

Any activity organized by a student organization or members of a student organization that involves a member in practices that are injurious or potentially injurious to an individual's physical, emotional, or psychological well-being (as determined at the sole discretion of the College) shall be cause for disciplinary action. It shall not matter whether such practices were mandatory or voluntarily entered into by any of the student organization members in question, including new and initiated members.

ALCOHOL AND DRUG POLICY

Position Statement

Hampshire's drug and alcohol policy is guided by three primary concerns: the health and safety of all community members; upholding state and federal laws; and promoting positive Hampshire values, such as awareness and respect for self and others, accountability, and informed decision making. (To view state laws in their entirety, you may visit www.mass.gov/legis/laws/mgl/ or see chapter 138 of the Massachusetts General Laws, which is available in the reference section of the Hampshire College library.)

Hampshire is committed to providing support and assistance to students struggling with issues related to alcohol or other drug use. Students who come forward to actively seek help when they are concerned about their own use or that of their friends and/or acquaintances will not face disciplinary action related to that drug or alcohol use. Students will still be expected to work with the college to develop a plan to address these issues, and to take responsibility for any negative impact their behaviors have had on others or the environment (e.g., property damage, noise complaints, medical transports.) Both on and off-campus support and informational resources are listed at the end of this policy for students seeking help for substance-use issues.

Hampshire recognizes that substance use is a reality on nearly all college campuses, and encourages productive community dialogue about drug and alcohol-related issues. Hampshire further recognizes that this is a complex topic that needs to be addressed honestly and realistically, and not dichotomized into "abstinence-only" vs. "unlimited freedom" (without responsibility). A number of issues have been raised by the 2006 and 2009 Core survey on drugs and alcohol*, a series of focus groups* with students, faculty, and staff, and other conversations and efforts taking place on campus. (*The results of the Core surveys and focus groups can be viewed at: <https://intranet.hampshire.edu/cms/index.php?id=9969>.) The drug and alcohol policy seeks to address these issues and promote the following values and practices:

- Moderation, safety, and individual accountability for those students over 21 who choose to drink
- A safe, comfortable, and enjoyable social environment that is free from pressure for those students who choose not to drink
- Support and assistance for all students who are concerned about their own alcohol or drug use, or that of their friends
- Opportunity to take responsibility and make reparations for any negative consequences of drug or alcohol use, in place of disciplinary action
- Information and education for all students to encourage responsible and informed decision-making
- Information on confidential resources, to encourage students to seek help for themselves and their friends
- The involvement of community members to help alleviate the problems associated with alcohol and drug use (these include addiction, hospital transports due to excessive drinking and drug use, sexual assaults, damage to property, noise problems, concern for friends, unpleasant living environment)
- Adherence to all pertinent town, state, and federal regulations and laws

What Does It Mean to Be Moderate, Safe, and Responsible?

For students who choose to drink, it is important to be aware of how alcohol affects you, as everyone has a different tolerance level and responds differently to varying amounts or types of alcohol. A good general guideline to follow is to consume one drink or less per hour, which in many people maintains BAC (blood alcohol content) at around 0.05, although individuals may experience higher or lower BAC depending on their weight, eating habits, etc. At this level, you may experience a "buzz" while also avoiding many of the more negative effects of alcohol consumption. Other suggestions for drinking safely are:

- Eating before you drink
- Staying hydrated (with water)
- Setting a limit for yourself ahead of time
- Watching out for your friends and asking them to watch out for you
- Having a designated driver, a place to stay, or a plan to get home (if applicable)

When Drinking May Be a Concern...

While using substances can be social and enjoyable for some people, it can also become problematic for others and/or have a negative impact on those around them. If you have questions or concerns about your own drinking or drug use, or someone else's, you are encouraged to seek confidential assistance from Health Services (x5458), the Community Health Collaborative (x5743), or one of the other resources listed at the end of this policy. You may also take a 10-minute anonymous alcohol screening to get feedback on your drinking at alcoholscreening.org. If an intern, house staff, or anyone else becomes concerned about your substance use, please be aware that they may initiate a conversation with you to address that concern.

