made for another purpose, but used for the distribution or use of drugs. Items with the purpose or effect of facilitating the abuse of alcohol are considered in this category. Items considered to be paraphernalia may be confiscated and become property of the College, including paraphernalia identified as having been used in a drinking game, including tables.

### **Policy Violations**

Violations of these policies will result in disciplinary action. Penalties will reflect both the degree and number of offenses and may include written warnings submitted to the student file, restitution to community, fines, social probation, mandatory alcohol and drug evaluation, mandatory attendance in educational programs, loss of housing privileges, loss of scholarship, disciplinary leave, suspension, and expulsion. Those whose drinking or illegal drug use repeatedly leads to problem behavior will be dealt with more severely because of the predictable relationship between the use and the behavior that follows.

In compliance with the Family Education Rights and Privacy Act, the College may notify parents or guardians of violations of the College's alcohol and drug policy. The College reserves the right to notify parents or guardians when a student is found in violation of the alcohol and illegal drug policy, including hospital transport for alcohol or illegal drug-related overdose.

### **Anti-Hazing Statement**

Any action or situation that recklessly or intentionally endangers mental or physical health or involves forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization at Bard College is expressly prohibited. In the event any organization at Bard College shall authorize such conduct, permission for that organization to operate on campus property shall be rescinded. Such rescindment shall be in addition to any penalty pursuant to the criminal code or any other law of the State of New York. Adopted by the Board of Trustees of Bard College, March 25, 1981.

### **Alcohol and Drug Programming**

Early recognition and treatment of drug and alcohol abuse is important for successful rehabilitation; to this end, the College encourages the earliest possible diagnosis of and treatment for alcohol and drug abuse or problematic use and, whenever possible, will assist students in overcoming substance abuse by referring them to appropriate on- or off- campus resources.

It is the College's intent to inculcate a positive sense of independence and originality in the culture of Bard students. We work on developing constructive initiatives designed to engage the hearts and minds of students in ways that reduce the allure of self-destructive behavior. The

College provides educational programs and counseling services to increase awareness of the issues of alcohol and illegal drug use and to assist those in need of help, including students struggling with addiction and chemical dependency. Helping someone to get treatment for problem or addictive use is an act of legitimate and reasonable concern, and the College will respect and protect the privacy of students who voluntarily seek assistance.

Bard College Counseling Services offers a free and confidential program called BASICS (Brief Alcohol Screening Intervention for College Students) for students who want to examine their alcohol and/or illegal drug use in a judgment-free environment. This program offers a skills-based curriculum that aims to reduce harmful consumption and associated problems in students who drink alcohol and/or use drugs illegally. BASICS is comprised of two 50-minute sessions. The purpose of the first session is to gather information as well as engage the student in the process by taking a closer look at his/her alcohol or drug use. The purpose of the second session is to provide personalized feedback. Follow-up sessions are scheduled by the student as needed. This service is entirely confidential.

The Office of Health and Wellness Education, in conjunction with Bard College Counseling Services, the Office of Residence Life, and the Dean of Student Affairs Office, offers a free program called eCHECKUP TO GO, which focuses on prevention intervention and harm-reduction, for students who want to examine their alcohol use through self-assessment. After completing the electronic self-assessment (approximately 10 – 20 minutes), results are customized for each student based on reported usage, genetic factors, and the importance and confidence in ability to change one's current consumption rate. Students send their results to the staff member they are working with and schedule a meeting (approximately 45 – 60 minutes) to discuss their results, receive personalized feedback, and implement plans for continued support. Follow-up sessions are scheduled by the student as needed. Individual results will only be shared by the Office of Residence Life & Housing and the Dean of Student Affairs Office when working in conjunction with Bard College Counseling Services; this service is confidential when utilized through Bard College Counseling Services.

