



**MOUNT IDA
COLLEGE**

STAFF HANDBOOK

**MAY 1, 2015
MOUNT IDA COLLEGE**

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*For the most current version of this policy, please visit www.mountida.edu/titleix

INTRODUCTION

This handbook has been developed to provide an overview of Mount Ida College policies, procedures, terms, and conditions which apply to employment at the College. It also outlines the benefits and services available to employees of the College.

The contents of this handbook and the policies and procedures described herein are presented as a matter of information and general guidance only. The handbook is intended to provide guidelines for employees and managers. While the College endorses the policies and procedures described in this handbook, they are not conditions of employment and the language used in this handbook is not intended to constitute a contract between the College and its employees.

Personnel policies, procedures and benefits are affected by changes in laws, regulations, economic conditions and College priorities and as a result are always subject to review. The College reserves the right to modify, revoke, suspend, terminate or change any and all policies, procedures, benefits and services as the College sees fit, with or without notice, at any time. In addition, the College reserves the right to decide not to apply any particular policy set forth in this handbook in a given situation, if, in its discretion, it should determine that to do so would better serve its interests.

While the College hires employees with the expectation that the employment relationship will be productive and mutually satisfying, all employees are employed at will. This means that the employee can terminate his/her employment at any time and for any reason and similarly the College can terminate the employee's employment at any time and for any reason. No representative of the College may enter into an agreement with an employee guaranteeing employment for any specified period of time unless such agreement is in writing and is signed and approved by the Director of Human Resources.

Please read the handbook thoroughly as it will answer many questions you may have about your working environment. Keep in mind that no handbook can anticipate every situation or answer every question about your employment. Matters requiring interpretation of a policy or procedure should be referred to your supervisor or the Director of Human Resources.

RECEIPT/ACKNOWLEDGEMENT

This handbook is provided to you for information and reference purposes. It is your responsibility to read it carefully and completely and to comply with the policies and procedures set forth in the handbook. The College reserves the right to unilaterally revoke, change or supplement guidelines at any time without notice. All formal changes in the future will be communicated as needed and appropriate.

No policy is intended as a guarantee of continuity of benefits or rights. No permanent employment or employment for any term is intended or can be implied from any statements in this manual.

Please sign below acknowledging receipt of this handbook.

Date

Employee Signature

Print Name

SECTION 1: GENERAL COLLEGE POLICIES

At Will Employment

In accordance with and subject to Massachusetts law, employment at Mount Ida College is “at will.” This means that employees and Mount Ida College, at its discretion, may terminate the employment relationship at any time with or without cause or notice.

Equal Employment Opportunity and Non-Discrimination

Mount Ida College is an equal opportunity employer. Mount Ida College is committed to maintaining a work and learning environment that is free of discrimination or harassment. The College prohibits all forms of discrimination and harassment based on race, color, religion, gender, sex, age, national or ethnic origin, sexual orientation, gender identity, disability, genetic information, veteran status or any other protected status. All decisions concerning employment are made on the basis of an individual’s qualifications and their ability to contribute positively to the institution’s mission and operational needs.

Any employee with a question or concern regarding discrimination in the workplace is encouraged to bring such issues to the attention of their immediate supervisor and the Director of Human Resources. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment. Retaliation of any kind against any person who raises such questions or concerns or who participates in related hearings or investigations is strictly prohibited.

To the extent that an employee feels he or she has been subject to discrimination on the basis of a disability, such issues should be reported to the College’s ADA/504 Coordinator. Any employee with a question or concern regarding sexual or gender-based discrimination is encouraged to contact the College’s Title IX Coordinator.

Anti- Harassment Policy

Mount Ida College strives to promote an environment that is free of harassment or discrimination based on an individual’s race, color, religion, gender, sex, age, national or ethnic origin, sexual orientation, gender identity, disability, genetic information, veteran status or any other protected personal or characteristic. Harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and is strictly prohibited by the College.

Any allegations of harassment will be investigated promptly. Further, any retaliation against an individual who has complained about harassment, or retaliation against individuals for cooperating with an investigation of such complaint is similarly unlawful and will not be tolerated.

Definition of Harassment

Offensive conduct that is based on protected class status such as race, color, religion, gender, sex, age, national or ethnic origin, sexual orientation, gender identity, disability, genetic information or veteran status or any other protected class may constitute harassment. Harassment includes verbal or physical conduct that may or does offend or denigrate any

individual. Such harassment may be both overt and subtle, and can include slurs, epithets, derogatory remarks, and unwelcome jokes.

For definitions of sexual and gender-based harassment, please refer to the College's Sexual Misconduct policy (see Addendum).

Employee Responsibilities

All employees of the College are responsible for ensuring that his/her conduct or behavior does not harass or unlawfully discriminate against anyone. Employees are also expected to cooperate in any investigation of alleged harassment or unlawful discrimination if requested.

Employees are expected to report incidents in which they have observed or otherwise become aware of conduct or behavior which could be interpreted as harassment or unlawful discrimination.

In addition, in accordance with the College's Sexual Misconduct policy, employees made aware of any sexual or gender-based harassment or discrimination affecting a College student, employee or visitor must report the incident to the Title IX Coordinator. Failure to report such incidents may result in disciplinary action up to and including termination. Please refer to the College's Sexual Misconduct Policy for more information (see Addendum).

Manager and Supervisor Responsibilities

Any manager or supervisor who witnesses an incident or receives a complaint of harassment or unlawful discrimination is required to immediately notify the Director of Human Resources, regardless if the incident involves his or her direct reports.

Should a manager or supervisor become aware of unlawful discrimination or harassment and fail to report the incident to the Director of Human Resources, he/she may be subject to disciplinary action, up to and including termination of employment.

Disciplinary Action

In the event that an investigation reveals that inappropriate conduct has occurred, the College will take action as is appropriate, up to and including termination of employment.

Reporting Incidents of Harassment

Any member of the Mount Ida community who feels that he or she has been harassed is encouraged to use the grievance procedure (see Section 8) without fear or threat of intimidation, retaliation or harassment. The College will promptly and appropriately investigate any allegation or complaint of unlawful discrimination or harassment in a fair and expeditious manner.

Mount Ida College has trained resource persons in all areas of the campus who are available to provide informal and formal resolution options. These persons include:

- Director of Human Resources
- Director of Title IX Compliance
- Provost
- Vice President for Student Affairs
- Dean of Student Success
- Director of Counseling Services
- Assistant Dean for Campus Living

Efforts will be made to protect privacy to the extent practicable under the circumstances. Each resource person, however, has a duty to assure resolution and to report the incident to the Office of Human Resources.

State and Federal Remedies

The College expects that employees will bring any concerns about sexual or other discriminatory harassment to the College's attention. Employees are also advised that complaints regarding violations of the laws against harassment can be directed to the following agencies:

The United States Equal Employment Opportunity Commission (EEOC)
John F. Kennedy Federal Building
Government Center
Room 475
Boston, MA 02203
(800) 699-4000

The Massachusetts Commission Against Discrimination (MCAD)

Boston Office
One Ashburton Place Rm. 601
Boston MA 02108
(617) 994-6000

Springfield Office
434 Dwight Street Rm. 220
Springfield, MA 01103
(413) 739-2145

Worcester Office
Worcester City Hall
455 Main Street
Room 100
Worcester, MA
(508)799-8010

No Retaliation Policy

The College prohibits retaliation against any individual for making or supporting a good faith complaint of harassment or unlawful discrimination.

All employees who make good faith complaints against the College, a supervisor, and/or a colleague(s) shall be protected from retaliation, regardless of the outcome of the complaint. Any grievant shall be protected from retaliation for invoking or participating in the grievance process.

Retaliation or reprisal for filing a complaint of discrimination or harassment, for opposing prohibited discrimination or harassment, or for testifying, cooperating or participating in the investigation of a complaint is not tolerated and acts of retaliation will be subject to appropriate disciplinary action, up to and including termination.

Accommodation to Disabilities Policy

Any employee who is unable or finds it difficult to perform the functions of his/her job due to a disability should make a request for a reasonable accommodation by contacting his or her supervisor and the Office of Human Resources.

Workplace Violence Prevention Awareness Policy

Mount Ida College is committed to the prevention of workplace violence. The College prohibits any type of workplace violence committed by or against employees. Workplace violence, for the purpose of this policy, is defined as any act of aggression, physical assault, threatening behavior or verbal abuse occurring in the work setting. It includes but is not limited to physical assault, stabbings, shootings, sexual assaults, psychological traumas such as threats, obscene phone calls, an intimidating presence and harassment of any nature such as swearing or stalking behavior.

Employees who, in good faith, report what they believe to be workplace violence or who cooperate in any investigation will not be subjected to retaliation. Any employee who believes that he/she has been the victim of retaliation for reporting workplace violence or cooperating in an investigation should immediately contact the Director of Human Resources.

Violations of the workplace violence policy will be met with appropriate disciplinary action, up to and including termination of employment. Non-employees engaged in violent acts on College property will be reported to the proper civil authorities and fully prosecuted.

Drug and Alcohol Policy

Mount Ida College is committed to maintaining a drug free work and learning environment in compliance with all state and federal laws and regulations including the Drug-Free Schools and Communities Act of 1989 and the Drug-Free Workplace Act of 1988.

The use and abuse of illicit drugs and/or alcohol directly interferes with the development and performance of the individual and the effects of that use/abuse diminish the working environment for all. Therefore, it is the policy of the College that drugs and alcohol in the workplace or at work-related activities will not be tolerated.

The College prohibits the unlawful manufacture, distribution, dispensing, possession or use of any controlled substance and the possession, use or distribution of any alcoholic beverage by any employee while on College premises or while performing any job-related activities, whether on or off College premises. Employees are also prohibited from reporting to work, remaining at work or performing any job-related activities while under the influence of or impaired by alcohol or controlled substances. The controlled substances prohibited in the workplace include all of those substances found in Schedule I through V of Section 202 of the Controlled Substances Act *et seq.*, such as: marijuana, cocaine, heroin, amphetamines, L.S.D., barbiturates, or narcotics; as well as any other drugs not prescribed by a licensed physician for the treatment of a current medical disorder.

In compliance with the Drug Free Workplace Act of 1988, any employee who is convicted of a criminal drug violation in the workplace must notify the Office of Human Resources within 5 calendar days of the conviction. Upon receiving notice of an employee's conviction under a

criminal drug statute occurring in the workplace, the College will provide written notice within 10 calendar days to the appropriate person or office within the federal government to the extent that the employee is covered under a federal grant or contract.

The only exception to this policy is for the moderate consumption of alcohol by employees who are of legal age and attending a College function at which the College has authorized alcohol to be served. In addition, a further exception is made for College employees of legal age, who due to the nature of their position, reside on campus who shall be permitted to possess and consume alcohol with reasonable discretion and judgment.

Any employee who violates this policy will be subject to disciplinary action, up to and including termination of employment and referral for prosecution.

As part of the College's ongoing commitment to maintaining a drug-free workplace, the College provides appropriate resources and information to employees regarding the effects of alcohol and drug abuse. For employees who are experiencing difficulties with drugs or alcohol, Mount Ida College offers an Employee Assistance Program (EAP) through AllOne Health. This benefit is provided to all employees and is available at no cost to employees. In addition, all of the services that are provided by the EAP are completely confidential. Employees may access the EAP services 24 hours a day, seven days a week by calling 1(800)451-1834. More information on the EAP program is available from the Office of Human Resources.

Respect in the Workplace - Standards of Conduct

Mount Ida College is committed to maintaining a respectful working environment. College employees have the obligation to respect and to be fair and courteous to all members of the College community, including staff, faculty, students, alumni, and visitors and to foster an environment of respect and dignity. Employees should conduct themselves in a professional and businesslike manner while on campus, when attending off-campus work related functions or events or in any capacity in which they are acting as a representative of the College.

Employment of Relatives Policy

Mount Ida College is committed to hiring a diverse and qualified staff. The College welcomes relatives and or immediate family members of current employees to apply for positions for which they may be qualified. The College however must be careful to remove any potential conflict of interest in the employment situation. Therefore, while the College does not prohibit the employment of relatives or immediate family members of current employees, the College does prohibit the supervision of an employee by a relative or person with whom he/she has had a significant relationship or who has or may have the ability to influence or determine salary, promotion, work assignments, or other working conditions.

Personal Relationships

Mount Ida College is committed to maintaining a professional work and learning environment that is fair and free from conflicts of interest. Consequently, it is the College's expectation that employees will demonstrate good judgment, discretion and professional integrity in their relationships with co-workers, students and others.

Certain relationships may arise in the work and educational environment that have the potential for compromising or appearing to compromise the fairness and objectivity of a supervisor, in relation to subordinates, and which may result in a conflict of interest.

When a supervisor enters into a romantic and/or sexual relationship with a staff member whom he or she supervises, a power differential may exist which can compromise an individual's exercise of such choice in personal relationships. In addition, others may also perceive such a relationship as one of preferential treatment that may be detrimental to themselves or others. For these reasons, the College prohibits romantic and/or sexual relationships between managers and staff under their supervision.

If a supervisor is engaged in a romantic and/or sexual relationship with a subordinate staff member, the supervisor is required to notify his or her immediate supervisor and the Director of Human Resources of the relationship and to work with the supervisor and the Director of Human Resources to make alternate arrangements. Depending on the circumstances, this could include alternative supervision of the subordinate staff member. If Mount Ida College determines that organizational changes are not feasible, the College will decide in its sole discretion who shall remain employed.

Similarly, relationships between individuals in which neither party is in a position to evaluate or supervise the other party and where there is no component of authority by one individual over another, also have the potential to be misinterpreted by others and should also be approached in a sensitive manner.

The College strictly prohibits romantic and/or sexual relationships between College employees (staff and/or faculty) and students. Violation of this policy or failure to promptly disclose a possible violation of this policy is grounds for disciplinary action, up to and including termination.

Whistleblower Policy

Mount Ida College has an expectation that employees will observe the highest standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the College, employees are expected to practice honesty and integrity and to comply with all College policies and applicable laws and regulations. This policy governs the reporting and investigation of allegations of suspected unlawful activities or violations of College policies and the protection of whistleblowers from retaliation.

All employees are encouraged to report violations or suspected violations in accordance with this policy. An employee, who in good faith, reports a violation of law or College policy shall not suffer harassment, retaliation, or adverse employment consequence. Moreover, an employee who retaliates against someone who has reported a violation may be subject to disciplinary action up to and including termination of employment.

Employees should share their questions, concerns, suggestions, or complaints with someone who can address them properly. In most cases, an employee's supervisor is the best person to address an area of concern. However, when there is a potential conflict of interest or for other reasons, such reports may also be made to the Director of Human Resources. If an employee is uncomfortable making a report to either their direct supervisor or the Director of Human Resources, the employee may also utilize the College's Ethics and Compliance hotline service (EthicsPoint) to make a report. Reports via this service can be made by telephone or online. The Ethics and Compliance hotline service is available 24-hours a day, 7-days a week.