The following behaviors may indicate unhealthy use of substances:

- Frequency of use (i.e. several times a week)
- Excessive use (with alcohol this would mean binge drinking, as defined by reaching a BAC of 0.08 or above. For most adults, this corresponds to consuming four or more [if you're female-bodied] and five or more [if you're male-bodied] drinks in a 2-hour period. This is based on a standard drink equivalent of one 12-oz. beer, one 5-oz. glass of wine, or one 1.5-oz. shot of spirits.)
- Negative consequences (e.g. has a negative impact on academic work, attendance, relationships, work, health, legal)
- High-risk, destructive, or out-of-the-ordinary behavior
- Experiences/expresses cravings or plans center on obtaining/using substance.
- Possession of large amounts of drugs/alcohol

For more information about these and other topics relating to substance use, you may visit or call the Community Health Collaborative at x5743. If you have immediate concerns for your own or someone else's health or safety (e.g. a student is passed out, vomiting excessively, aggressive, disoriented, or acting bizarrely) call the EMTs/Public Safety at x1911 or x5424 for non-emergencies.

Medical Amnesty

The dean of students office is committed to providing support and assistance to students struggling with issues related to substance use. Students who come forward to actively seek help when they are concerned about their own use or that of their friends and/or acquaintances will not face disciplinary action related to substance use. The goal of this policy is to decrease the likelihood that a student

will hesitate to seek help in an alcohol or drug-related emergency. Medical Amnesty encourages safety and responsibility throughout the community and promotes education/treatment for individuals who receive emergency medical attention to reduce the likelihood of future occurrences.

In cases of alcohol and drug intoxication, the primary concern is the health and safety of the individual(s) involved. Individuals are strongly encouraged to call for medical assistance (x1911 on campus, 911 off campus) for themselves or for another member of the community who is dangerously intoxicated.

Students seeking emergency medical assistance for alcohol and drug overuse will be granted "one-time" amnesty and will not be subject to disciplinary sanctions for the sole violation of using or possessing the substance. Medical Amnesty is not automatic and is earned only once the student has met with the house staff and the dean of students or designee, at their respective request, and successfully completes any educational/wellness follow up steps discussed in either meeting. Failure to meet with the dean of students or designee and complete the follow up steps will be grounds for disciplinary action.

Students granted amnesty will not be exempt from disciplinary sanctions resulting from other policies that they violate while under the influence. Students will be expected to take responsibility for any negative impact their behaviors had on others or the environment (e.g., property damage, noise complaints, medical transports).



FAQ about Medical Amnesty

What is the purpose of Medical Amnesty?

The dean of students office values the health and well being of our community members above all else. Last year the Community Health and Wellness Alcohol and Drug Taskforce recommended that we adopt Medical Amnesty as a matter of policy. Medical Amnesty seeks to decrease the likelihood that a student will hesitate to seek help in an alcohol-related emergency by granting amnesty from disciplinary sanctions to those involved in seeking help.

Medical Amnesty promotes safety and responsibility throughout the community. The policy also promotes education/treatment for individuals who receive emergency medical attention to reduce the likelihood of future occurrences.

How does Medical Amnesty work?

Typically, Medical Amnesty only applies to the person in need of medical assistance and to those who assist in the seeking of medical assistance. Individuals seeking medical treatment for themselves or for another student in an alcohol or drug related medical emergency will be granted amnesty from disciplinary sanctions pertaining to their substance use. Other consequences, such as education or treatment, may be required.

Medical Amnesty only applies to violations of the Norms of Community Living as outlined in *NSNS*. It does not grant amnesty for criminal, civil, or legal consequences for violations of federal, state, or local law.

Students will not be granted amnesty from disciplinary sanctions resulting from other policies that they violate while under the influence of alcohol. For example, if a student became intoxicated and injures himself/herself in the process of punching a hole in a window (or damaged any college property), the student would not be subject to disciplinary action for being intoxicated but could still be held responsible for vandalism.

Follow-up evaluations and counseling are fundamental components of Medical Amnesty. Amnesty is only applied when students complete appropriate counseling and treatment as recommended. Failure to complete any evaluation, counseling, or treatment within the timeline outlined will result in the imposition of disciplinary sanctions.

Can a student be granted Medical Amnesty more than once?

Medical Amnesty is only granted one time. If an individual requires additional emergency medical assistance, it may be a sign that the student is unable to maintain a safe and healthy lifestyle and needs

assistance beyond what we can provide here at Hampshire. The goal of this program is for the student, in conjunction with the dean of students office staff and Health Services staff, to set a plan in place for the student to get help, get healthy, and return to the campus when ready.