The College's BRAVE Counselors, Peer Counselors, Peer Health Educators, and the College's Wellness Committee work to educate the community on issues related to substance use and abuse, and promote and support healthy lifestyles through programs and promotional campaigns. These resources support students in the majority, who choose to abstain from the use of alcohol and drugs or who choose to use alcohol in a legal, safe, and responsible way.

### **Bard Self-Service Banner**

Bard Students, You can now view your current student activity, as well as make payments via credit card, ACH, or Western Union!

1. Go to [bardssb.bard.edu](http://bardssb.bard.edu)
2. **Click** "*Log In With Bard Account*"
3. Login with your Bard College email and password
4. **Click** "*Student*"

5. **Click** "Student Account"
  6. **Click** "*View your Student Account Information*"
- **Student login help:** To reset your Bard College email password, please go to [account.bard.edu](http://account.bard.edu)
  - If you do not have a Bard College email and password, please contact the Bard Helpdesk (helpdesk@bard.edu or 845-758-7500)
  - A Parent/Authorized User Login must be created by the student before it can be used. For more information, please see the "Creating a User Login for Parents or Authorized Users" section.
  - Flex payments will be added to the corresponding flex account by the end of the next business day. **Monies deposited into Flex accounts must be used toward purchases and cannot be refunded or transferred.** For more information about flex accounts, please contact the Office of Student Accounts at 845-758-7520.

## **Students: Bard Graduate Center (BGC) and Visiting**

1. Go to [commerce.cashnet.com/bardpay](http://commerce.cashnet.com/bardpay)
2. Login with your student login and password
  - If you need help with your student login and password, please call the Office of Student Accounts at 845-758-7520 or email [sao@bard.edu](mailto:sao@bard.edu) for detailed log in information.
  - If you have questions, please call the Office of Student Accounts at 845-758-7520.

For more information about Bard Self-Service Banner please go to:

<http://www.bard.edu/studentaccounts/selfservice/>

## **Campus Computing**

Bard provides electronic information systems for the campus community in order to support the educational mission of the College. These systems serve important needs for our faculty, staff, and students. Electronic mail messages, like telephone and paper mail communications, are private and privileged exchanges deserving protection and security. Bard views with most serious concern any fraudulent action or any violation of security related to electronic communications and is prepared to take appropriate corrective and punitive actions in response to such behavior.

As citizens of the Bard College community, we bear the responsibility to avoid libel, undocumented allegations, and attacks on personal integrity. The same standards of civil discourse and etiquette that govern our face-to-face interactions must apply to online communications including: composing, sending, or redistributing electronic mail or voice

messages, and creating or publishing postings online (including images, message boards, and social network sites such as Facebook or Twitter).

With today's technology, messages are disseminated more rapidly and more widely than ever before; a single damaging statement is likely to "live" for years online. We all then must also be aware of and responsible for the "life" of our comments and messages beyond the original posting.

The College expects that the community of people who use electronic information resources will do nothing in that action that infringes upon the rights or safety of others on this campus or elsewhere and will not apply campus information systems in any fraudulent ways.

Thus, all users agree to the following:

1. College computer facilities will not be used for activities that are in violation of campus, local, state, or federal rules and laws. This includes:

- Copyright infringement;
- Cheating;
- Theft;
- Vandalism;
- Software piracy (the unauthorized duplication and distribution of copyrighted software);
- Media piracy (the unauthorized duplication and distribution of copyrighted text, still image, video, and audio files, e.g. MP3);
- Sending messages that encourage or promote violation of the above or other college, local, state, or federal regulations.

2. Use of College computer facilities for commercial purposes or personal profit is forbidden with the exception of the publication of scholarly works which may incidentally provide revenues to the author(s).