Employees making a report via the hotline will have the option of remaining anonymous. Reports received through the hotline service will be forwarded to the College for appropriate and prompt follow up and investigation, if warranted.

Employees may access the EthicsPoint hotline by calling 1(844)-310-3440 or online at www.mountida.ethicspoint.com.

Conflict of Interest & Ethics Policy

It is the College's intent to avoid conflicts between the personal interests of employees and the interests of the College. A conflict of interest is defined as an incompatibility between an individual's private interests and his or her duties or actions as a College employee.

The College prohibits employees from using their position at the College for private gain or to personally benefit themselves and/or family members. The College expects all employees to use good judgment and that all decisions and actions made by College employees in the course of their professional responsibilities will be made in a manner which promotes the best interests of the College.

Therefore, when any College business transaction under consideration presents the potential for a conflict of interest, the employee shall remove themselves from the transaction and report the potential conflict of interest to their supervisor. Failure to disclose any potential conflict of interest may result in disciplinary action up to and including termination of employment.

Confidentiality Policy

The College is committed to protecting the privacy of individuals and the confidentiality of records to the extent practicable under the circumstances. In the course of their work and as part of their job responsibilities, employees may have access to confidential information. The College expects all employees to take appropriate measures to ensure that they protect individuals' privacy and that they respect the confidentiality of sensitive information. Failure to maintain this confidentiality may result in disciplinary action, up to and including termination of employment. This policy should not be construed as a limitation of rights under Section 7 of the National Labor Relations Act.

Cell Phones

Mount Ida College recognizes that there are a limited number of positions with job responsibilities that require or necessitate access to and frequent use of a cell phone for business purposes.

The College generally does not provide cell phones or cell phone service to individual employees (except for a limited number of executive positions and emergency responders). However, for approved positions, the College provides a non-taxable cell phone allowance to those employees in positions whose duties require the use of a cell phone. Employees should refer to the College's full Cell Phone Policy for complete details and information.

Workplace Health & Safety Policy

The College strives to provide and maintain a safe workplace for its employees and makes every effort to maintain standards which comply with Occupational Safety and Health Administration (OSHA) guidelines. The College has also established a Safety Committee whose focus is safety awareness, accident prevention, identifying potential work hazards and recommending corrective action.

Employees are expected to follow safety rules and to exercise caution in all work activities. We encourage employees to report any information regarding unsafe conditions to the College's Health and Safety Officer or the Director of Human Resources.

All accidents that result in injury, regardless of how insignificant the injury may be, must be reported immediately to a supervisor and to the Office of Human Resources.

Volunteers & Interns

Mount Ida College values the contributions and services of volunteers and interns and seeks to provide unique opportunities for volunteers and interns to gain and develop professional and practical experience under the guidance and supervision of an experienced supervisor. Volunteers and interns can be instrumental in assisting the College to further its mission and strategic plan.

A "volunteer" is an individual who performs services for civic, charitable or humanitarian reasons and/or for personal purpose or pleasure. An "intern" is an individual who performs services in order to gain employment contacts or a practical work experience. In addition, an internship requires a staff and/or faculty sponsor/supervisor who is knowledgeable in a particular field and who will train, mentor and provide guidance and supervision to the intern.

A volunteer or intern generally performs services without promise, expectation or receipt of compensation and without coercion or pressure from the employer. Volunteers or interns perform supplemental tasks, projects or duties that would not normally be performed by paid employees and are not to be used to eliminate, displace or to take the place of a paid, regular employee. Volunteers or interns may not be used in full-time or long term assignments. Internships and volunteer opportunities are expected to be part-time (not to exceed 20 hours per week), sporadic or of limited duration.

A copy of the College's Volunteer Guidelines may be obtained from the Office of Human Resources.

Smoke Free Workplace Policy

The use of tobacco, smoking and smokeless devices and products as more fully described below is prohibited in all buildings and vehicles owned or leased by Mount Ida College regardless if on or off campus including all outdoor athletic facilities. All owned and leased property includes real estate, land, buildings, facilities, and green space that the College has a legal title of ownership, a contract to use, a lease to occupy, or a right to exercise control over in order to conduct College business, including all College-owned/leased vehicles. (Rented facilities off campus used for special events will abide by the policies and procedures set by the vendor.)

Use of tobacco, smoking and smokeless devices is also prohibited within a 25 foot radius of all buildings. Cigarettes must be disposed of properly and safely, i.e. in receptacles. It is expected that those who are choosing to partake in these activities even in areas outside of the 25 foot radius be mindful of the impact on others. If the activity is unwelcome in anyway, it is the responsibility of the individual(s) participating to be respectful of any others impacted and cease the activity.

This restriction includes, but is not limited to: all forms of tobacco products including but not limited to cigarettes (of any kind including herbal/spice cigarettes), cigars, pipes, water pipes (hookah), bidis, kreteks (clove cigarettes), electronic cigarettes, smokeless tobacco, snuff, and chewing tobacco. (Note: Medications with controlled amounts of nicotine that are used to aid in quitting smoking are not considered tobacco products. A list of these medications can be found at the [smokefree.gov website](http://smokefree.gov).)

Solicitation Policy

The College has established guidelines restricting the solicitation of individuals, foundations and business and the distribution of literature and other materials on College property and/or through the use of College equipment. Employees are prohibited from soliciting for any outside activity or organization during work time.

College employees may not use their positions or the College's facilities, letterhead, communications systems (including campus mail or electronic mail), or other resources for purposes of political or other canvassing or for other purposes that are not part of the college's academic programs or related functions.

Non-College employees may not distribute literature or solicit employees on College property at any time or for any reason.

This policy does not prohibit the College from soliciting or distributing literature concerning events and/ or programs directly sponsored by the College.

External Employment and Consulting

All employees of the College holding full-time positions are expected to give their full service to the work of the College during their contract periods. The first obligation of fulltime faculty and professional staff members is to fulfill the duties and responsibilities of their position at the College. Thus, external or secondary paid employment or professional consulting should not interfere with this obligation.

External employment is defined as additional employment, including self-employment, for which compensation is paid by an external source while the employee is also under contract with the College. This employment includes teaching, consulting and advisory services, and includes all external employment of any sort.

Employees on academic year contracts may accept external or secondary employment during the summer months when they are “off-contract” provided that they do not have full-time employment with the College during any part of the off-contract period.

In all cases, College resources should not be used without permission to support outside activities unrelated to College business. Activities must not discredit the College or be in direct or indirect competition with present or potential offerings or official activities of the College. Failure to disclose any external employment as defined in this policy may result in disciplinary action up to and including termination.

Staff members in full-time appointments are considered full-time employees of the College during their appointed contract period. Thus, staff members should not agree to engage in outside work which interferes with their work and responsibilities at the College. Outside activities which relate to their professional development and service to the wider community are acceptable with the approval of the department head and the appropriate Vice President. Staff members considering secondary or external employment should seek prior approval before commencing any external employment. Continuing or ongoing external employment must be disclosed in writing and approved annually.

Pets/Animals on Campus

While Mount Ida College maintains an animal friendly environment, the College is both a workplace and residence for many individuals, and, as such, the welfare of the entire community has to be considered.

With the exception of (i) animals that are permitted on campus as an approved accommodation for a disability; (ii) College owned dogs used in connection with the veterinary technology program; and (iii) certain pets that are permitted to be owned by staff in residence (as more fully described in the contract between the College and staff in residence), all animals, including pets are prohibited in all Mount Ida College campus buildings.

College Property

All College employees are expected to exercise due care when using College property and they are expected to utilize such property for authorized, business purposes only. The removal of College property from the premises without proper advanced approval and/or the use of College property for personal use is strictly prohibited. Theft, willful destruction or damage to, or misuse of College property is also prohibited and will result in immediate termination of employment. Any employee who becomes aware of the theft of College property is required to immediately notify the Director of Human Resources.

Inclement Weather Policy

When weather conditions pose a significant threat to a majority of students, faculty and staff traveling safely to campus or if power outages prevent use of buildings, College offices may close and classes may be canceled. Students, faculty and staff should always assume that classes are in session and that the College is open, unless and until a specific announcement

canceling or suspending classes is issued. Indeed, even if the College is officially closed, certain “essential” personnel will be required to report to work so that resident students can receive meals and necessary services and to assure that walkways and roadways are kept clean and safe to permit continued movement around campus. When the College is closed or delayed due to emergency conditions, employees scheduled to work on that day will be paid at their regular rate of pay for the day.

Snow closings and weather delays are generally posted on the College’s website, local television channels and radio stations by 6:00 a.m. (or earlier if possible) on the day of a cancellation or delay. In addition, an Emergency Notification System message will be sent to those who have registered for the service and an announcement will also be posted on the College website at www.mountida.edu.

The College recognizes that weather-related travel conditions can vary widely and that employees commute to campus from many different locations. We therefore encourage employees to use their own judgment and discretion regarding traveling to campus during inclement weather. If the College is open and an employee decides not to report to work, he/she may use accrued vacation or personal time. In all cases, employees should keep their supervisor informed.

Campus Emergency Notification System

In the event of a campus emergency or crisis, it is essential for the College to be able to disseminate and communicate information and instructions to the entire campus community in an efficient and timely manner. Therefore, in an effort to meet the College’s emergency response priorities and to ensure the safety and wellbeing of the College community, the College provides all employees access to an Emergency Notification System. All employees are required to register with this system and to provide their preferred contact information (i.e., telephone number, email address, etc.) in the event that the College should need to inform them about a campus emergency or other important information.

Campus Network and Systems User Policy

The College provides employees with a variety of technologies including but not limited to personal computers, printers, network infrastructures, the Internet, connection to faxes, email and voice mail for use to perform day-to-day duties.

The efficient operation of the network on campus relies upon the proper conduct of all its users who must adhere to the procedure and guidelines put in place by the College. In general, these require efficient, ethical, and legal utilization of the network and its resources. General guidelines for acceptable use of the Mount Ida College Network are as follows:

- Access to computing resources is for the sole purpose of facilitating an employees’ work as a member of the College community.
- Employees are responsible for their actions regarding the use of the Mount Ida College network, including use of email and the Internet.
- Employees must respect the integrity and security of the systems and network and may only use accounts, files, software and computer resources authorized under his/her passwords and must take reasonable precautions to prevent unauthorized access to

accounts and data by others. To that end, passwords should be changed on a regular basis but no less than every 90 days.

- Employees must not create, access, transmit, or publish any offensive, obscene, threatening, or harassing images, data, or other material.
- Employees must seek assistance from Technology Services if there is a problem with any of the technologies. Employees should never try to fix, alter or reconfigure hardware or software.
- Employees should not install programs or applications that are not authorized. All new programs or software belonging to the employee or the department must be approved for installation by the Director of Technology Services and must be for business use only.
- Files, email and information transmitted on the Internet may not be secure and employees are reminded that email is easily redistributed and may be read by people beyond the original recipient list. Also, although the College does not routinely monitor messages or files, it does have the authority and expressly reserves the right, at any time, to access and inspect the contents of any of the College's equipment, files or mail on its system.

Users are advised that all content, documents, files, e-mails, etc., created utilizing the College's resources (technological and otherwise) and/or stored on College provided computers, laptops or other devices are property of the College and should not be considered private.

The use of Mount Ida's technologies is a privilege. Any user who violates the Mount Ida network use policy may have his/her access privileges terminated. Additionally, such conduct may subject the violator to disciplinary action up to and including termination.

Appropriate Use of College Email

Mount Ida provides the campus community with comprehensive email services and resources. These resources are provided as an official means for communication within the College, therefore the College has the right to send communications to faculty and staff via email and the right to expect that those communications will be received and read in a timely manner.

SECTION 2: EMPLOYMENT AT MOUNT IDA COLLEGE

New Hire Employment Forms

New employees are required to complete and submit appropriate forms and paperwork to the Office of Human Resources prior to or on their first day of employment. Specifically, all newly hired employees must complete an Employment Eligibility Verification Form (Form I-9), federal and state tax forms and other payroll related forms. Employees are also required to submit appropriate identification and documentation that establishes identity and authorization to work in the United States. Failure to complete these forms within the designated timeframe could lead to termination of employment.

New Employee Onboarding & Orientation

In order to ensure a successful introduction and transition to Mount Ida College, it is important for new employees to become familiar with the history, traditions, policies and procedures of the College. To that end, Mount Ida College is committed to facilitating a broad and comprehensive new employee orientation process for new employees. Orientation is an ongoing process and is a shared responsibility of every employee, supervisor and manager. We are committed to working together to welcome, educate and assist new employees.

The first orientation session is conducted by the Office of Human Resources on an employee's first working day or during their first week of employment. During this session, new employees will receive information about their compensation, benefits, College policies, employee programs and services. Supervisors are expected to conduct a department and role specific orientation with new employees during the first week of employment. During the department orientation, supervisors will review the duties and responsibilities of the position as well as the goals and priorities of the department.

Initial Employment & Introductory Period

For new employees the first three months of employment are considered an 'introductory period'. Employees are required to successfully complete the introductory employment period.

The introductory period is a time for the employee to learn about their position and responsibilities and it is also a time for the supervisor to review and assess the employee's skills and abilities and their progress in meeting performance standards and expectations. During this period, the employee's work performance will be evaluated and a decision will be made regarding continuation of employment.

The College may terminate an employee during the introductory period at any time and without notice. Completion of the evaluation period does not guarantee continued employment for any specific period of time at the College.

Employees in their introductory period are not eligible to apply for or transfer to other positions at the College. Under certain circumstances and at the discretion of the College, the introductory period may be extended.

Pre-Employment Background Checks

Employment at Mount Ida College is contingent upon satisfactory completion of appropriate pre-employment checks including reference checks, employment verification and degree verification, for positions requiring a specific level of education. In addition depending on the nature of the position, employment may also be contingent upon other appropriate pre-employment background checks including but not limited to: motor vehicle driving record, criminal record, CORI (Criminal Offender Record Information), SORI (Sexual Offender Record Information) and/or credit checks. A complete copy of the College's CORI Policy may be obtained from the Office of Human Resources.

Personnel Files

The official record of employment at Mount Ida College is maintained in an employee personnel file in the Office of Human Resources. The College protects personal privacy by limiting the personal data maintained in the personnel file to information that is required for business, legal or contractual purposes. Certain contents of the personnel file may be reviewed by a supervisor when necessary and for job-related reasons.

Employees are entitled to reasonable access to their personnel file and may contact the Office of Human Resources to schedule an appointment to review their file. Appointments should be scheduled with at least 24 hours advance notice. Employees may review their file and take notes but neither the file nor its contents may be removed from the Office of Human Resources. In addition, employees may submit a written request for a full copy of their personnel file. Copies of personnel files will be provided within five days after receipt of the written request. Any questions regarding the contents of a personnel file should be directed to the Director of Human Resources.