Alcohol Policy

Hampshire College's alcohol and drug policy is guided by and abides by laws regarding such matters in the Commonwealth of Massachusetts and the Town of Amherst. The acquisition, possession, transportation, consumption, and distribution of alcoholic beverages is governed by statute and regulation. For the full text of the law, please see chapter 138 of the Massachusetts General Laws, which is available in the reference section of the Hampshire College library and online at www.mass.gov/legis/laws/mgl.

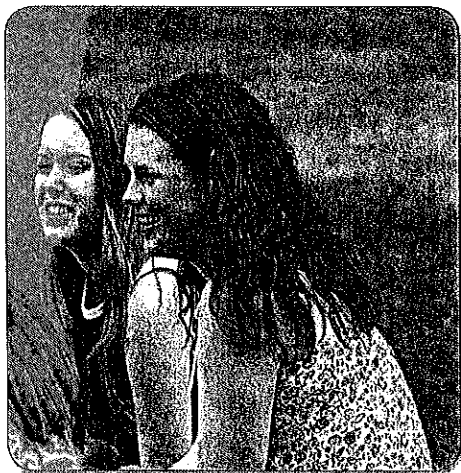
- A person must be 21 years of age or older to purchase, possess, consume, and transport alcoholic beverages.
- Purchasing or delivering a drink to anyone under the legal drinking age is also a violation.
- The possession of open containers of alcoholic beverages in public violates Hampshire policy and Amherst town law. Possession of open containers of alcoholic beverages outdoors and in common areas of the college is prohibited in the absence of a registered social event. The private rooms and offices of community members 21 years of age or older and the residence common spaces of campus apartments where residents are 21 years of age or older are the only exception to this.
- It is a violation of Hampshire policy and Massachusetts law to willfully misrepresent one's age or the age of another person in order to purchase or receive alcoholic beverages.
- No person may serve an alcoholic beverage to a person who is obviously intoxicated.
- No alcohol may be served at a social event after 1 A.M.
- Possession of kegs of alcohol is permitted only with a permit from the town of Amherst. A town permit must be applied for from the Amherst police chief at least one week prior to the event.
- A person, group, or organization may not sell alcoholic beverages, or charge admission to an event where alcoholic beverages are served, unless a license is obtained from the local licensing authority, i.e., the Amherst Board of Selectmen.



- To obtain a wine and malt beverage license, pick up an application form from Amherst Town Hall at least three weeks before the date of the event. The application must be approved and signed by the director of Hampshire College Public Safety, the appropriate student life professional staff member, and the Amherst chief of police. Return the completed application and the application fee to the select board's office to have it placed on the agenda for the next select board's meeting. These meetings usually occur on the second and fourth Mondays of the month. Dates are available by calling Amherst Town Hall, at 256.4004.
- Operation of a motor vehicle while under the influence of alcoholic beverages is both extremely dangerous and a violation of Hampshire policy, as well as a crime punishable by law.

Hampshire College administration wishes to promote a safe and responsible environment. To that end, activities that promote drinking or excessive drinking, including drinking games are against college policy.

Members of the community are equally responsible for upholding these policies, and are also at personal risk if they fail to follow them. Those violating Hampshire College policy are subject to disciplinary action, up to and including suspension or expulsion from the college. A person found to have violated the law may be subject to arrest without a warrant



and/or criminal prosecution. In addition, if injury or property damage occurs as a result of a violation of the law, the responsible person(s) may be held liable in a civil suit.

Sponsoring an Event Involving Alcohol

1. A social event on the Hampshire College campus is considered to be any gathering at which more than 15 people are in attendance. For any social event, including those at which alcoholic beverages will be served, an authorized event registration form must be obtained prior to the event. Such events held in student residences are regulated by the respective professional house staff of the residence, which issues party registration forms for that residence. Further information about the process to obtain event registration forms for the residences may be found under "Housing and Residence Life Policies and Procedures." Social events held in other college facilities or outdoors are regulated by the student activities coordinator, who must authorize the event registration form and the Beer/Wine Service Contract. For events involving alcohol, the event registration form must be turned in 14 days prior to the event being registered. Also, Hampshire College funds (including student group funds) may not be used for the purchase of alcohol. Event organizers must have an appropriate plan to purchase the alcohol to be provided.
2. All state and local laws apply to any organizations, college departments, or individuals sponsoring any gathering where alcohol is served. The people who provide alcoholic beverages at a gathering are responsible for compliance with all pertinent laws.
3. No person, group, or organization may sell alcoholic beverages at any gathering where moneys are collected, donated, or exchanged in any manner unless a license has been obtained from the town of Amherst. An event that violates this policy may be required to end, and disciplinary action may be taken against the sponsors of the event.
4. The availability of alcohol may not be included in the off-campus advertising, including postings online, of any event. On-campus advertising may indicate alcohol may be served to persons over the age of 21, but amounts of alcohol may not be publicized. Alcohol should not, in any context, be the central focus of any event, and may not be advertised as such. No advertisement may include the offering of free alcohol at any time.
5. No events, nor the advertising for events, may encourage drinking or drunkenness. Promotional activities by alcohol marketers are not permitted.