3. Users will respect an individual's right to privacy and freedom of expression and will not read, copy, or print material written by others that is not intended for public inspection. Inappropriate use includes:

- Sending messages in such a way that makes them appear as though they originated from a different person or that deliberately misrepresent yourself or your authority;
- Sending messages that are severely abusive or threaten an individual's safety or for sexual, ethnic, religious, minority, or other harassment;
- Sending or forwarding chain letters;
- Deliberately flooding a users mailbox with automatically generated mail;
- Sending mail that is deliberately designed to interfere with proper mail delivery or access;
- Attempting to gain access to another person's files regardless of the intent or result;

- Broadcasting messages to large numbers of recipients without regard to the relevance of the material;
- Sending messages or engaging in other conduct intended to suppress or disrupt debate;
- Sending messages that are designed to interfere with normal system operation;

4. Users will refrain from any activity that threatens the integrity of the computer system at Bard. This includes, but is not limited to:

- Modification of system services and utilities;
- Permitting others to access College resources from outside of Bard;
- Installing any hardware or software that threatens the integrity of the overall campus network, “hacking,” or other sabotage;
- Activities that interfere with public access to computer resources.

5. Every user is personally responsible for the integrity of the account assigned to that individual. Usernames are not transferable to other users or publicly distributable without prior authorization from Bard Information Technology.

Violations of these rules will be reported to the appropriate campus judicial body. Any punitive actions will be determined by that body and could include disconnection from the campus network.

### **Digital Millennium Copyright Act**

Individuals using computers and networks at Bard College are responsible for complying with all copyright laws and the college’s procedures regarding the use of Bard’s computing resources. Users should refer to the Acceptable Use Guidelines posted on the Bard Information Technology website: <https://www.bard.edu/it/computing-policies>. The Digital Millennium Copyright Act of 1998 specifically prohibits the circumvention of the copy-protection technology on copyrighted material. Many digital audio and video files contain copyrighted material. The download, copying, adapting, and public display and distribution of these materials is prohibited by the DMCA, and further is not considered an acceptable use of academic computing resources.

## **Services for Students with Disabilities**

Disability Support Coordinator

Stevenson Library, Room 211, phone: 7532

E-mail: [disabilityservices@bard.edu](mailto:disabilityservices@bard.edu)

Website: [www.bard.edu/learningcommons/](http://www.bard.edu/learningcommons/)

Bard College strives to create an accessible and welcoming campus community for students with disabilities. The College is committed to maintaining compliance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990, and the ADA Amendments Act of 2008, by providing otherwise qualified individuals with disabilities equal access to academic courses, programs, and activities. In support of this mission, the College provides services and reasonable accommodations to students through Disability Services when a barrier to access exists. Students who may require particular accommodations to ensure access should register with Disability Services by June 1 (incoming students) or as soon as the diagnosis of disability is made. The student will be asked to complete the disability registration form and present documentation that verifies the disability, details the impact of the disability, and provides suggested accommodations to mitigate the impact. Registration forms and additional information can be found at [bard.edu/learningcommons/disabilities/registering](http://bard.edu/learningcommons/disabilities/registering).

Students who have a properly documented disability are entitled to reasonable accommodations or modifications to help them meet academic standards and access the programs and services of the College. "Reasonable" is here understood to exclude any accommodation or modification that places an undue burden on the College or would require a fundamental alteration of programs or services. Typical accommodations include, but are not limited to: exam modifications (extended time, alternative formats, reduced-distraction testing locations); alternative ways of completing assignments; housing policy accommodations; and auxiliary aids and services. The particular accommodations afforded a student will be determined jointly by the student and the disability support coordinator through a dynamic process that includes the professional documentation and recommendations provided by the student, student history, and current academic requirements. What is considered appropriate for one student may not be considered appropriate for another student. Every consideration to prioritize the student's requested accommodation will be made, though the College reserves the right to provide an alternative accommodation if it will serve the student's needs equally as well and places less of a burden on the College.

Students who think they have been discriminated against on the basis of disability should file a detailed written complaint with the disability support coordinator as soon as possible after the alleged discrimination occurred. The disability support coordinator will investigate the complaint and issue a report, normally within 30 days. Unsatisfactory resolutions should be taken up with the dean of studies, who serves as the College's ADA coordinator. Further appeals may be addressed directly to the president. Students who file a complaint are protected against retaliation in any form. If a student suspects that such retaliation has occurred, s/he should file a written complaint, as per the above.