Personal Information Changes and Updates

Employees should be sure to notify the Office of Human Resources about any changes to their personal information including, name, address, telephone number, emergency contact and marital status. Failure to update the Office of Human Resources of changes in personnel can result in delays in receiving important College mail and or delays in contacting family in the event of an emergency.

Employment Categories and Definitions

Full-time: Positions with a fulltime equivalent (FTE) of .75 or greater are considered "full-time". Full-time exempt (salaried) and non-exempt (hourly) positions at the College generally have a regular work schedule of 35 hours per week. Full-time employees are eligible to receive College benefits, paid time off and holidays.

Part-time (Regular): Positions with regular work schedules of 20-34 hours per week are considered "part-time, regular". Part-time, regular positions are generally not eligible to receive College benefits. However, part-time, regular positions scheduled to work nine months or more with a .43 FTE or

greater are eligible for prorated paid time off (i.e., vacation and sick time) and holidays.

Part-time (Casual): Positions with regular or intermittent work schedules of less than 20 hours per week are considered “part-time, casual”. Part-time, casual positions are not eligible to receive College benefits, paid time off or holidays.

Temporary: Full or part-time positions that are contracted for a specific defined period of time and/or of limited duration are considered “temporary”. Temporary positions that are less than six months in duration are not eligible to receive College benefits, paid time off or holidays.

Academic Year: Academic year positions are either full or part-time positions that have a standard annual work schedule of a minimum of 39 weeks, but less than 52 weeks. Generally, academic year positions are scheduled for 39, 43 or 48 weeks per year.

Standard Hours of Work

The normal business hours for the College are Monday through Friday, 8:30 a.m. to 4:30 p.m. The standard work week for a full-time employee is a 35 hour work week. The standard work day for a full-time employee is a seven hour work day with an unpaid hour for lunch. Office hours may vary for some departments and College offices depending on specific departmental needs.

Annual Work Schedules

Full-time, Fiscal Year - 12 month positions:

- Full-time positions scheduled to work 12 months or 52 weeks per year (1820 hours per year; 1.0 FTE).

Full-time, Academic year – 9, 10 or 11 month positions:

- **9 month:** Full-time positions generally scheduled to work 9 months or 39 weeks per year (1365 hours per year; .75 FTE).
- **10 month:** Full-time positions generally scheduled to work 10 months or 43 weeks per year (1505 hours per year: .83 FTE).
- **11 month:** Full-time positions generally scheduled to work 11 months or 48 weeks per year (1680 hours per year; .92 FTE).

Annual work schedules (FTE) for part-time positions are determined based upon the hours worked per week and the number of weeks worked per year.

Attendance and Punctuality Standards and Expectations

Employees are expected to be punctual and dependable in attendance. If an employee is unable to report to work due to illness or any other reason or if they are going to be late for work, the employee must notify their immediate supervisor promptly. Employees are expected to notify their supervisor each day that they will be absent from work. Frequent tardiness and

unscheduled absences from work will be cause for disciplinary action, up to and including termination.

Failure to report to work for three consecutive days without notification to or contact with the supervisor will be considered job abandonment. Job abandonment is considered a voluntary resignation.

If an employee is absent for more than five consecutive days due to illness, the College reserves the right to require medical documentation.

Workplace Attire

All College employees are expected to present themselves and dress in a manner that conveys a positive and professional image for the College. To that end, employees should use good judgment in their dress and appearance and should dress in a manner that is neat, clean and appropriate for their position and the work being performed. In addition some positions must dress in a manner that complies with department specific uniform requirements and safety guidelines.

As a general guideline, the following apparel items are not permitted in College offices:

- Attire which is suggestive, sheer or revealing
- Denim jeans, leggings or sweat pants
- T-shirts with printed slogans
- Beach attire (including shorts and flip-flops)

Employees are encouraged to consult with their supervisor regarding proper dress expectations.

Lunch/Meal Period

For full-time staff members who are regularly scheduled to work 35 hours per week, there is a daily one-hour unpaid lunch break scheduled by the department supervisor according to the needs of the office. The standard lunch period falls between 12:00 and 2:00 p.m. Departments will stagger lunches in order to ensure continuous coverage in offices. Lunch hours may not be shortened or accumulated for additional time off.

According to Massachusetts law, employees working six or more consecutive hours during the work day are required to have an unpaid meal break of at least 30 minutes.

Work at Home

It is generally expected that College work will be conducted on campus. There may be occasions however depending on departmental priorities and deadlines when employees may need to work from home. In fact, exempt staff may, and are sometimes expected to take work home to meet the responsibilities of their positions. In general, non-exempt staff may not take work home or conduct work at home, either during or after work hours.

Work at home arrangements are generally limited, short-term arrangements and must be approved by the appropriate Vice President and the President, in consultation with the Director of Human Resources.

Flexible Work Schedules

The College recognizes that there may be occasions when a flexible work schedule may be necessary in order to assist an employee in balancing work and personal obligations. While the College does not have a formal flexible or alternative work schedule program, the College will consider a request for flexible or alternate work schedules when it is appropriate and as long as the flexible or alternate work schedule meets the operational needs of the College. Flexible or alternative work schedules are not suited for and may not be possible in all positions or departments and are subject to change at the discretion of the College. Flexible work schedules must be approved by the appropriate Vice President, President, in consultation with the Director of Human Resources.

Personal Property

The College makes every effort to maintain the security of campus facilities. However, the College does not assume any liability for missing, lost, damaged, or stolen personal property. Employees should take care when bringing valuable items to work. Personal belongings should be safely stored in locked areas.

Although desks, file cabinets and lockers are made available to employees while at work, employees should remember that all desks, file cabinets and lockers are the property of the College. As a result, employees should not assume that the desks, file cabinets and lockers, or their contents are confidential or that access by the College's designated representatives will not occur. The College reserves the right to open and inspect desks, file cabinets, and lockers, as well as the contents that are in them at any time.

Job Posting & Recruiting Guidelines

The College is committed to the recruitment and retention of a qualified and diverse workforce. For external searches the College may post available job openings on the College's web site and on appropriate external websites and publications. In addition, the College may at its discretion make appointments or conduct limited and/or internal searches. Limited and/or internal job searches must be approved by the Director of Human Resources and will generally be posted for a minimum of five business days.

Current employees of the College who have worked at the College for at least one year and meet the requirements for an open position may apply for positions for which they may be qualified. Current employees are expected to follow standard application procedures including submitting a cover letter, updated resume and references. All applicants for positions are given equal consideration. A current employee who meets the qualifications, successfully completes the interview process and is recommended for hire by the hiring manager may be transferred and/or promoted into the new position with the approval of the division's Vice President.

It is expected that current employees who are candidates for other positions on campus will notify their current supervisor regarding the status of their candidacy throughout the search process. In addition, if a current employee is hired for another position on campus, adequate notice will be given to the employee's current department.

Promotion and Internal Transfer

The College is committed to retaining valued employees and we encourage employees to apply for internal positions for which they may be qualified. Promotions and transfers may result if current employees are selected for other positions on campus.

Definitions:

Transfer A transfer is a lateral move from one position to another, usually in another office or department, where the employee retains the same level of responsibility and generally the same salary. A transfer may result from a request made by either the College or the employee. Transfers may also occur as a result of departmental or College restructuring and when positions are eliminated.

Promotion A promotion is a change from one position to another either in the same or another office or department; it is at a higher level, has more responsibility and it may be accompanied by a salary adjustment.

Rehire Policy

Former employees, in good standing, may be eligible for rehire depending on past performance record and the reason and/or circumstances of their resignation. Former employees must follow the regular application process and must satisfy the position requirements. Length of service will be adjusted for rehired employees with a break in service of six months or longer.

Staff Employees Who Teach

Some staff employees at Mount Ida College have the educational background and/or talent that may provide them the opportunity to engage in adjunct teaching activities at the College.

While the College wishes to provide these unique opportunities to our staff employees, these interests and abilities must be balanced with a staff member's primary work responsibilities and commitment to a full-time staff position and within established teaching limits that support the breadth and depth of our academic quality. The College may not be able to accommodate requests to teach for employees in certain positions or in certain departments.

With the advanced knowledge and approval of their immediate supervisor and the appropriate Vice President, full-time, exempt staff may be considered for teaching one class/course per semester outside of their primary staff work responsibilities. If an exempt staff member is approved to teach, they must first and foremost ensure that they fulfill the daily work responsibilities of their full-time staff position and its schedule. In general, exempt staff members are only allowed to accept a teaching assignment outside of their regular work schedule. The teaching assignment should not interfere with the employee's regular work schedule for their staff position and employees should not use their teaching responsibilities as a reason for not meeting their primary job duties. Performance evaluation of the primary job will not include the teaching performed by the staff person, unless such teaching interferes with the

performance on the primary job. Because of overtime issues, full-time, non-exempt staff members are not permitted to teach during their regular work schedule in addition to their staff job duties.

Compensation for adjunct teaching will generally be in addition to the salary or wages paid for the staff person's regular position unless otherwise noted in the position description.

Any exceptions to this policy require the review and approval of the appropriate Vice President and the Director of Human Resources.

SECTION 3: BENEFITS

The College is pleased to offer a wide range of benefits which promote health and wellness, as well as benefits that help employees plan for their future. Plan documents and additional information regarding these benefits may be obtained from the Office of Human Resources.

Mount Ida College will periodically review the benefits programs and will make modifications as appropriate. The College reserves the right to modify, add or discontinue the benefits it offers without the prior consent of the employees.

The following information is intended to provide employees with a summary of the College's benefits. Any inconsistencies between the terms of the coverage included in this Handbook and the provisions of any benefit plan documents will be resolved in favor of the plan documents.

Benefit Eligibility

An employee's regular work schedule is used to determine general benefit eligibility. If an employee holds multiple staff positions, the total hours worked per year in all positions classified as "staff" positions will be used to determine an employee's benefit eligibility.

However, eligibility for health insurance benefits is determined through the use of specific measurement and stability periods as required by the Affordable Care Act (ACA). More information about the measurement and stability periods can be obtained by the Office of Human Resources.

Benefit Eligibility Guidelines

An employee's regular work schedule is used to determine general benefit eligibility.

Full-time: Positions with a fulltime equivalent (FTE) of .75 or greater are considered "full-time". Full-time exempt (salaried) and non-exempt (hourly) positions at the College generally have a regular work schedule of 35 hours per week. Full-time employees are eligible to receive College benefits, paid time off and holidays.

Part-time (Regular): Positions with regular work schedules of 20-34 hours per week are considered "part-time, regular". Part-time, regular positions are generally not eligible to receive College benefits. However, part-time, regular positions scheduled to work nine months or more with a .43 FTE or greater are eligible for prorated paid time off (i.e., vacation and sick time) and holidays.

Part-time (Casual): Positions with regular or intermittent work schedules of less than 20 hours per week are considered "part-time, casual". Part-time, casual positions are not eligible to receive College benefits, paid time off or holidays.

Temporary: Full or part-time positions that are contracted for a specific defined period of time and/or of limited duration are considered "temporary". Temporary

positions that are less than six months in duration are not eligible to receive College benefits, paid time off or holidays.

Medical Insurance

The College provides group medical insurance coverage through Blue Cross Blue Shield. Two types of plan options are available: an HMO or PPO plan. All full time employees are eligible for individual or family group health insurance coverage upon their date of employment. In addition, for part-time employees, eligibility for health insurance benefits is determined through the use of specific measurement and stability periods as required by the Affordable Care Act. More information about the measurement and stability periods can be obtained by the Office of Human Resources.

Employees are responsible for a portion of the health insurance premium cost and the employee's contribution will be made through the bi-weekly payroll deductions. Information about specific coverage options as well as current rates may be obtained from the Office of Human Resources.

Dental Insurance

The College provides group dental insurance coverage through Blue Cross Blue Shield. Dental Blue is the designated plan. All full time employees are eligible for individual or family group dental insurance coverage upon their date of employment. Employees are responsible for a portion of the dental insurance premium cost and the employee's contribution will be made through the bi-weekly payroll deductions. Information about specific coverage as well as current rates may be obtained from the Office of Human Resources.

Basic Life and Accidental Death and Dismemberment (AD&D) Insurance

The College provides group life and accidental death and dismemberment insurance coverage through UNUM. The College provides eligible employees with a life insurance and AD&D benefit of 1.5 times annual base salary up to a maximum of \$250,000. All full time employees are eligible for group life insurance and AD&D coverage as of the first of the month following date of hire. This benefit is fully paid by the College. Employees must designate a beneficiary for the life insurance benefit.

Supplemental Life and Accidental Death & Dismemberment (AD&D) Insurance

The College provides supplemental life and accidental death and dismemberment (AD&D) insurance coverage through UNUM. Eligible employees may elect up to five times their base salary to a maximum of \$500,000. Coverage is fully paid by the employee. Eligible employees also have the option of enrolling their spouse, domestic partner, and/or dependent children in the College's supplemental life and AD&D plan. Employees must be enrolled in the supplemental life and AD&D plan in order to enroll their spouse, domestic partner, and/or dependent children.

Spouse coverage is available in \$5,000 increments up to 100% of employee amount not to exceed \$500,000. Proof of insurability may be required. Child coverage is available in \$2,000

increments up to \$20,000. Information about specific coverage options as well as current rates may be obtained from the Office of Human Resources.

Short-Term Disability

The College provides full-time employees who have completed one year of service with a short-term disability (STD) benefit. The College self-insures for short term disability and provides salary continuation for non-work related short-term medical disabilities lasting more than two weeks in length and up to six months, with medical proof of disability. Short-term disability salary continuation payments are made after an employee has utilized all accumulated sick and vacation time (if applicable) and are made according to the following schedule:

% of Salary Continuation	Duration
100%	Remainder of first two months of disability after sick and vacation have been utilized.
80%	3 rd and 4 th month of disability
70%	5 th and 6 th month of disability

Long-Term Disability

The College provides Long Term Disability insurance through UNUM. All full-time employees are eligible for 2/3 of salary up to a maximum of \$8,500 per month after 180 days of complete disability. This coverage is fully paid by the College and is effective as of the first of the month following date of hire. Benefits are payable to age 65, or, if an employee becomes disabled after age 60, benefits are payable for 5 years or to age 70, whichever comes first.

403(b) Retirement Plan

The College offers a 403b retirement plan to all employees who have worked a minimum of 1,000 hours in a calendar year and have completed at least one year of service. The College will contribute a percentage of an employee's eligible earnings after eligibility has been met. The College's 403b Retirement Plan is currently serviced through TIAA-CREF.

403(b) Supplemental Retirement Plan

The College offers a 403(b) Supplemental Retirement Plan to all employees upon date of hire. This plan provides all employees the opportunity to save for retirement on a voluntary, pre-tax basis. Employees may contribute up to the annual IRS allowable maximum.

Flexible Spending Accounts

The College offers a Flexible Spending Account program through Crosby Benefit Systems that allows eligible employees to use pre-tax dollars to pay for qualified out-of-pocket health care expenses and dependent care expenses. All full-time employees are eligible to enroll in the College's Flexible Spending Account program upon date of hire.