6. Sponsors of events where alcohol will be sold are responsible for obtaining a temporary license for the event if the building where the event is held is not already licensed. Once this license is obtained, the sponsor(s) must set prices for the alcoholic beverages that are higher than their cost. Only wine and malt beverages may be sold at any social event where service of alcoholic beverages is licensed; as a result, no monies can be exchanged at events.
7. Beer kegs are not permitted on campus without the prior approval of the appropriate professional house staff for parties in student residences and the appropriate student life professional for all campus events. In addition, individuals must obtain a keg permit from the Town of Amherst. In all cases, a copy of the completed permit must be provided to Public Safety prior to the event.
8. Sponsors of events are responsible for purchasing amounts of alcohol that will not exceed safe and legal consumption levels for their legal-drinking-age guests. The factors that will be used to determine how much alcohol can be present at an event on campus will include, but not be limited to: the safe occupancy limits of the space, the number of students of legal drinking age at the event, and the length of the event. The student life staff member signing the event registration form and/or the director of public safety reserve the right to make final decisions regarding safe and legal amounts of alcohol for an event.
9. At all social events where alcohol is served, nonalcoholic beverages and food must be provided by the sponsor of the event in adequate proportion to the alcoholic beverages on hand, and must be available for as long as alcohol is served.
10. All sponsors for social events at which alcohol is served are responsible for the safe and legal service of the alcohol. They must ensure that alcohol is available only to those individuals who are of legal drinking age.
11. All servers of alcoholic beverages must understand and adhere to Commonwealth law and college policy. They may not be under the influence of alcohol while serving. Sponsors of events are responsible for compensating paid servers.
12. Events held outside of student residences at which alcohol is served require the use of trained servers. These servers are defined as those people who have successfully completed appropriate, recognized training on serving alcohol and checking identification.

13. While the sponsor(s) of a social event at which alcohol is served is responsible for the event, the safe and legal consumption and distribution of alcohol on the Hampshire College campus is considered to be a concern of the community. Any individuals or groups whose actions risk danger or illegality should consider the impact of such acts on the community.

Possession and Use of Drugs

The unlawful manufacture, dispensing, dispensation, possession, or use of a controlled substance on the Hampshire College campus or as part of any college activity or business off the college premises is prohibited. This includes the unlawful or unauthorized use of prescription and over-the-counter drugs. If a student violates this policy, disciplinary action up to and including expulsion and referral for prosecution may result as deemed appropriate.

Local, state, and federal laws make illegal use of drugs and alcohol serious crimes. Conviction can lead to imprisonment, fines, assigned community service, and loss of federal financial aid funds. A felony conviction for such an offense can prevent you from entering many fields of employment or professions.

Massachusetts has criminal penalties for use of controlled substances, or drugs, with penalties varying with the type of drug. In general, narcotics, addictive drugs, and drugs with high potential for abuse have heavier penalties.

Possession of drugs is illegal without valid authorization. While penalties for possession are generally not as great as for manufacture and distribution of drugs, possession of a relatively large quantity may be considered distribution. Under both state and federal laws, penalties for possession, manufacture, and distribution are much greater for second and subsequent convictions. Many laws dictate mandatory prison terms and that the full minimum term must be served.

Massachusetts makes it a felony to be in a place where heroin is kept and to be "in the company" of a person known to possess heroin. Anyone in the presence of heroin at a private party or dormitory suite risks a serious drug conviction. Sale and possession of "drug paraphernalia" is illegal in Massachusetts and violates Hampshire College policy.