## **Smoking**

In keeping with Bard's desire to protect the health of its faculty, staff, students, visitors, other campus constituencies, and the public in general, it is College policy to provide a smoke-free environment, to the maximum extent possible for those desiring such an environment, in full compliance with the Dutchess County Smoke-Free Air Act (Resolution No. 202237) and the New York State Clean Indoor Air Act (Article 13-E of the New York State Public Health Law).

## **Smoking Defined**

To “smoke” and “smoking” means creating smoke by lighting a cigarette, cigar, pipe, or other smoking products, including e-cigarettes and vaping products; it also means puffing on, carrying, or holding a lighted cigarette, cigar, pipe, or other smoking products, including e-cigarettes and vaping products.

## **Regulations**

Smoking is prohibited in all indoor spaces, including common areas, individual student bedrooms, and Bard owned vehicles (including the Campus Shuttle).

Smoking is permitted in designated areas outside college buildings provided that the areas are located far enough away (minimum of 25 feet) from doorways, windows, and ventilation systems to prevent smoke from entering these facilities.

## **Compliance**

The success of this policy requires the thoughtfulness, consideration, and cooperation of smokers and non-smokers alike. It is the responsibility of each member of the campus community to adhere to this policy. Violators will be fined a minimum of \$100 and 20 hours of community restitution, to a maximum of \$500. Further violations will be referred to the appropriate judiciary body or supervisory authority for resolution.

## **Weapons**

The use or possession of any chemical explosives, firearms, hunting knives, switchblades, swords, daggers, machetes, ammunition, firecrackers, fireworks, BB guns, sling shots, air rifles, paintball rifles, fencing foils, bows and arrows, or any projectile firing device and the like, is prohibited. Students who have paintball guns, bows and arrows, or fencing foils for legitimate club purposes must be approved through the Director of Safety and Security, and the items must be stored in approved club storage. Chemical deterrents (e.g. pepper spray) must be approved by the Director of Safety and Security in accordance with NY State Penal Law (Article 265). Any item used with the intention of threatening or causing harm or damage to an individual or property will be considered a weapon. Replica or simulated firearms are prohibited from campus, unless approved by the Director of Safety and Security. The possession of any of these items will result in serious sanctions. The Penal Law of the State of New York (Section 265.01) defines criminal possession of a weapon in the fourth degree as follows: “A person is guilty of criminal possession of a weapon in the fourth degree when they knowingly have in their possession a rifle, shotgun, or firearm in or upon a building or grounds used for educational purposes, of any school, college or university, except the forestry lands, wherever located, owned, or maintained by the State University of New York College of Environmental Science and Forestry, without the written authorization of such educational institution. Violation of the

above code is classified as a Class A misdemeanor and is punishable by a one-year sentence and/or a \$1,000 fine.”

Items discovered on campus, or sent to the Bard College Campus through the United States Postal Service, United Parcel Service, FedEx, or any other parcel delivery company will be held for inspection. The Community Member whose name is on the delivery package will be asked to open the package in the presence of the Director of the Office of Safety and Security at Bard College, or other Bard College Administrator. Prohibited items will be repackaged and returned to sender, at owner’s expense.

## **Safety and Security**

Bard College is a close-knit community that offers space and atmosphere for study, recreation, and reflection to members and neighbors.

The Office of Safety and Security is available 24 hours a day to assist all members of the College community. It is service oriented, providing assistance and information to students daily, often successfully solving student problems without the need for intervention. The department helps to protect the Bard campus community from loss or damage to personal and college property, and is responsible for maintaining public order, and enforcing campus regulations and policies.