Up to \$2,000 per year may be set aside pre-tax to reimburse for out of pocket health care expenses not covered by the medical, dental and vision insurance plans. Up to \$5,000 per year may be set aside pre-tax to pay for care of a child under age 13 or a dependent adult.

Vision Plan

The College offers a vision plan through EyeMed Vision Care. All full time employees are eligible to enroll in the College's vision insurance plan upon date of hire. Coverage is fully paid by the employee.

Auto & Homeowners Insurance

The College offers a group auto and homeowners insurance program through Liberty Mutual. The program will provide special savings to employees who enroll through the Group Savings Plus Program. This program is available to all employees.

Employee Assistance Program (EAP)

The College provides an Employee Assistance Program to all employees at no cost, through AllOne Health. The EAP provides an array of services to employees and their dependents and/or household members for personal or work-related issues. The EAP is a confidential service.

Domestic Partner Benefits

The College provides benefits to same and opposite sex domestic partners.

Campus Facilities & Dining

Employees with a Mount Ida ID are welcome to use the Wadsworth Library and the Athletic Center for their personal use. Hours are posted on the College website. In addition, employees may purchase meals in the dining hall at a reduced rate.

Workers' Compensation Insurance

All College employees are covered by the Massachusetts Workers' Compensation Insurance law which provides partial income replacement and medical care payments for employees who experience a work-related injury or illness. Workers' Compensation insurance is paid by the College.

All work-related injuries (no matter how minor) must be reported to your supervisor immediately and, if necessary, medical attention should be sought. In addition, a First Report of Injury Form must be completed and submitted to the Human Resources Office within 24 hours of the injury or accident. Supervisors must report any absences of an employee resulting from a work-related injury.

If a job-related accident or injury requires medical treatment, employees should seek immediate medical treatment. The College encourages employees who seek medical treatment to visit Beth Israel Deaconess – Needham Occupational Health Services. However, employees may elect to see their own physician or to seek medical attention elsewhere. In all cases, employees should inform the health care provider that the injury may be covered under Workers' Compensation insurance. The employee must also notify the Office of Human Resources when he/she has sought medical attention.

The College is required to report all accidents or injuries to our workers' compensation insurance carrier. The insurance company will investigate claims and determine eligibility for workers' compensation benefits. If a claim is approved, Worker's Compensation benefit payments begin after the 5th day of a disability. Workers' compensation benefits are paid at 60% of salary. Employees must use sick or vacation time during the first five days of a workers' compensation disability. If the employee is still unable to work after 21 days, workers' compensation benefits are paid retroactively to the first day of a workers' compensation disability.

Parking

Parking is available to employees at no cost. Authorization for obtaining parking permits is provided through the Office of Human Resources. The Office of Campus Police is responsible for issuing parking permits. Employees are expected to observe designated parking assignments and "No Parking" assignments.

Identification Cards – Mount Ida College OneCard

The Mount Ida College ID card serves as an employee's official campus identification card and provides authorized access to campus. In addition, the ID card provides employees with library privileges, use of the Minute Man Library Network and can also be used to purchase employee meal plans. Authorization for obtaining identification cards is provided through the Office of Human Resources. Identification cards are issued through the Office of Campus Police. A replacement fee may be charged to replace a lost or destroyed card.

SECTION 4: COMPENSATION & PAY POLICIES

Position Classifications – Fair Labor Standards Act

The Fair Labor Standards Act (FLSA) outlines specific guidelines and requirements for determining whether a position is classified as exempt (i.e., salaried) or non-exempt (i.e., hourly paid, eligible for overtime pay). In applying the exemptions, it is important to keep in mind that all employees are presumed to be entitled to overtime (non-exempt) and it is therefore the burden of the employer to demonstrate that an employee is exempt from the FLSA.

Under these guidelines, employers must take into consideration the actual job duties that the employee is performing when determining FLSA classifications. The Office of Human Resources is responsible for determining the appropriate FLSA classification for all College positions.

Non-exempt: Those employees in positions that do not fall into one of the exempt categories and who are therefore not exempt from the Fair Labor Standards Act and Massachusetts Wage and Hour laws.

Non-exempt employees are entitled to overtime pay for hours worked beyond 40 hours in the work week. Any overtime hours or hours worked beyond the normal work schedule must have the prior approval of the supervisor or department head.

In order to accommodate special events or projects, supervisors may on occasion require that a non-exempt employee adjust their normal weekly work schedule. When adjustments to the normal work schedule are necessary, supervisors are expected to provide reasonable advance notice.

Exempt: Those employees who hold executive, professional or administrative positions and who therefore are exempt from the overtime provisions of the Fair Labor Standards Act and Massachusetts Wage and Hour laws. Exempt employees are not eligible for overtime pay.

Exempt employees are expected to work at minimum a full-time work schedule and to work the hours necessary to fulfill their duties, to ensure that work is accomplished and that department expectations and goals are met. While hours may fluctuate, exempt employees are generally expected to be available during normal business hours. In addition, exempt employees may be required to work additional hours, to work evening hours, weekend hours and to travel on College business. Exempt employees are not entitled to overtime pay for hours worked beyond 40 hours.

Time Sheets and Attendance Records

The College is required by state and federal law to keep and maintain accurate records of hours worked by employees. Time and attendance records are considered legal documents. Falsification of time and attendance records by employees or supervisors is considered cause for disciplinary action, up to and including termination of employment.

Hourly Paid Employees – (Non-Exempt)

All non-exempt employees are required to complete a bi-weekly timesheet indicating the dates worked and hours worked each day as well as any paid time off taken. Electronic timesheets should be completed by the employee and approved by the direct supervisor. Approved electronic timesheets should be submitted by the designated payroll deadline.

Salaried Employees – (Exempt)

Exempt employees are required to complete an exception time report each pay period recording any exception time (vacation, sick, personal time or other paid time) taken during the pay period. Electronic exception time reports must be completed by the employee and approved by the supervisor. Approved exception time reports should be submitted by the designated payroll deadline.

Legally Required Withholdings and Required Deductions

The College is required by law to make mandatory payroll deductions from the paychecks of all employees for Social Security, Medicare, State and Federal taxes. Employees are required to complete state and federal tax withholding forms indicating the number of exemptions to be allowed for withholding tax purposes. The amount of Social Security and Medicare withholding is a percentage of gross pay. This percentage is determined by the federal government and is subject to periodic adjustment.

The College is also required by law, when served with a wage garnishment, court support order or federal tax levy against an employee, to make deductions from the employee's wages until the debt has been satisfied or as otherwise required by the order. Upon receipt of such an assignment, order or levy, the employee will be notified by the Payroll Office.

Other voluntary deductions may be made to employees' paychecks for contributions to health and dental insurance, flexible spending accounts, 403B accounts, and other voluntary benefits.

Pay Periods and Paychecks

Staff members are paid on a bi-weekly basis with a Friday pay date. The College's workweek begins at 12:01 a.m. on Sunday and ends the following Saturday at 11:59 p.m. A schedule of the pay periods, timesheet submission deadlines and pay dates are available on the Human Resources internal website (MiWeb). When a payday falls on a holiday, paychecks will be issued on the preceding workday. Employees are required to enroll in payroll direct deposit.

Electronic Pay Statements and Information on Your Paycheck

Online pay statements provide detailed information about pay and benefits. The accuracy of the information on the employee pay statement is a shared responsibility between the employee and the College. The College performs regular audits and continuously works to update systems and processes to prevent errors. However, payroll errors do occur sometimes. If payroll errors or overpayments occur, the College will make adjustments and recover any overpayments. Employees are encouraged to review their online pay statement regularly and to notify the Payroll Office of any errors or discrepancies.

Overtime Pay

The College complies with the Fair Labor Standards Act (FLSA) with regard to the payment of overtime pay. Non-exempt employees of the College are covered under the FLSA and will be compensated for all hours worked over 40 in a week as overtime. Such time will be calculated as time and one half per the FLSA and will be indicated on the employee's payroll check as overtime pay.

All overtime hours worked must be approved in advance by the employee's supervisor. Overtime pay is calculated based on actual hours worked. Sick, vacation, holiday and any paid leave time are not included for purposes of computing overtime hours.

Salary Increases

Salary increases are determined annually. Percentage increases will be determined based on enrollments and fiscal resources. Increase amounts are communicated annually by the President. New employees are not eligible for the approved annual increase in the year in which they are hired.

Compensatory Time (Comp Time)

As a general rule, compensatory time should be used rarely when unusual circumstances warrant. In these situations, with a supervisor's prior approval, full-time non-exempt employees may be granted compensatory time (i.e., comp time). Federal law prohibits carrying over compensatory time beyond the week in which it is earned. Therefore, compensatory time must be used within the workweek in which it is earned. Exempt employees are expected to work the hours necessary to fulfill their duties and responsibilities and are therefore not eligible for compensatory time.

The College does not accrue compensatory time and will not provide payment for compensatory time at the time of separation from employment from the College.

SECTION 5: PAID TIME OFF & HOLIDAYS

Eligibility Guidelines for Paid Time Off

An employee's regular work schedule is used to determine eligibility for paid time off.

Full-time: Positions with a fulltime equivalent (FTE) of .75 or greater are considered "full-time". Full-time exempt (salaried) and non-exempt (hourly) positions at the College generally have a regular work schedule of 35 hours per week. Full-time employees are eligible to receive College benefits, paid time off and holidays.

Part-time (Regular): Positions with regular work schedules of 20-34 hours per week are considered "part-time, regular". Part-time, regular positions are generally not eligible to receive College benefits. However, part-time, regular positions scheduled to work nine months or more with a .43 FTE or greater are eligible for prorated paid time off (i.e., vacation and sick time) and holidays.

Part-time (Casual): Positions with regular or intermittent work schedules of less than 20 hours per week are considered "part-time, casual". Part-time, casual positions are not eligible to receive College benefits, paid time off or holidays.

Temporary: Full or part-time positions that are contracted for a specific defined period of time and/or of limited duration are considered "temporary". Temporary positions that are less than six months in duration are not eligible to receive College benefits, paid time off or holidays.

Vacation Policy

Mount Ida College provides paid vacation time for eligible staff who have completed the College's 90 day introductory period. Vacation eligibility is determined by length of service and is accrued and credited annually in a lump sum on an anniversary year basis. Vacation balance information can be accessed on the College's online time and attendance system.

Employees in full-time positions are eligible for paid vacation time. In addition, full-time, academic year and part-time, regular positions scheduled to work nine months or more (.43 full time equivalent or greater) are eligible for prorated vacation time.

Employees in part-time, casual positions working less than 20 hours per week or less than .43 full-time equivalent (FTE) and employees in temporary positions of less than six months in duration are not eligible for paid vacation time.

Vacation Eligibility

Years of Service	Time Allotted	Maximum Carryover
0 - 3 years	15 days	5 days
3 years or more	20 days	10 days

Employees are permitted to carry over a limited number of unused vacation days from one year to the next. The maximum number of days that may be carried over are based on length of service (see chart above).

Vacation time must be scheduled in advance and must be approved by the immediate supervisor. Vacation time requests are approved based on the operational and departmental needs of the department and the College. Employees who have exhausted their accumulated vacation time are not permitted to take time off without pay unless they are on an approved leave of absence. Vacation time does not accrue during an unpaid leave.

Exempt staff are required to submit electronic exception time reports to the Payroll Office to record paid time off that has been taken and non-exempt staff are required to submit electronic timesheets to record hours worked and paid time off on a bi-weekly basis.

Upon termination of employment, the College will pay out any earned but unused vacation time. Employees may not take vacation time during the period of notice (i.e., separation notice). The employee's effective date of termination is considered the last day that he/she is actively at work. Vacation time may not be used to extend a termination date.

Sick and Personal Time

The College recognizes that there may be times when an employee may be unable to work due to medical appointments, his/her own short term illness or injury or the illness or injury of an immediate family member (spouse, partner, child or parent).

For these reasons, the College provides ten (10) days of sick leave to eligible employees at the beginning of the calendar year; up to three of these days may be used as personal days. Part time employees regularly scheduled to work 20 or more hours per week for the academic year (.43 FTE or greater) are eligible to receive a pro-rated amount of sick leave. For new employees, sick leave is effective beginning the first of the month following the date of hire and is prorated for their first year based on their date of hire. Sick leave does not accumulate and therefore does not carry over from year to year. Unused sick leave is not paid out at the end of employment.

Employees needing to use unscheduled sick leave, must notify their direct supervisor prior to the start of the scheduled work day. Absences of five or more consecutive days may require a physician's release for a return to duty. The College also reserves the right to request a physician's release in instances of extraordinary absences.

Holidays

Full-time, benefit eligible employees and part time, regular employees regularly scheduled to work 20 or more hours per week for the academic year (.43 FTE or greater) are eligible for paid holidays.

The College generally observes the following paid holidays each year:

- New Year's Day
- Martin Luther King Day
- President's Day
- Patriot's Day
- Memorial Day
- Independence Day
- Labor Day
- Columbus Day
- Thanksgiving Day
- Day after Thanksgiving Day
- Christmas Day

In order to be eligible for holiday pay, an employee must be regularly scheduled to work on the day the holiday falls and they must be in an active pay status. In addition depending on the nature of the position, some employees may, as a condition of employment, be required to work on a holiday. In these situations, exempt employees may elect to take a floating holiday. Non-exempt employees may elect to either take a floating holiday or receive pay for the hours worked on the holiday and holiday pay.

Generally, if a holiday falls on a Saturday, it will be observed on Friday; if the holiday falls on a Sunday, it will be observed on Monday. Notice of all holidays is posted on the Human Resources MIWeb tab.

Winter Break

The College generally closes administrative offices during the week between the Christmas and New Year's holidays. The actual beginning date of the holiday break will vary from year to year. Once determined and approved, the actual holiday break dates will be posted on the Human Resources MIWeb tab.

All employees will be paid for this time off based on their regular full or part-time schedules. If an hourly paid employee in an essential position is required to work on any day during the winter break, the employee will receive holiday pay and pay for the actual hours work on that day.

Summer Hours Policy

Normally, the College observes a summer hours schedule that consists of a four day compressed work week beginning in June and continuing through mid-August. The summer hours schedule is intended to provide employees with a four day work week during the summer.

The specific weeks that the summer hours schedule is in place is determined and announced annually. Supervisors have the discretion to adjust the summer hours schedule for their department based on departmental needs and priorities.

SECTION 6: LEAVE POLICIES & BENEFITS

Leave of Absence

In general, if an employee needs to be out of work for an illness, injury or other leave-qualifying reason for more than five consecutive or intermittent workdays, the employee must submit a request for a leave of absence. The College provides a number of different leave options depending on the circumstances surrounding the need for leave. The types of leaves available are described in this section. Employees should contact the Office of Human Resources to learn more about leave options and guidelines. Appropriate documentation may be required for certain leaves.