Persons convicted of drug possession under state or federal laws are ineligible for federal student grants and loans for up to one year after the first conviction, five years after the second; the penalty for distributing drugs is loss of benefits for five years after the first conviction, ten years after the second, and permanently after the third.



Under federal law, distribution of drugs to persons under age 21 is punishable by twice the normal penalty with a mandatory one year in prison; a third conviction is punishable by mandatory life imprisonment. These penalties apply to distribution of drugs in or within 1,000 feet of a college or school. Federal law sets greatly heightened prison sentences for manufacture or distribution of drugs if death or serious injury results from the use of the substance.

Drug and Alcohol Support Resources

There are a number of resources available to students, both on and off campus. Resources marked with an asterisk are confidential, so students can feel comfortable using them without concern about potential repercussions. Furthermore, students do not need to have a problem with substances to take advantage of any of these resources. They may be helpful if you would like:

- Information on drug and alcohol use and its effects
- To complete a self-assessment
- To discuss concerns about your own or someone else's alcohol or drug use
- To know your substance-free housing options
- Counseling
- To talk things through confidentially with another student
- To talk things through confidentially with a staff person
- To find out about groups or other resources
- To express your thoughts on drug and alcohol issues on campus
- To get involved in campus efforts to promote safety and accountability in this area

On-Campus

Public Safety and Student EMTs

For a medical emergency or an immediate safety issue:

x1911 EMERGENCY ONLY
x5424 NON-EMERGENCY

Health Services

For confidential professional counseling and medical attention:

x5458

The Community Health Collaborative

For confidential information on drugs and alcohol, campus initiatives, resources and referrals, and self-assessment:

x5743 OR JGIFORD@HAMPSHIRE.EDU

CAs

For confidential peer support and referrals 24/7:

x6998

Residence Life

For substance-free housing options:

x5543 LINDA MOLLISON

For support, referrals, and problem-solving:

x5770 DAKIN HOUSE OFFICE
x5085 MERRILL HOUSE OFFICE
x5314 GREENWICH AND ENFIELD HOUSE OFFICE
x5085 PRESCOTT HOUSE OFFICE

Off-Campus

You may contact the Community Health Collaborative for information about Five College and local groups and resources.

Alcoholics Anonymous (Confidential)

413.532.2111
WWW.WESTERNMAAA.ORG

Alanon (Confidential)

413.253.5261
WWW.VALLEYALANON.ORG

Narcotics Anonymous (Confidential)

800.481.6871
WWW.NA.ORG

SMART Recovery (Confidential)

Group treatment:

413.586.8550

Self-Screening Questionnaire (Confidential):

WWW.ALCOHOLSCREENING.ORG





Web Support for Tobacco Cessation

413.586.2016

413.586.2539

WWW.TRYTOSTOP.ORG

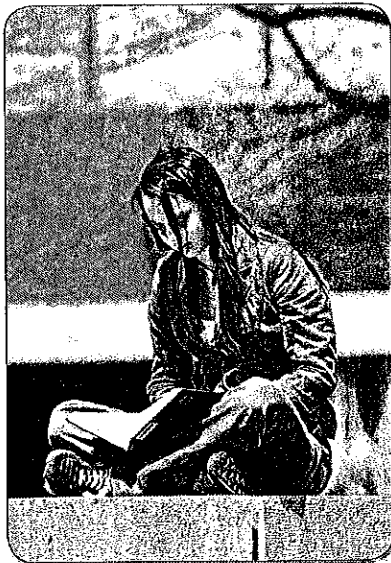
WWW.QUITNET.ORG

DISCIPLINARY PROCEDURES

The president of the College delegates to the dean of students the authority and responsibility for the administration of all disciplinary procedures that involve misconduct by a student. The dean of students directly addresses the most serious cases of misconduct and provides oversight of all other disciplinary procedures, which are conducted by the dean of students or designee, residence life staff, or the Community Review Board.

DEAN OF STUDENTS

The dean of students or designee conduct disciplinary procedures for cases that are referred by the residence life staff or cases that are considered to be of greater severity and/or frequency. Consequences



for the serious violations include, but are not limited to, fines, restitution, community service, parental notification, warnings, room choosing restrictions, house probation and suspension from any particular residence, and disciplinary probation. Additionally, the dean of students, in the most serious cases, may impose suspension or expulsion from the college.