The department has taken steps to make the campus as safe as possible. While every effort is made to protect members of the Bard community from being victims of crime, it is a possibility as no community is risk-free. Thefts, assaults, and other violations of the law sometimes occur. Many incidents can be avoided if community members recognize that they can become victims and take basic precautions to reduce the risk of harm, such as walking with a friend during daytime and in groups at night; keeping interior and exterior residence doors locked at all times; locking bicycles when not in use; and not leaving laptops and other electronics or valuables unattended.

Community members should call x7460 (845-758-7460) to report any incident that appears suspicious, policy violations, concerns, or to report any crimes. Suspected crimes may also be directly reported to local law enforcement. If a community member chooses to report to local law enforcement, they are encouraged to notify the Offices of Safety and Security since the College needs to be aware of such incidents.

In the event of a life-threatening or emergency situation, students should immediately call x7777 (845-758-7777) or 911. If 911 is dialed first, please follow up with an immediate call to x7777 (845-758-7777). The Office of Safety and Security assists in coordinating emergency medical transportation for the college community. All members of the department are trained in basic first aid and are supported by the Bard College Emergency Medical Services (BEMS). Security officers will assist emergency responders, providing mutual aid if necessary.



Security investigates policy violations, accidents, and assorted complaints, and cooperates with local law enforcement in the investigation of reported or suspected crimes. In addition to patrolling buildings and grounds, the Office of Safety and Security is responsible for the registration of motor vehicles and enforcement of parking and traffic regulations. The department also assists in emergency transportation of sick or injured students; provides an escort service; and maintains a lost and found in the Old Gym.

Suspicious activity or persons on campus should be reported immediately to the Office of Safety and Security. Unauthorized persons, inclusive of unregistered guests, may be asked to leave the campus; trespassers will be prosecuted in accordance with the New York State Criminal Code.

The Office of Safety and Security is always open, and community members are welcome to speak with the director at any time to discuss policy, personnel, or personal problems.

### **Identification**

It is expected that all community members will cooperate fully with College officials in matters of safety and security. Community members must show their Bard identification card upon request. False representation or false reporting of information is cause for disciplinary action.

### **Annual Campus Safety & Security and Fire Safety Reports**

Bard College publishes an **Annual Campus Safety & Security Report** in compliance with **The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act**. This report includes statistics for certain crimes that occurred on campus, near campus, and on property frequently used by students, as well as about fire safety policies, information, and statistics. The report is available at <http://www.bard.edu/security/>. You can view the reported statistics for Bard and other colleges by using the Department of Education's data tool at <http://ope.ed.gov/security>. Physical copies of the Annual Campus Safety & Security Report are available in the Safety and Security Office. If you would like a physical copy of the report, please stop by the Office of Safety and Security in the Old Gym or request a copy to be sent to your campus mailbox by emailing [security@bard.edu](mailto:security@bard.edu).

## COMMENCEMENT

There is a \$120 Graduation Fee for graduate students. The fees help make Commencement a college-wide celebration of each and every one of Bard's academic programs, a celebration at which each and every graduating student is celebrated for their achievements and contributions to the College and the community. The small contribution that graduation fees make to Commencement expenses helps make it possible for every student to participate in the celebrations and, whether or not they attend, to acknowledge and share in the collected accomplishments and achievements of all the graduating students. You might think of the fee as an acknowledgment of the contributions that your graduating cohort and your program's faculty and staff have made to your and your fellow students' achievements.

The fees are not intended to make a profit for the College, and they are not meant to penalize students who don't attend Commencement. The fees cannot be waived and are nonrefundable whether you attend Commencement or not. Commencement expenses go far beyond the contribution made by student graduation fees.

A Commencement packet will go out to graduate students the first week of April to the addresses you provide(d). The package will include: a note from the Dean of Graduate Studies, a Commencement Post-Card, 2 Commencement invitations, a graduate luncheon invitation, a graduate luncheon menu, and Commencement instructions.

Please note: Commencement invitations are not necessary to enter the tent. The tent will open at 1pm. Guests should plan accordingly.