Family and Medical Leave Act (FMLA)

Mount Ida College recognizes that there may be a period of time when, due to an employee's own medical needs or a family member's medical needs, time away from work may be necessary. To that end and in accordance with the Family and Medical Leave Act of 1993, the College will grant eligible employees up to twelve weeks of unpaid leave per twelve-month period for one or more of the following reasons:

- The birth, adoption or foster care placement of an employee's child and in order to care for that child during the 12 month period after birth or placement.
- To care for the employee's child, spouse or parent, if that child, spouse or parent has a serious health condition.
- To attend to the employee's own serious health condition that renders the employee unable to perform the functions of his/her job.
- For qualifying exigencies arising out of the fact that the spouse, son, daughter or parent of the employee who is on active duty or has been notified of an impending call to active duty status in the National Guard or Reserves, in support of contingency operations.

In addition, the College will grant an eligible employee who is the spouse, son, daughter, parent or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness incurred in the line of duty on active duty, up to 26 weeks of unpaid leave during a single 12 month period to care for the service member.

In all circumstances, it is the College's responsibility to designate leave as FMLA-qualifying, and to provide notice of this designation to the employee. The information necessary to make such a designation is outlined below.

Eligibility

Employees are eligible for FMLA leave if they have been employed by the College for at least twelve (12) months and have worked a minimum of 1,250 hours during the twelve (12) month period immediately preceding the request for leave of absence. Eligible employees may take up to twelve (12) weeks of unpaid leave per twelve (12) month period.

Definition of 12 Month Period

This twelve (12) month period is measured from the date an employee's first leave begins for any of the reasons stated above.

Required Notification of Need for Leave of Absence

If the need for a leave of absence is foreseeable, the employee must provide the College at least thirty (30) days advance written notice before the leave is to begin. Employees should complete a Request for Leave of Absence Form and submit it to the Office of Human Resources. If the leave is not foreseeable, the written notice must be provided as soon as practicable. Failure to provide such advance written notice may result in denial of the leave until thirty (30) days after notice is provided to the supervisor and the Office of Human Resources.

Required Medical Certification and/or Documentation

Employees requesting FMLA leave will be required to provide appropriate documentation substantiating the need or reason for the leave. Employees requesting leave for their own or a family member's serious health condition will be required to provide a medical certification from the health care provider. A certification form is provided for this purpose. When a request has been made for family medical leave for the serious health condition of the employee or family member, the certification form must be completed, signed by the health care provider and returned to the Office of Human Resources. In cases of unforeseen leave, medical certification must be submitted to the College as soon as possible, but no later than 15 days after the beginning of the leave. For employee's requesting leave because of a serious health condition, the College may, in its discretion, request that the employee receive a second or a third medical opinion, at the College's expense.

When an employee is on leave, subsequent re-certifications of a continued medical condition may be required at regular intervals.

Definition of Serious Health Condition

A "serious health condition" is defined by the Family and Medical Leave Act as an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Use of Accrued Sick and Vacation Benefits During Family and Medical Leave

While federal regulations specify that leave taken under the Family and Medical Leave Act is unpaid, the College requires that employees use all accrued and unused paid time off including sick and vacation time and will apply it to FMLA leave. Accrued, unused time will be used and paid concurrent with the leave time. Therefore, employees will be required to exhaust all accrued paid leave from the start of a family and medical leave and then take unpaid leave for the remainder of the FMLA leave period, unless the employee is eligible for Short Term Disability pay. This requirement does not apply to leave for the birth, adoption or foster care of a child.

Continuation of Benefits during Family and Medical Leave

Employees enrolled in the College's group health, dental, life and long term disability insurance plans prior to the date the leave commenced will continue their coverage in these plans during the leave period. The College will continue to make its contribution towards the monthly premium for health and dental coverage. The employee will continue to be responsible to pay his/her portion of the premiums. For employees on paid leave, the employee premiums will be deducted from their pay. Employees on unpaid leave are required to make payments directly to

the College for their share of the premium payments. Failure to make timely premium payments may result in cancellation of coverage. Employees on an approved Family and Medical leave will not accrue sick, vacation or holiday time during the leave period. Accrual of these benefits will resume when the employee returns from leave.

Use of Intermittent Leave

When medically necessary, eligible employees may be granted an intermittent leave (two or more separate leave periods), or reduced leave (where an employee continues to work, but for fewer hours per day or per week), under the Family and Medical Leave Act. In these cases, the total number of hours or days of leave taken is limited to the equivalent of 12 work weeks for that employee.

For intermittent leave to be approved there must be medical need for leave (as distinguished from voluntary treatments and procedures) and it must be that such medical needs can be best accommodated through an intermittent or reduced leave schedule. Employees needing a reduced-hours schedule for medical necessity must attempt to schedule their leave periods so as not to disrupt the College's operations. In addition, the College reserves the right to reassign an employee to an alternative position, with equivalent pay and benefits that better accommodates the employee's need for a reduced schedule.

Returning to Work – Medical Certification of Fitness for Duty

For employees on FMLA due to his/her own serious health condition, the College may require that the employee provide medical certification confirming that the employee is able to return to work prior to returning. The College will notify the employee if such certification is required.

Restoration to Position

Upon return from leave, employees will be reinstated to his/her former position, if available, or to a similar position within the College with the same pay, benefits and terms and working conditions as in effect on the day prior to the leave.

To the extent permitted by law, the College reserves the right to deny reinstatement to any employee otherwise eligible for reinstatement to his or her prior or an equivalent position. Employees taking a Family and Medical Leave are subject to pay or benefits reductions or other adverse actions, including layoff, which they would have experienced had they not been on a Family and Medical Leave.

Parental Leave

Mount Ida College provides eligible employees up to eight (8) weeks of unpaid leave for the following reasons:

- Giving birth to a child
- Placement (fostering) of a child who is under 18 years of age
- Placement (fostering) of a person under the age of 23 who is mentally or physically disabled
- Adoption

Eligibility

To be eligible for parental leave, the employee must:

- Be a regular full time employee of the College,
- Have been employed continuously for at least three (3) consecutive months.

The eight (8) weeks of parental leave will run concurrent, from the effective date of birth, placement or adoption, with leave taken under the Family and Medical Leave policy.

Required Notification

The employee must complete a Request for Leave of Absence form and provide the appropriate documentation.

Paid Leave Time

The College will provide six (6) weeks of paid parental leave to regular full-time employees provided that they have been employed at the College for at least one year. Employees with less than one year of service are not eligible for paid parental leave.

Return to Work

At the end of the leave period, the employee will be reinstated to his/her former position, if available, or to a similar position within the College with the same pay, benefits and working conditions as in effect on the day prior to the leave, as economic conditions warrant.

Small Necessities Leave (SNLA)

Under the Commonwealth of Massachusetts Small Necessities Leave Act, the College permits eligible employees up to 24 hours of unpaid leave in a 12-month period for the following reasons:

- To participate in school activities directly related to the educational advancement of a son or daughter of the employee, such as a parent-teacher conference or interviewing for a new school;
- To accompany a son or daughter of the employee to routine medical or dental appointments, such as check-ups or vaccinations; and
- To accompany an elderly relative of the employee to routine medical or dental appointments or appointments for other professional services relating to the elder’s care, such as interviewing at a nursing or group home.

Eligibility

To be eligible for this leave, the employee must be employed by the College for a period of at least 12 months. The employee must also have worked for the College for at least 1,250 hours during the 12-month period prior to beginning the leave period. This 12-month period is measured from the date an employees’ first leave begins for any of the reasons state above. Leave may be taken in increments of not less than 1 hour.

Required Notification

Eligible employees are required to provide a minimum of 7 days notice of the need to take this leave time provided the need for such time is foreseeable. The Request for Leave form is used for this purpose. In the event the need is unforeseeable, employees must give notice as far in advance as is feasible. A department may require that written certification or documentation support a request for leave under this Act.

Use of Accrued Sick and Vacation Time

While the Act specifies that leave taken as Small Necessities Leave is to be unpaid, the College requires the use of accrued, unused sick time. Vacation time may also be used. Accrued, unused time will be used and paid concurrent with the leave time.

Military Leave

The College provides unpaid leaves to the extent required by law to employees who request leave to join the Armed Forces (including Reserves) for active duty or for training. Employees who learn that they must attend military training or active duty must notify the Human Resources Office in writing, in advance of their training or service, of the expected duration of the training or service and their anticipated date of return.

If an employee is called to active Armed Forces duty or training, in accordance with Massachusetts and federal law, they may be entitled to the same position or a similar one of like status, pay and seniority unless the position has been eliminated because of economic conditions or changes in operating conditions affecting employment during the leave. The College shall, however, make every effort to reinstate eligible employees in a like or similar position, if possible. If no opening exists for which the employee is qualified, employment with the College may end.

Personal Leave of Absence

A personal leave of absence is a discretionary leave that is generally granted for a period of up to three months to provide eligible employees extended time off from work for compelling personal reasons or as an extension of leave when an employee has exhausted FMLA leave and is unable to return to work immediately following a FMLA leave. To be eligible for a personal leave an employee must be full-time and have completed at least two (2) years of continuous service.

If granted, personal leaves of absence are generally unpaid unless an employee has accumulated paid time off (i.e., sick, vacation or personal time) or if they are eligible for Short Term Disability pay and the reason for leave is disability related. Employees will be required to use available accrued but unused paid time off (vacation, personal time and sick time, if applicable).

Employees must complete a Request for Personal Leave of Absence form at least one month in advance. The request must include the reason for the request for leave and the duration of the leave. Approval of a personal leave of absence will be made on a case-by-case basis and will depend largely on circumstances. The Director of Human Resources in consultation with the appropriate Vice President is responsible for approval of any personal leave of absence.

During an unpaid personal leave, the employee will be eligible to continue participation in the College's benefits under COBRA. Life and disability insurance will be continued during the period of the leave. Sick and vacation time will not accrue during the period of leave.

The College is under no obligation to hold open a position for employees taking a personal leave of absence. An employee granted a personal leave of absence is not guaranteed a position at the end of the leave period. If no position is available the employee shall be terminated and may re-apply for the next available position for which he/she is qualified. The

seniority of an employee returning to work from a personal leave will be adjusted by the length of the leave.

Bereavement Leave

The College provides bereavement leave for employees who experience the loss of an immediate family member. For the purpose of bereavement leave, the College defines "immediate family" as the employee's spouse, parent, child, or sibling; the employee's spouse's parent, child or sibling; the employee's child's spouse; and the employee's grandparents or grandchildren.

Up to three days of paid bereavement leave shall be provided to eligible employees. Employees may, with their supervisor's approval, use any available paid leave for additional time off as necessary. Bereavement leave must be recorded on the employee's timesheet or leave report.

Jury Duty Leave

The College encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees will be paid at their regular rate by the College for the first three days of jury service. Thereafter, the College will pay the employee the difference between their regular rate and any compensation received from the government for jury service.

Employees are expected to report to work if they are released from jury duty before the end of their regular workday. All employees must bring a copy of their jury summons notice to the Office of Human Resources. Employees are expected to keep their supervisor apprised of their status when serving on a jury.

SECTION 7: TUITION BENEFITS & PROGRAMS

Mount Ida College encourages and supports the continuing education of our staff and their families and therefore provides several tuition programs. Each family member may receive a benefit from only one program per semester. More information about each tuition program and applications are available from the Office of Human Resources.

The College reserves the right to review and determine its continued participation in any of the tuition programs as necessary.

Tax Implications of Tuition Benefits

While undergraduate tuition remission is generally not taxed, the Internal Revenue Service has ruled that graduate tuition remission is considered taxable income.

Under section 117(d) of the Internal Revenue Code, educational institutions offering a reduction of tuition charges to employees, their spouse and/or dependents children for undergraduate coursework may exclude the value of this education from their employees' taxable wages. However, the exclusion under this section does not extend to graduate coursework.

Section 127 of the Internal Revenue Code allows all employers, whether or not they are an educational institution, to provide their employees with educational assistance for both undergraduate and graduate coursework. Employers may provide each employee with a maximum of \$5250 of educational assistance per year on a tax-free basis. Educational assistance in excess of the \$5250 exclusion must be added to the employees' taxable wages and employment taxes must be withheld.

Expectations for Scheduling Classes

Whenever possible courses taken by employees as part of the Tuition Remission programs should not interfere with the employee's regular work schedule and should be taken during the employee's non-work hours or during times that are least disruptive to the employee's workday. If courses need to be taken during the employee's regular work hours, the employee's supervisor and Vice President must approve the schedule before classes begin and time off will be granted on a make-up time basis only. The time should be made up through an arrangement with the supervisor in a manner that meets the needs of the department. Time off to attend classes will be granted at the discretion of the supervisor and in consultation with the appropriate Vice President and the Director of Human Resources, based on the work load, schedule and needs of the department. Accrued vacation time may be used to make up time.

Tuition Remission - Undergraduate Programs

The Undergraduate Tuition Remission program provides 100% tuition remission for undergraduate courses taken at Mount Ida College. Full-time, benefit eligible staff, their spouse, domestic partner and/or dependent children are eligible to participate in the Undergraduate Tuition Remission program. Registration and application fees are waived under the Tuition Remission Program. Employees are responsible for books, course materials and any other fees. There is no waiting period or service requirement to participate in this program.

Full-time staff may enroll in a maximum of two courses per semester or summer session. Spouse, domestic partners and dependent children may enroll in a full or part-time course load. Continuing education courses are not eligible for Tuition Remission.

Tuition Remission – Graduate Program

The Graduate Tuition Remission program provides 100% tuition remission for graduate courses taken at Mount Ida College. Full-time, benefit eligible staff are eligible to participate in the Graduate Tuition Remission program. Registration and application fees are waived under the Tuition Remission Program. Employees are responsible for books, course materials and any other fees. There is no waiting period or service requirement to participate in this program.

Full-time staff may enroll in a maximum of two courses each semester, on a space available basis.

Tuition Reimbursement

The College provides tuition reimbursement in order to encourage and assist staff members in their continuing education and in the completion of requirements for advanced degrees. Tuition reimbursement benefits are available for courses taken at accredited colleges or universities other than Mount Ida College.

Full-time, benefit-eligible employees who have been employed at the College for at least six months are eligible to participate in the Tuition Reimbursement program. To qualify for benefits under the Tuition Reimbursement Program, courses must be taken at an accredited institution and must be either job-related or courses that are a requirement for a degree program.

The College will reimburse up to \$1,000 per semester for tuition fees of courses taken at other institutions, up to a maximum of \$2,000 per calendar year. Reimbursable expenses include mandatory or educational service fees. No reimbursement will be made for registration, laboratory fees, late fees, books and other course materials costs. Tuition reimbursement is dependent upon the successful completion of the course. Grades for successful completion are "B" or better for undergraduate or graduate courses.

Courses taken under the Tuition Reimbursement Program must be taken outside of regular work hours and should be taken during the evenings or on weekends.