RESIDENCE LIFE

The houses have a process for addressing disciplinary issues in College residences. Consequences for the violation of the Norms for Community Living within the houses include fines, restitution, community service, warnings, room choosing restrictions, house probation, and suspension from any particular residence. In addressing disciplinary issues, members of the residence staff may take into consideration differences in population, culture, and structure among the houses. Residence Life staff may refer any particular case to the office of the dean of students, the Community Review Board, and/or the sexual offense service coordinator. In those instances where students come into conflict with the norms described above and are in disagreement with actions taken by house staff, an appeal may be made to the Community Review Board. The overall climate of community life at Hampshire must be one of honesty, respect for the rights of all community members, and individual acceptance of responsibility. Failure to act in accordance with the standards of conduct outlined in this code will be treated as a failure of responsible community interaction and lead to disciplinary action.

COMMUNITY REVIEW BOARD

The purpose of the Hampshire College Community Review Board is to provide fair and equitable procedures for Hampshire College students accused of violating the Norms for Community Living and/or the anti-discrimination policy. It may also hear appeals of those students who have come into conflict with the Norms for Community Living and are in disagreement with actions taken by house staff. The board will make decisions regarding matters of fact surrounding specific complaints and determine if the respondent did violate community norms. If the board determines that a student did violate community norms, it will recommend an appropriate sanction to the dean of students for implementation. This recommendation will include, as necessary, any mitigating, extenuating, and/or aggravating circumstances discovered in the course of the board's investigation.

The board is active during the academic year, while classes are in session. Complaints filed when the board is not in session will be referred to the dean of students for adjudication (see Disciplinary Procedures: Dean's Hearing).

Membership Selection

In selecting the members of the board, the office of the dean of students will forward to the president's office a list of names to be reviewed and approved for service on the CRB. The list will include



College Policy on Alcohol and Drugs

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

If a student is determined to have violated the College Drug and Alcohol Policy, the student will be required to meet with a Student Life staff member who will either determine an appropriate sanction or make a disciplinary referral to either the Judicial Committee or the Administrative Review Committee. Alcohol or drug use or abuse is not an excuse for other unacceptable behavior or acts. The association of mind- or mood-altering substances with problem behavior may be considered an exacerbating factor, not a mitigating one.

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

Risks associated with the abuse of alcohol and other drugs. The College is concerned about the risks and potential dangers involved in the abuse of alcohol and other drugs. There is the risk that alcohol/other drug abuse may cause significant changes to an individual's physical and psychological health, which can inhibit a person's academic and social success at Bennington College. It may also interfere with the interaction and trust that are imperative to Bennington's educational community.

Support and counsel. Alcohol and drug abuse can present serious legal and medical problems. The College encourages any student with alcohol- or drug-related problems to seek assistance from appropriate College services or private agencies. The educational, counseling, and referral services of the Health and Psychological Services staff are available to those experiencing difficulty with the use/abuse of alcohol and/or drugs. These services are available to the user and to those students whose lives are affected by the use/abuse of others.

The use of Health and Psychological Services for alcohol or drug abuse is confidential. Individual privacy will be respected unless otherwise required by law. Health and Counseling Services can provide information about Alcoholics Anonymous, Narcotics Anonymous, Al Anon, and Adult Children of Alcoholics groups and can assist students who are interested in attending meetings either on campus or in the local community.

24/7 Access—Dial 210 for Emergencies. Campus Safety can activate, depending on the situation, the following on-call resources:

- On-call Student Life staff member
- On-call College physician
- On-call Psychological Services Counselor
- On-call Campus Safety Director

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

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

Alcohol Policy. The College Alcohol Policy is intended to encourage lawful and responsible decision-making on the part of all Bennington College students.

The Alcohol Policy is intended to be consistent with state and federal law; to stress moderation, safety, and individual accountability for those who choose to drink lawfully; to prevent alcohol abuse and its effects; to provide information and education for all community members; and to provide confidential advising and counseling for those with concerns related to alcohol use and alcoholism.

Alcohol Regulations

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

Specific alcohol regulations regarding gatherings in student rooms:

8. Each resident of the room is responsible for events in his or her room and for abiding by Vermont State law and College policies regarding the use of alcohol.
9. In accordance with fire codes, occupancy is limited to 8 people per room, regardless of room size.

10. Gatherings in student rooms where there is not at least one resident present may result in Campus Safety clearing the room of all persons and securing the room door.

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

11. Alcohol is prohibited in any student room where one or more of the occupants is under the legal drinking age of 21. Alcohol-permitted rooms (all occupants are of the legal drinking age of 21).
12. Visitors, including off-campus people/students, family members, or alumni may not bring alcohol into a room occupied by people under the age of 21.
13. Alcohol is permitted in student rooms where all occupants and persons present (guests, other students, etc.) are of the legal drinking age of 21.
14. Underage persons are not allowed to possess alcohol at any time in any location. When violations are observed, regardless of the source of the alcohol, all occupants will be held accountable and subject to disciplinary action for supplying alcohol to minors, and the underage students will also be subject to disciplinary action.

Expectations and responsibilities of house event sponsors:

15. House residents who sponsor events or gatherings in their houses are responsible for controlling attendance, noise, cleanup, and encouraging a violation-free environment. Gatherings or events may not exceed a total of 50 people in combined common areas of the house.
16. Sponsors must have a majority of the house members agree to hold the event before the event takes place. If the gathering occurs without house consent, the sponsor of the gathering will be held accountable for any violations that may occur during the event.
17. Students must contact Campus Safety at least 5 days in advance with information about their event and name of a contact person. It is expected that students will be cooperative when Campus Safety brings a problem or concern to their attention. If violations occur and/or the house does not cooperate with Campus Safety, Campus Safety will shut down the event. Events must end by 3:00 a.m.

Summary of Vermont State Law

1. Criminal Offenses:

- a. **Legal Minimum Purchase Age/Furnishing to Minors.** No person shall sell or furnish any alcoholic beverages to any person under the age of 21, or knowingly enable the consumption of beverages by a person under the age of 21. Violators may face a fine of up to \$2,000 and/or imprisonment for up to two years.
- b. **Falsely Representing Age/Procuring and Possessing Alcoholic Beverages When Under Legal Age.** A person who has not attained the age of 21 may not falsely represent his or her age for the purpose of procuring alcoholic beverages and may not procure nor possess

any alcoholic beverages for the purpose of consumption by himself or herself or other minors. Violators may face a fine of not more than \$600 and/or imprisonment for not more than 30 days and may be required to complete an alcohol and driving program at his or her own expense.

2. **Open Container Ordinance.** The Town of Bennington Open Container Ordinance prohibits consumption of alcoholic beverages in streets, alleys, sidewalks, parking areas, and in or on motor vehicles either moving or stationary in any of said places. Possession upon one's person of an open container of such beverage is prima facie evidence of a violation. Violations are punishable by a fine not exceeding \$75.

Civil liability. Individual students, campus organizations, or others hosting parties where alcoholic beverages are served should be aware that, under Vermont law, a person who is injured in person, property, or means of support in consequence of the intoxication of any other person may be able to bring a legal claim for monetary damages against anyone who, by furnishing liquor either negligently or unlawfully, contributed to that person's intoxication. For example, a party host (including an individual student) might be sued for having unlawfully furnished alcoholic beverages to a minor who thereafter causes harm, or for serving alcohol to an already intoxicated person where it is foreseeable that the intoxicated person will thereafter operate a motor vehicle.

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

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

Summary of Vermont State Law

1. **Marijuana.** Penalties for possession of marijuana range from maximum fines of \$500 to \$500,000 depending upon the amount; for selling or dispensing maximum fines range from \$10,000 to \$1,000,000. Maximum sentences range from 6 months to 15 years and from 2 to 30 years respectively.
2. **LSD; depressant, stimulant, and narcotic drugs; hallucinogenic drugs; Ecstasy.** Penalties for possession range from maximum fines of \$2,000 to \$500,000 and for selling or dispensing from \$25,000 to \$500,000. Maximum sentences range from 1 to 20 years and from 3 to 20 years respectively.
3. **Cocaine and Methamphetamine.** Penalties for possession range from maximum fines of \$2,000 to \$250,000 and for selling or dispensing from \$75,000 to \$1,000,000. Maximum sentences range from 1 to 10 years and from 3 to 30 years respectively.

4. **Heroin.** Penalties for possession range from maximum fines of \$2,000 to \$1,000,000 and for selling or dispensing from \$75,000 to \$1,000,000. Maximum sentences range from 1 to 20 years and from 3 to 30 years respectively.