Prior to enrolling in a course, employees must submit a *Pre-Approval Application for Staff Educational Reimbursement* form with the required signatures along with a course description to the Office of Human Resources for approval.

To receive reimbursement for an approved course, upon completion of the course, the employee must submit proof of grade, an itemized tuition bill showing payment and a *Staff Request for Educational Reimbursement* form to the Office of Human Resources for processing. Requests for reimbursement should be submitted no later than 60 days after the completion of the course. No reimbursement will be made to employees who end their employment with the College prior to completing a course.

Tuition Exchange Program

Mount Ida College is one of 600+ colleges and universities that participate in the Tuition Exchange Program, Inc. (TE). The Tuition Exchange Program is a national, reciprocal scholarship exchange program for dependents of full-time faculty and staff. Under this program a dependent of an eligible employee at one participating institution may be awarded a Tuition Exchange Scholarship at another participating institution.

Eligibility

Current full time employees, faculty and staff, with two years of service at Mount Ida College are eligible to apply for the Tuition Exchange Program on behalf of their dependent child.

Eligible dependent children are those claimed as exemptions on federal income tax returns during the calendar years in which they are enrolled in the undergraduate degree programs through the TE Program. Only unmarried dependent children or custodial stepchildren who are under the age of 26 qualify for this program. Proof of relationship and dependent status will be required, i.e., birth certificate, adoption certificate or a copy of the most recent tax returns.

SECTION 8: PERFORMANCE MANAGEMENT, DISCIPLINE & GRIEVANCE PROCEDURES

Performance Reviews

All College employees will generally receive an annual written performance review. The annual review consists of a written evaluation by the supervisor and a performance evaluation meeting to review the written evaluation and to discuss performance during the past year as well as identify performance goals and development areas for the upcoming year.

A standardized form, available from the Office of Human Resources, should be used for performance appraisals. The employee and the supervisor sign the final performance review which acknowledges that the process has taken place. Employees are required to sign the written performance review as a condition of employment. The employee's signature acknowledges that the employee has had the opportunity to read the performance evaluation. It does not indicate agreement on all aspects of the evaluation itself. Although performance reviews are not subject to the grievance process, employees are encouraged to respond to the evaluation and to submit their own comments on the review form.

Disciplinary Procedures

The College has high standards of performance and expects all employees to perform their responsibilities and to conduct themselves in accordance with established policies and procedures with honesty and a high standard of personal integrity. The following procedures are intended for guidance only and do not imply or entitle employees to progressive discipline or any other disciplinary procedures. The individual facts and circumstances of each situation will determine the College's course of action.

Whenever an employee's job performance does not meet the College's expectations or whenever an issue concerning performance or conduct is identified, it will be addressed by the supervisor in consultation with the Director of Human Resources.

The College may provide performance improvement counseling and issue verbal and/or written warnings in order to provide employees with the opportunity to take corrective action to improve performance or conduct. Warnings prior to termination are not guaranteed in any case.

The College is, however, an at-will employer and reserves the right to terminate employment for any reason with or without cause.

Grievance Policy

The College is committed to promoting and supporting a fair, safe, collegial and non-discriminatory workplace. It is expected that all employees should be able to work in an environment of productive, respectful and equitable treatment to be able to mutually work to resolve any differences.

In most cases, the College expects that an employee will be able to satisfactorily address and resolve workplace issues and concerns directly with his/her supervisor. Thus, the College encourages the resolution of grievances on an informal basis whenever possible. However, when an employee is not able to resolve a work related issue or concern through informal

methods, the College has established a formal grievance process as another means of effectively resolving workplace complaints.

In addition, employees should always know that they may consult with the Office of Human Resources at anytime to informally discuss a problem or concern without the discussion being considered part of a formal grievance procedure or before deciding whether or not to pursue a formal grievance.

Definition of a Grievable Issue

Issues and matters which are subject to the College's formal grievance process are defined as claims or allegations of a violation of a written College policy or procedure, but excludes any policy that contains its own procedure for resolution. Examples of claims that are excluded from the grievance process include allegations of sexual harassment or others forms of unlawful discrimination or harassment.

In addition, terms of employment including issues of compensation, performance evaluations, terminations and employee benefits are not matters subject to the grievance process. Employees with concerns about matters of this nature are encouraged to consult with their supervisor and/or the Office of Human Resources.

In all cases, the Director of Human Resources will determine whether or not a dispute or complaint is within the scope of and subject to the College's grievance process.

This grievance policy of the College is designed to be a mutual and internal process to seek resolution of workplace complaints. Legal counsel, colleagues, co-workers and other third parties are not permitted to participate in the process and/or attend related meetings.

The College's grievance process may include three steps: (1) Informal Resolution, (2) Formal Grievance Process and (3) Appeal Process. Final resolution may be reached at any one of the steps. An employee may elect to forego the Informal Resolution process and move directly to the Formal Grievance process.

Step 1: Informal Resolution

As with any workplace issue, the first and best place to seek resolution of a workplace concern or a dispute over the interpretation and/or application of a College policy is within the work unit and with the direct supervisor. Most complaints and concerns are best dealt within an informal manner between the employee and their supervisor.

The first step in this informal process includes initiating a meeting and discussion between the employee and the supervisor within 14 days of the alleged incident. The employee should explain the nature of the specific problem or concern and discuss with the supervisor a best resolution. It is strongly recommended that the employee present his/her complaint in a written statement.

The supervisor is expected to investigate the complaint and respond to the employee's concerns in a timely and specific manner and in all cases within seven business days of the meeting with the employee. The supervisor will provide a written response to the employee and a copy to the Director of Human Resources.

If the supervisor's response to the employee's concern is not satisfactory and/or if the informal process fails to resolve the grievance, the employee may elect to proceed to Step 2 of the grievance process: Formal Grievance.

Step 2: *Formal Grievance*

An employee may proceed to Step 2 of the grievance process by submitting a written statement to the Director of Human Resources within seven business days of the supervisor's written response provided in Step 1. The statement should summarize the steps taken and the outcomes of Step 1 as well as an explanation from the employee of the reasons why the resolution offered in Step 1 was not satisfactory. The employee should also provide a copy of the original grievance complaint and all written responses.

The Director of Human Resources will review the complaint and will meet with the employee, the supervisor and the appropriate department head and/or Vice President within seven business days of receipt of the employee's written statement. The Director of Human Resources will act as an impartial third party and will review the complaint in an objective manner and attempt to mediate the matter. The Director will hear both sides of the dispute and make a recommendation as to the resolution of the complaint in light of all of the relevant facts and their relation to College policy. The Director of Human Resources will provide a written decision to both parties within five business days of the meeting.

If the response from the Director of Human Resources in Step 2 of the grievance process is not satisfactory and/or if the formal process fails to resolve the grievance, either party may elect to proceed to Step 3 of the grievance process: Appeal Process.

Step 3: *Appeal Process*

If the matter is not resolved at Step 2 of the grievance process, an employee may proceed to Step 3 by submitting a written request to the College President, requesting an appeal of the decision. The written request for an appeal must be submitted to the President within three business days of receipt of the Director's written decision provided in Step 2 of the process. The statement should provide an explanation as to the reasons why the decision rendered by the Director of Human Resources in Step 2 was not satisfactory, along with a description of the desired outcome.

The President may decide to accept, modify or reject the decisions or recommendations from Step 1 or Step 2 of the grievance process or may make a different determination as to the resolution of the complaint. The President will provide a written decision to all parties involved as soon as practicable. In all cases, the decision of the President is final.

Time Limits

The time limits outlined in the grievance process have been established in order to ensure a swift resolution while also providing sufficient time to gather information and prepare materials. The College may however, in its discretion, modify or waive the time limits.

SECTION 9: TERMINATION OR SEPARATION FROM EMPLOYMENT

Employment At Will

In accordance with and subject to Massachusetts law, employment at Mount Ida College is “at will.” This means that employees and Mount Ida College, at its discretion, may terminate the employment relationship at any time with or without cause or notice.

Termination

Termination is an involuntary separation initiated by the College. Termination can be for cause, for no cause, for performance issues, as a result of a layoff or elimination of a position or for other reasons as determined by the College.

Resignation

Resignation is a voluntary separation initiated by the employee to terminate his/her own employment with the College. An employee who resigns from the College is required to provide a written letter of resignation to his/her supervisor. You will be asked to submit a letter of resignation stating your last day of work.

The College requests that employees provide adequate notice in order to enable the College to plan for a replacement. For hourly paid staff (non-exempt) positions, a two-week notice is considered appropriate while a four week notice is considered appropriate for salaried (exempt) positions.

Employees may not take vacation time during the period of notice. The employee’s effective date of termination is considered the last day that he/she is actively at work.

Return of College Property & Equipment

Upon separation from the College, employees are required to return any College property that has been assigned to them. College property should be returned to the appropriate College offices prior to the employee’s last day of work. Employees must return a completed Separation Checklist to the Office of Human Resources confirming that all College property has been returned and received by the appropriate offices.

Exit Interview

Mount Ida College believes that it is important to hear from employees on issues surrounding their employment at the College. Exit interviews provide departing employees the opportunity to be candid about their work experience at the College and their reasons for leaving.

The information received from departing employees during the exit interview will be used to continue to evaluate and improve the College’s benefits and compensation, policies, procedures, training, advancement opportunities, supervision, and work environment.

During the exit interview employees will also be provided with information on the termination of benefit coverage as well as information about benefits continuation (COBRA).

Benefits Upon Termination and COBRA

All College benefits will terminate on the effective date of termination. If employees are enrolled in health, dental, vision insurance or the flexible spending account at the time of termination, they will generally have the option to continue coverage as provided under the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). COBRA contains provisions which require the college to offer continued insurance coverage to certain former employees, entirely at their own expense. In addition, employees enrolled in the life insurance benefit will also be provided with information about conversion and portability.

Final Pay Guidelines

An employee's final paycheck will include salary or wages earned through the date of termination and any accrued and unused vacation time. For voluntary resignations, final paychecks will be issued on the next regular scheduled pay date following the date of resignation. For involuntary terminations, final paychecks will be issued on the employee's termination date.

Addendum

Sexual Misconduct Policy

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I. Policy

Mount Ida College (the “College”) complies with state and federal law, including Title IX of the Education Amendments of 1972 (as amended) (“Title IX”), which requires that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination in any educational program or activity of the College. In addition to Title IX, the College is subject to Title VII of the 1964 Civil Rights Act (as amended), which prohibits sex discrimination in employment.

The College strictly prohibits all forms of sex and gender discrimination (all collectively referred to throughout this policy as “[Sexual Misconduct](#)”), including [Dating Violence](#), [Domestic Violence](#), [Gender-Based Harassment](#), [Sexual Assault](#) (including rape), [Sexual Exploitation](#), [Sexual Harassment](#), and [Stalking](#), and any violations of applicable state and federal law (including, but not limited to Title IX). Title IX and the College also strictly prohibit [Retaliation](#) in any form against an individual who reports [Sexual Misconduct](#), participates in any investigation or inquiry related to [Sexual Misconduct](#) or who acts to support or assist an individual reporting or participating in an investigation of [Sexual Misconduct](#). The College will impose appropriate sanctions for accused parties that are found responsible for violating this policy. Further, the College will take steps to prevent recurrence of any [Sexual Misconduct](#) and remedy discriminatory effects on the complainant and others, if appropriate.

For questions about Title IX contact Mount Ida’s Title IX Coordinator, Jacqueline Anchondo, (617-928-4024, titleix@mountida.edu, Shaw Hall 2nd Floor Room 5) or the U.S. Department of Education Office for Civil Rights (617-289-0111, 5 Post Office Square, 8th Floor Boston, MA 02109).

Mount Ida College is committed to addressing [Sexual Misconduct](#) through a number of coordinated efforts, including: prompt response to complaints or reports of [Sexual Misconduct](#), the provision of

[on and off campus support resources](#) for survivors, and the provision of community education, training and other resources to help prevent [Sexual Misconduct](#) from occurring in our community. Mount Ida College will provide written notification to students and employees about resources, including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the College and in the community. The College will further provide written notification to students and employees about options for, available assistance in, and information on how to request changes to: academic situations, living situations transportation situations, working situations, and protective measures.

For the purposes of this policy, the terms “victim” and “survivor” are used interchangeably. “Employees” refers to anyone employed by the College including faculty, staff, and student employees.

II. Scope

This policy applies to all students, employees and any other individuals who participate in the College’s programs or activities, irrespective of sex, sexual orientation or gender identity. This policy applies to conduct occurring on campus and to any and all off-campus programs, activities or events (including, but not limited to any national or international College-sponsored or College-led trip). In addition, this policy applies to conduct that occurred off-campus and creates or contributes to a [Hostile Environment](#) on-campus for students, employees or other community members.

Under some circumstances, the person accused of [Sexual Misconduct](#) may be an outside third party who is not affiliated with Mount Ida College, and the College’s ability to respond may be affected by the level of control and jurisdiction the College has over that unaffiliated individual. While the College may have limited ability to take direct action against an outside third party, the College will provide [Support Measures](#) and take steps to assist the complainant (and to the extent applicable, the larger campus community).

III. What Happens When Survivors Tell Someone

This section of the policy is intended to make employees and students aware of the various reporting and confidential disclosure options available to them, so they can make informed choices about where to turn should they become a victim of [Sexual Misconduct](#). The College encourages victims to seek support and consider reporting the misconduct to the College. [Responsible Employees](#) who learn of [Sexual Misconduct](#) must report it to the [Title IX Coordinator](#). All others (which includes most students) should only report identifying information about the victim if they have the victim’s permission to do so.

A. The Options

Below is a list of reporting and disclosure options for survivors. Survivors can choose to pursue any combination of the options simultaneously or otherwise, or can choose not to pursue any of the options.

Whenever the [Title IX Coordinator](#) is made aware of a disclosure of a potential violation of this policy, s/he will provide any known student or employee complainant with a written explanation of the complainant’s rights and options.

Some professionals may have obligations to complete publicly available record keeping, such as compiling crime statistics as required under the Clery Act. This type of publicly available record keeping does not include personally identifying information.

Survivors who may be interested in reporting to police, pursuing a school-based resolution process, and/or pursuing a no-contact order might consider keeping relevant information such as any written messages, photos, or physical evidence, plus a log of relevant dates and events. This type of information may be helpful in proving that a criminal offense and/or policy violation occurred, and in obtaining a court-based no contact order. For information on preserving physical evidence of [Sexual Assault](#), see [Hospitals](#) under Off Campus Resources, below.

1. Talking to someone confidentially and getting assistance

Certain professionals are legally required to keep information private. This means they must keep what their clients/patients tell them secret. These professionals' communications **with their clients/patients** are considered "privileged." Professionals that fall under this category include:

- Mental health care providers, including the counselors at Mount Ida's Student Counseling Services
- Medical health care providers, including doctors and the nurses at Mount Ida's Student Health Services
- Attorneys

There may be exceptions when these professionals can share information that would otherwise be confidential. For example, the College, and many professionals, are bound by state laws that mandate reporting of abuse and neglect of minors to state officials. Survivors are encouraged to ask professionals about any exceptions to confidentiality.

Speaking only to a privileged and confidential resource means that the College will be unable to conduct a thorough investigation into the particular incident or pursue disciplinary action against the accused. Even so, Mount Ida's counseling and health clinicians will assist students in receiving [Support Measures](#), including campus "no contact" orders. [Off Campus Resources](#) available to both students and employees offer similar support services, including assistance in seeking court-ordered "no contact" orders (Harassment Prevention Orders and Restraining Orders), and other types of legal, personal, and possibly financial assistance.

2. Reporting to police

Victims can report [Sexual Misconduct](#) to the Campus Police. If the misconduct did not happen on campus, victims can report to the police in the town or campus where the incident happened. The police can investigate the incident and refer it to the District Attorney's office to consider prosecution against the accused. They can also provide information on how to get a court-ordered "no contact" order (Harassment Prevention Orders and Restraining Orders). The Police will share information about the case with the [Title IX Coordinator](#), who may later follow up with victims directly.

3. Reporting to Title IX Officers

The [Title IX Coordinator and Deputies](#) (“Title IX Officers”) are the Mount Ida College staff members responsible for responding to [Sexual Misconduct](#) cases, including conducting investigations and providing interim [Support Measures](#) pending the investigation. Information reported to the Title IX Officers will be shared with the [Title IX Coordinator](#). Information may also be shared on a need-to-know basis with people involved in the College’s response to the report. A Title IX Officer should not share information with law enforcement against the survivor’s wishes, unless required by law or if necessary to address a safety concern.

Before a survivor reveals any information to the Title IX Officer, the Title IX Officer should disclose the extent of their responding obligations and provide the survivor with [confidential resources](#).

If the survivor wants to report to the Title IX Officer what happened but does not want an investigation, the Title IX Officer should tell the survivor that the College will consider the request, but cannot guarantee that the College will be able to honor it (see below for more information on [Requesting No Investigation](#)).

The Title IX Officer will collect basic information about the case including information about who, what, where, and when, and can also facilitate various [Support Measures](#) (see [Availability of Resource Officer and Interim Support Measures](#) below). They will also provide a written explanation of the survivor’s rights and options.

4. Talking to Responsible Employees

A [Responsible Employee](#) must report to the [Title IX Coordinator](#) all relevant details about the alleged [Sexual Misconduct](#) shared by the survivor. Information reported to a [Responsible Employee](#) will be shared with people involved in the College’s response to the report on a need-to-know basis. A [Responsible Employee](#) should not share information with law enforcement against the survivor’s wishes, unless required by law or if necessary to address a safety concern. All faculty and almost all staff are [Responsible Employees](#); for more information, see the definition in the [Definitions](#) section below.

Before a survivor reveals any information to a [Responsible Employee](#), the employee should disclose the extent of their reporting obligations and provide the survivor with [confidential resources](#).

If the survivor wants to tell the [Responsible Employee](#) what happened but doesn’t want an investigation, the employee should tell the survivor that the College will consider the request, but cannot guarantee that the College will be able to honor it (see below for more information on [Requesting No Investigation](#)). In reporting the details of the incident to the [Title IX Coordinator](#), the [Responsible Employee](#) will also inform the Coordinator of the survivor’s request for no investigation.

B. Requesting No Investigation from the College: How the College Will Weigh the Request and Respond

If a victim discloses a [Sexual Misconduct](#) incident to a [Responsible Employee](#) but requests that no investigation into a particular incident be conducted or disciplinary action taken, Mount Ida College administration must weigh that request against the College’s obligation to provide a safe, non-

discriminatory environment for all students and employees, including the victim. Accordingly, while the College strives to honor the survivor's request for no investigation whenever possible, there are times when the College may not be able to honor that request.

If the College does honor the request for no investigation, this means that the [Responsible Employee](#) will still give the [Title IX Coordinator](#) all details of the incident, but that the incident will not be investigated, and no disciplinary action will be taken. It also means that the College will not disclose the victim's identity to the accused. The College's ability to meaningfully respond to the incident may be limited, though the College may take steps to limit the effects of the incident and prevent recurring [Sexual Misconduct](#). A victim who at first requests that no investigation take place may later decide to file a complaint with the College or report the incident to police, and thus have the incident fully investigated.

The [Title IX Coordinator or a designated Deputy](#) is responsible for evaluating requests for no investigation. When weighing a victim's request for no investigation, the Title IX Officers will consider a range of factors, including the increased risk that the accused will commit additional acts of [Sexual Misconduct](#) or other violence, such as:

- whether there have been other [Sexual Misconduct](#) complaints about the same accused;
- whether the accused has a history of arrests or records indicating a history of violence;
- whether the accused threatened further [Sexual Misconduct](#) or other violence against the victim or others;
- whether the [Sexual Misconduct](#) was committed by multiple perpetrators;
- whether the [Sexual Misconduct](#) was perpetrated with a weapon;
- whether the victim is a minor;
- whether the College possesses other means to obtain relevant evidence of the [Sexual Misconduct](#) (e.g., security cameras or personnel, physical evidence);
- whether the victim's report reveals a pattern of perpetration such as perpetration at a given location, in a particular way, or by a particular group.

The presence of one or more of these factors could lead the College to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the College will likely respect the victim's request for no investigation. If the College determines that it must investigate, the College will make a reasonable effort to inform the victim prior to starting an investigation.

[Retaliation](#) against the victim, whether by students or College employees, is a violation of this policy and will not be tolerated. The College will remain ever mindful of the victim's wellbeing, and will provide [Support Measures](#) as needed.

IV. College Complaint and Investigation Procedure

This section explains the process for investigating incidents, determining whether there was a policy violation, and administering any sanctions or remedies. Where an incident involves both employees and students, the [Title IX Coordinator](#) or designee, in consultation with the Director of Human Resources and/or the Vice President for Student Affairs, will decide whether the student procedure or the employee procedure will govern. Typically, the employee procedure will govern when the accused is an employee and the student procedure will govern when the accused is a student.

The procedures below provide for a prompt, fair, thorough, and impartial process from beginning to end, and are conducted by officials who, at a minimum, receive annual training on issues related to [Sexual Assault](#), [Dating Violence](#), [Domestic Violence](#), and [Stalking](#) and how to conduct these procedures in a way that protects the safety of victims and promotes accountability.

A. *Employee Procedure*

1. Filing a complaint and selecting a resolution process

To file a complaint, contact the Director of Human Resources (see contact information under [On Campus Resources](#), below). Employees can choose either an informal or formal resolution process, though depending on the circumstances, the College may determine that a formal resolution process is more appropriate. For example, [Sexual Assault](#) will only be addressed through the formal resolution process. The Director of Human Resources, complainant, or accused can elevate the informal resolution process to a formal resolution process at any time. The Director of Human Resources will notify the [Title IX Coordinator](#) of the situation and maintain her informed of the process and outcome regardless of the resolution process selected.

2. Informal resolution process

In the event the complainant elects the informal process, the Director of Human Resources or designee will meet with the complainant to review the circumstances and details of the complaint. The Director of Human Resources or designee will determine the specific informal approach that will be undertaken to resolve the complaint. Informal methods of complaint resolution may include, but are not limited to, a meeting of the parties involved along with their respective supervisors, mediation, counseling, or training.

The Director of Human Resources or designee will notify the accused of the complaint within 5 business days of determining that an informal resolution process will occur. The Director of Human Resources or designee will concurrently notify both the complainant and accused of the specific method of complaint resolution to be used in advance of beginning that process.

The Director of Human Resources or designee will facilitate the informal resolution process and will communicate with the complainant and accused throughout the process. Employees may be accompanied by an advisor of their choice at any meeting or interview. The advisor may not make a presentation or speak for the employee during the meeting or interview but may confer quietly with the employee, exchange notes, and clarify procedural questions.

Parties may contact the Director of Human Resources for status updates at any time. Within 5 business days of the conclusion of the informal process, the Director of Human Resources or designee will provide simultaneous written notice of the outcome, including a summary documenting the process.

3. Formal resolution process

The formal resolution process involves an investigation and determination of responsibility. The Director of Human Resources or designee will assign either herself or another [Title IX Officer](#) as the investigator. Any potential conflicts of interest should be communicated to the Director of Human Resources as soon as they become known. The Director of Human Resources will determine whether a conflict of interest exists, and if so, will assign a new investigator. If the potential conflict of interest is with the Director of Human Resources, the [Title IX Coordinator](#) will decide whether a conflict of interest exists and, if so, will assign a new investigator. If the potential conflict of interest exists with both the Director of Human Resources and the Title IX Coordinator, a Title IX Officer without a potential conflict of interest will determine whether a conflict of interest exists, and, if so, will assign a new investigator.

a) Initial review and notice to the accused of the complaint

The investigator will conduct an initial review, gathering sufficient information from the complainant to understand the nature of the complaint and to determine whether the behavior alleged is a policy violation. If the behavior alleged is a policy violation, the investigator will notify the accused of what s/he is being accused within 5 business days of the completion of the initial review. If additional accusations arise during the investigation, the investigator will conduct an initial review of these as described above, and will notify the accused of these additional accusations within 5 business days of the completion of the subsequent initial review. Potential policy violations include:

- [Dating Violence](#)
- [Domestic Violence](#)
- [Gender-Based Harassment](#)
- [Sexual Assault](#), either
 - [Non-Consensual Sexual Contact](#); or
 - [Non-Consensual Sexual Penetration](#)
- [Retaliation](#)
- [Sexual Exploitation](#), either
 - [Dissemination of Sexual Images](#);
 - [Voyeurism](#);
 - [Facilitation of Sexual Misconduct](#); or
 - Non-specific
- [Sexual Harassment](#)
- [Stalking](#)

b) Availability of interim Support Measures

Any involved parties, including the complainant, the accused, and any witnesses, can contact the investigator throughout the process to request [Support Measures](#), or to report retaliatory behavior.

c) Investigation

The investigation will begin upon receiving permission from the complainant or, in a situation where the College must investigate against the complainant's wishes (see [Requesting No Investigation](#) above), upon notifying the complainant that the College will investigate. The investigator will schedule interviews with the complainant, the accused, and anyone who may have relevant information, including any witnesses. Employees may be accompanied by an advisor of their choice at any meeting or interview. The advisor may not make a presentation or speak for the employee during the meeting or interview but may confer quietly with the employee, exchange notes, and clarify procedural questions. College investigations will proceed regardless of any simultaneous criminal police investigation or legal proceedings, except that if the police requests a delay in proceedings for the police to respond appropriately, the investigator may wait a reasonable amount of time for the police to gather evidence, typically around 10-14 calendar days, before beginning the investigation. Complainants and accused will have the opportunity to offer evidence and witnesses. The investigator will review other relevant evidence such as text messages, video footage, etc. The investigator will determine the scope of the investigation.

The investigator will prepare an investigative report. The investigator will provide separate times for the complainant and the accused to each review the investigative report in the investigator's presence. During the review of the investigative report, the investigator will provide a verbal summary of the report and answer questions. The complainant and accused may provide written comments to the investigator within 5 business days of the review of the investigative report. The investigator, in his/her sole discretion, may engage in further investigation upon review of the parties' written comments, and prepare a written addendum to the investigative report. In this event, the investigator will provide separate times for the complainant and the accused to each review the addendum, and will provide a verbal summary of the addendum and answer questions. The investigator will not provide a subsequent opportunity for written comments, and the investigation will close.

d) Determination of responsibility, sanctions, remedies, and notice

The investigator will use a [Preponderance of the Evidence Standard](#) to determine whether there was a policy violation.

In the event the accused is found Not Responsible for a violation, the Director of Human Resources or designee will, within 5 business days of the determination, simultaneously notify the complainant and accused in writing of the outcome and the option to appeal.

In the event the accused is found Responsible for a violation, the Director of Human Resources or designee will determine the sanctions and any remedies in consultation with the investigator. Within 5 business days of the determination of any sanctions or remedies, the Director of Human Resources or designee will simultaneously notify the complainant and accused in writing of the outcome and the option to appeal; this notice will include information explaining when the outcome

becomes final. Possible sanctions include: termination; suspension with or without pay; reassignment; non-renewal of a contract; probation; performance improvement plan, demotion, loss of annual pay increase, behavioral contract; service assignment; educational program/service project; and written and/or verbal warning.. Some examples of remedies include [Support Measures](#) and educational opportunities.

e) Appeals

Complainants or accused parties can appeal the decision in writing to the President of the College within 5 business days of receipt of written notice of the findings if and only if:

- The original investigation was not conducted in conformity with this policy and the deviation was material; and/or
- There are new, relevant facts sufficient to alter the decision, that were not brought out in the original investigation, and could not have been known to or available to the appellant at the time of the original investigation.

The President will notify the appellee in writing of receipt of the appeal as soon as practicable. The President will decide appeals. In the process, the President will conduct a paper file review of all the relevant facts gathered during the investigation. The President may decide to accept, modify or reject the original decision. The President will provide simultaneous written notice of the outcome to the complainant and accused as soon as practicable. In all cases, the decision of the President is final.

f) Timeframes

The College strives to conclude the complaint and investigation process (which excludes appeals) within 60 calendar days, though complicating factors such as the complexity of the investigation, the severity and extent of the alleged conduct, and access to witnesses/evidence during school breaks may extend this timeframe. The complainant or accused may contact the Director of Human Resources throughout the process to receive a status update.

B. Student Procedure

4. Filing a complaint

To file a complaint, contact a [Title IX Officer](#) (see contact information under [On Campus Resources](#), below). The Title IX Officer will collect basic information about the complaint including information about who, what, when, and where, and forward this information to the [Title IX Coordinator](#). Once the Title IX Coordinator or designee receives this complaint information or otherwise learns of a potential [Sexual Misconduct](#) policy violation, the Title IX Coordinator or designee will assign either herself or another Title IX Officer as the investigator. Any potential conflicts of interest should be communicated to the Title IX Coordinator as soon as they become known. The Title IX Coordinator will determine whether a conflict of interest exists, and if so, will assign a new investigator. If the potential conflict of interest is with the Title IX Coordinator, a Title IX Officer without a potential conflict of interest will determine whether a conflict of interest exists, and, if so, will assign a new investigator.