Sexual Misconduct Policy

Sexual Assault/Rape

1. **The first 48 hours.** This section provides you (the victim or anyone who knows of an incident of sexual assault and/or rape) with crucial information that may help at a time when action and decision-making can be difficult. You have many options, but the procedures required to protect yourself are not easy to consider. A friend is often good support, and you may seek support and information from trained personnel, both on and off campus.

2. **Confidentiality.** Staff members at the College will do their best to respect the need for confidentiality and for you to make your own decisions. However, the rules of confidentiality will not apply if there is a threat to your own well-being or safety or a threat to other members of the College community.

If you are in immediate danger, dial 210 and report the incident to Campus Safety. If you are not in immediate need of aid or protection, consider contacting others who will be knowledgeable and helpful to you. Feel free to go to the Student Life, the Health Services, or the Psychological Services offices on campus for assistance. Sexual Harassment Advisors, listed in College Announcements, are also available, and can offer information about your options and assist you in notifying the appropriate authorities. During off hours (after 5:00 p.m.) you may contact the on-call coordinator by dialing 210. You may go to Health Services Monday through Thursday from 9:00 am–7:00 pm, Friday from 9:00 a.m.—9:00 p.m., and Saturday from 1:00–9:00 p.m. You may also access off-campus services as described below in #6.

3. **Medical considerations.** Consider a medical evaluation for your own safety and well-being. If you dial 210, emergency personnel on campus can arrange for you to speak with the College physician who is on call and/or arrange for you to be examined in the emergency room at Southwestern Vermont Medical Center. The medical examination has two goals: first, to treat the full extent of any injuries or physical trauma and to consider the possibilities of sexually transmitted disease or pregnancy; and second, to obtain legally correct evidence in case you decide to report the crime to the police. You may report the crime to the police at any time.
4. **Venereal disease.** Tests for venereal diseases are done at the hospital and may be repeated later.
5. **Pregnancy.** The doctor can review the possibility of pregnancy with you and help you consider your options.
6. **Emotional considerations.** We advise you to seek professional help to take care of your emotional responses

promptly in order to avoid chronic and longstanding emotional trauma. Initially, you may experience an acute response during which many victims report difficulty sleeping, loss of appetite, pain in the areas affected by the assault, and mood swings with a decrease in ability and/or desire to relate to others. Professional guidance and support is available to help during this acute phase. You may talk to a psychological counselor on campus (to make an appointment, dial ext. 4451 or go to the Psychological Services Office in Commons, north suite).

Off hours, you can reach an on-campus counselor by dialing 210 and asking to speak to the counselor on-call. You also have the option of talking to professionals off campus who are trained to respond to the needs of a victim: PAVE (Project Against Violent Encounters) has a 24-hour hotline at 442-2111, and UCS (United Counseling Services) has a 24-hour emergency service at 442-5491.

7. **Legal considerations.** You may want to consider reporting a crime and/or bringing civil action against the perpetrator. You may consult with a lawyer at any time or report a crime to the Bennington Police at 442-1030. You may consult with the state attorney's victim advocate at 442-8116, who serves as an advisor for victims of crimes.

If you report the crime, you can expect to talk to a police investigator who is specifically trained to handle crimes of sexual assault and/or rape. If you decide to take such action, the police investigator will need a statement from you, will need to secure the evidence after your physical examination, and will need to investigate the area where the incident occurred. If possible, you should ensure that the area where the incident occurred is not disturbed until the police have a chance to examine the environs for evidence. Remember that if you do not choose to have a rape protocol examination within the first 48 hours, you will hinder a prosecution later. If you are considering legal action, including reporting the crime to the police, do not bathe, shower, or change your clothing.

8. **College procedures.** If the perpetrator of the sexual assault is another member of the College community, victims may refer to the Bennington College Policy and Procedures Governing Sexual Harassment (below), which covers sexual assault and rape. Victims may also wish to contact a Sexual Harassment Advisor who can offer information about options for complaints of this nature.

Statistics regarding sexual assault on campus can also be found in the annual Campus Safety brochure available in the Office of Student Life and at the Office of Campus Safety.

Policy and Procedures Governing Sexual Harassment

Sexual harassment subverts the educational mission of Bennington College and threatens the well-being of students, faculty, and staff. It is a form of sex discrimination, which is illegal under state and federal law. It is also illegal to retaliate against a person for filing a complaint of sexual harassment or for cooperating in