5. Initial review and notice to the accused of complaint

The investigator will conduct an initial review, gathering sufficient information from the complainant to understand the nature of the complaint and to determine whether the behavior alleged is a policy violation. If the behavior alleged is a policy violation, the investigator will notify the accused of what s/he is being accused within 5 business days of the completion of the initial review. If additional accusations arise during the investigation, the investigator will conduct an initial review of these as described above, and will notify the accused of these additional accusations within 5 business days of the completion of the subsequent initial review. Potential policy violations include:

- [Dating Violence](#)
- [Domestic Violence](#)
- [Gender-Based Harassment](#)
- [Sexual Assault](#), either
 - [Non-Consensual Sexual Contact](#); or
 - [Non-Consensual Sexual Penetration](#)
- [Retaliation](#)
- [Sexual Exploitation](#), either
 - [Dissemination of Sexual Images](#);
 - [Voyeurism](#);
 - [Facilitation of Sexual Misconduct](#); or
 - Non-specific
- [Sexual Harassment](#)
- [Stalking](#)

6. Availability of Resource Officer and interim Support Measures

The Title IX Coordinator or designee will assign a [Title IX Officer](#) as the Resource Officer to the case. Any involved parties, including the complainant, the accused, and any witnesses, can contact the Resource Officer or the investigator throughout the process to request [Support Measures](#), or to report retaliatory behavior. If an involved person does not know who the Resource Officer is, the investigator or [Title IX Coordinator](#) can provide that information.

7. Investigation

The investigation will begin upon receiving permission from the complainant or, in a situation where the College must investigate against the complainant's wishes (see [Requesting No Investigation](#) above), upon notifying the complainant that the College will investigate. The investigator will schedule interviews with the complainant, the accused, and anyone who may have relevant information, including any witnesses. Students may be accompanied by an advisor of their choice at any meeting or interview. The advisor may not make a presentation or speak for the student during the meeting or interview but may confer quietly with the student, exchange notes, and clarify procedural questions. College investigations will proceed regardless of any simultaneous criminal police investigation or legal proceedings, except that if the police requests a delay in proceedings for the police to respond appropriately, the investigator may wait a reasonable amount of time for the police to gather evidence, typically around 10-14 calendar days, before beginning the investigation. Complainants and accused will have the opportunity to offer evidence and witnesses. The

investigator will review other relevant evidence such as text messages, video footage, etc. The investigator, in consultation with the [Title IX Coordinator](#), will determine the scope of the investigation.

The investigator will prepare an investigative report. The investigator will provide separate times for the complainant and the accused to each review the investigative report in the investigator's presence. During the review of the investigative report, the investigator will provide a verbal summary of the report and answer questions. The complainant and accused may provide written comments to the investigator within 5 business days of the review of the investigative report. The investigator, in his/her sole discretion, may engage in further investigation upon review of the parties' written comments, and prepare a written addendum to the investigative report. In this event, the investigator will provide separate times for the complainant and the accused to each review the addendum, and will provide a verbal summary of the addendum and answer questions. The investigator will not provide a subsequent opportunity for written comments, and the investigation will close.

8. Determination of responsibility, sanctions, remedies, and notice

The investigator will review the investigative report with another [Title IX Officer](#) who, if possible, is not acting as the Resource Officer for the same case. The investigator and the other Title IX Officer will use a [Preponderance of the Evidence Standard](#) to determine whether there was a policy violation.

In the event the accused is found Not Responsible for a violation, a [Title IX Officer](#) will, within 5 business days of the determination, simultaneously notify the complainant and accused in writing of the outcome and the option to appeal.

In the event the accused is found Responsible for a violation, the Vice President for Student Affairs or designee will determine the sanctions and any remedies in consultation with the investigator. Within 5 business days of the determination of any sanctions or remedies, a Title IX Officer will simultaneously notify the complainant and accused in writing of the outcome and the option to appeal; this notice will include information explaining when the outcome becomes final. Possible sanctions include: behavioral contracts; deferred separation; deferred suspension; dismissal; educational program/service project; fines/restitution; parental notification; probation; removal from residence halls; residence hall probation; restricted contact; revocation of degree; service assignment; suspension from college; suspension from leadership positions; suspension from non-academic activities; and withholding of degree. Some examples of remedies include [Support Measures](#) and educational opportunities.

9. Appeals

Complainants or accused parties can appeal the decision in writing to the President within 5 business days of receipt of written notice of the findings if and only if:

- The original investigation was not conducted in conformity with this policy and the deviation was material; and/or
- There are new, relevant facts sufficient to alter the decision, that were not brought out in the original investigation, and could not have been known to or available to the appellant at the time of the original investigation.

The President will notify the appellee in writing of receipt of the appeal as soon as practicable. The President of the College will decide appeals. In the process, the President will conduct a paper file review of all the relevant facts gathered during the investigation. The President may decide to accept, modify or reject the original decision. The President will provide simultaneous written notice of the outcome to the complainant and accused as soon as practicable. In all cases, the decision of the President is final.

10. Statement on alcohol or other policy violations

The College recognizes that addressing [Sexual Misconduct](#) is typically more important than pursuing disciplinary action for other policy violations such as alcohol or drug violations. The College does not condone policy violations, but will not typically pursue disciplinary action for alcohol or drug policy violations against a student who claims, in good faith, to be the victim of [Sexual Misconduct](#) in connection with the reporting of [Sexual Misconduct](#), or against students named as witnesses to the incident.

11. Timeframes

The College strives to conclude the complaint and investigation process (which excludes appeals) within 60 calendar days, though complicating factors such as the complexity of the investigation, the severity and extent of the alleged conduct, and access to witnesses/evidence during school breaks may extend this timeframe. The complainant or accused may contact the [Title IX Coordinator](#) or the Resource Officer throughout the process to receive a status update.

V. Rights

The rights of Complainants and respondents are described in detail throughout the Sexual Misconduct Policy. Below is a summary of key rights.

Reporting

- Complainants have the right to notify law enforcement and to be assisted by campus authorities in doing so.
- Complainants have the right to decline to report to law enforcement.
- Complainants have the right to pursue the College complaint and investigation procedure.
- Complainants have the right to request that the College not pursue the complaint and investigation procedure, and have their request considered through the procedures outlined in the Sexual Misconduct Policy.

Fair Process

- Complainants and respondents have the right for reported potential policy violations to be reviewed through the procedures outlined in Sexual Misconduct Policy.
- Complainants and respondents have the same opportunity to have advisors of their choice present at any meetings or interviews in the College complaint and investigation process.

- Complainants and respondents shall be informed of the outcome of any College resolution process alleging Sexual Misconduct Policy violations.
- Complainants, respondents, and witnesses have the right to be free from [Retaliation](#).

Support

- Complainants and respondents shall be notified of on- and off-campus [resources](#).
- Complainants shall be notified of, and have the right to receive, [Support Measures](#) they request that are reasonably available, regardless of whether the Complainant pursues a College resolution process and/or police investigation.

VI. Prevention and Education

To reduce the occurrence of [Sexual Misconduct](#), our College community must actively discourage this misconduct. This sends a message to perpetrators that they will not be able to get away with Sexual Misconduct at Mount Ida. Everyone has a role to play in making the community safer by promoting healthy beliefs and challenging sexually demeaning language and jokes.

In a situation where [Sexual Misconduct](#), might occur, the College encourages intervention if it is safe to intervene. Some examples of safe intervention can include checking in with anyone involved, asking someone else for assistance, or calling police.

There is no way to eliminate the risk of becoming a victim of [Sexual Assault](#), and Sexual Assault is the perpetrator's fault, not the victim's. That said, the following suggestions may help reduce the risk of experiencing Sexual Assault:

- Communicate with friends in advance about what, if any, sexual interactions are welcome, and check in with one another on an ongoing basis.
- Make any limits known as early and clearly as possible.
- Tell a sexual aggressor “no” clearly and firmly.
- Remove yourself from the presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for any alcohol/drug use and acknowledge that alcohol/drugs lower sexual inhibitions and may increase vulnerability to someone who views a drunk or high person as a sexual opportunity.

The following suggestions may help reduce the risk of being accused of [Sexual Assault](#):

- Clearly communicate intentions to sexual partners and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries, and avoid pushing those boundaries.
- Avoid making assumptions about: [Consent](#); someone's sexual availability; whether someone is attracted to you; how far you can go with someone; and whether someone has capacity to Consent.
- If there are any questions or ambiguity about Consent then communicate and clarify before moving forward.
- If you are receiving mixed messages then communicate and clarify before moving forward.
- If a sexual partner is silent or otherwise non-responsive, then communicate and clarify what you both want before moving forward.

For more information about how to intervene or reduce risk, contact the [Title IX Coordinator](#).

The College provides ongoing educational programs to promote the awareness of [Sexual Assault](#), [Dating Violence](#), [Domestic Violence](#), and [Stalking](#). These programs may include online and in person programs, and may be targeted to employees, students, or both. To learn more about the College's current offerings, contact the [Title IX Coordinator](#).

VII. Resources

The College encourages survivors to seek support and consider reporting the misconduct to the College and police. The list below provides contact information for resources identified and explained in this policy in addition to other resources that may be of help to survivors. **Starred (*) resources provide confidential services.**

A. On Campus Resources

Campus Police: Available at 617-928-4777 or x4777 from any on-campus telephone; or by using one of the blue light phones across campus. Campus Police can provide immediate assistance to a survivor, including arranging for transportation to the hospital, ensuring the survivor has safe housing on campus, and assisting with pursuing criminal charges. They also investigate cases and can forward them to the District Attorney's (DA's) office to consider prosecution. There are certified Sexual Assault Investigators on the police force who have received special training on responding to and investigating sexual assault. These special investigators and any member of Campus Police can explain rights and options.

***Counseling Center:** Available at 617-928-4599 or x4599 from any on-campus telephone. Counseling services are available for Mount Ida College students during weekdays at Appleton House from 8:30 a.m. to 4:30 p.m. There is also an on-call counselor during after-hours every day students are in residence. The after-hours Counselor may be reached by contacting Campus Police at 617-928-4777 or x4777 from any on-campus telephone, or by contacting a Residence Life staff member. The student does not need to disclose the reason that they would like to speak to a counselor. The staff person or police officer will arrange for the contact to occur.

Student Financial Services: Available at 617-928-4785 or 617-928-4750, or x4785 or x4750 from any on-campus telephone. Student Financial Services is available for Mount Ida College students during weekdays from 8:30 a.m. to 4:30 p.m. at Holbrook Hall, and provides guidance on applying for financial aid, financing options such as loans or payment plans and information relating to billing charges and payments.

***Student Health Services:** Available at 617-928-4599 or x4599 from any on-campus telephone. Health Services is available for Mount Ida College students during weekdays from 8:30 a.m. to 4:30 p.m. at Appleton House, and provides medical care including STD/STI screenings and pregnancy tests.

Title IX Coordinator and Deputies: Collectively known as "Title IX Officers," they are available during weekdays from 8:30 a.m. to 4:30 p.m. They can provide information about the College

resolution process for [Sexual Misconduct](#), [Dating/Domestic Violence](#), and [Stalking](#), provide [Support Measures](#), investigate cases, and help determine outcomes. The Title IX Coordinator is responsible for overseeing the College's prevention and response to Sexual Misconduct, Dating/Domestic Violence, and Stalking, and identifying and addressing any patterns or systemic problems revealed by reports of Sexual Misconduct, Dating/Domestic Violence, and Stalking.

Jacqueline Anchondo, Title IX Coordinator
Director of Title IX Compliance
janchondo@mountida.edu
titleix@mountida.edu
www.mountida.edu/titleix
617-928-4024 or x4024 from an on-campus telephone
Shaw Hall, 2nd Floor, Room 5

Denise Dorgan, Deputy Title IX Coordinator
Interim Director of Human Resources
ddorgan@mountida.edu
617-928-4074 or x4074 from an on-campus telephone
Holbrook Hall, 1st Floor, Room 107

Matt Burke, Deputy Title IX Coordinator
Executive Director of Athletics
mburke@mountida.edu
617-928-7201 or x7201 from an on-campus telephone
Athletic Center, 1st Floor, Athletic Offices

Laura DeVeau, Deputy Title IX Coordinator
Vice President for Student Affairs
ldeveau@mountida.edu
617-928-4526 or x4526 from an on-campus telephone
Holbrook Hall, 1st Floor, Room 101

Jason Donati, Deputy Title IX Coordinator
Dean of the School of Design
jdonati@mountida.edu
617-928-4650 or x4650 from an on-campus telephone
The School of Design, Room SD121 A

Irene Good, Deputy Title IX Coordinator
Interim Chief Information Officer
igood@mountida.edu
617-928-4596 or x4596 from an on-campus telephone
Wadsworth Library, 2nd Floor

Beth Grampetro, Deputy Title IX Coordinator
Director of Student Health Services
bgrampetro@mountida.edu
617-928-4599 or x4599 from an on-campus telephone

Appleton House, 1st Floor

Brad Hastings, Deputy Title IX Coordinator
Dean of the School of Social Sciences and Humanities
bhastings@mountida.edu
617-928-7311 or x7311 from an on-campus telephone
ATC, 2nd Floor, Room 228

B. Off Campus Resources

***Boston Area Rape Crisis Center (BARCC):** Provides counseling, legal advice and advocacy to help survivors consider their options, case management to help with financial concerns, 24-hr hotline staffed by rape crisis counselors at 617-841-8371, and medical advocacy to support survivors through the evidence collection kit. All services are free and available to sexual assault survivors and their family/friends.

www.barcc.org

www.surviverape.org

Hotline (24/7): 800-841-8371 or 617-492-7273

Phone (business hours): 617-492-8306

***Boston Bar Association Lawyer Referral Service:** Provides referrals to private attorneys available at www.bostonbarlawyer.org or 617-742-0625.

Emerge: Provides abuser education programs for people who demonstrate abusive behaviors towards their partners, available at www.emergedv.org or 617-547-9879.

***Employee Assistance Program (EAP):** Provides free, confidential short-term counseling and referrals for employees, available 24/7 at 800-451-1834.

Families Advocating for Campus Equality (FACE): Provides resources and support information for people accused of Sexual Misconduct, available at www.facecampusequality.org or 701-491-8554.

***Fenway Health Center:** Provides comprehensive health services for the LGBTQ community, available at www.fenwayhealth.org or 617-267-9001.

***GLBTQ Domestic Violence Project:** Provides crisis intervention, support, and resources to those who experience domestic and dating violence, available at www.glbtqdv.org or their 24/7 hotline: 800-832-1901.

***Hospitals:** The following is a list of recommended hospitals. These hospitals are part of the Sexual Assault Nurse Examiner (“SANE”) program, which is a program with specially trained nurses who can examine sexual assault survivors and collect evidence. Survivors choosing to have the evidence collection kit done should do so as soon as possible within 72 hours, and avoid showering, brushing teeth, urinating, eating, drinking, or changing clothes, if possible; survivors who have changed clothing should store the original clothes in a paper bag. Survivors

can learn more about the evidence collection process at www.surviverape.org. These hospitals also provide BARCC Medical Advocates (see above for information about BARCC) and have in-house programs to provide more holistic care for survivors of domestic/dating or sexual violence. BARCC Medical Advocates can meet survivors at the hospital emergency room and provide support during the visit. They can also provide information to help survivors make the best possible decisions for their situation and can advocate for their needs with the hospital staff. The Medical Advocate can also talk with a survivor's family or friends about how to best provide support. For a list of other SANE hospitals in the Boston area, or to request a Medical Advocate at a non-SANE hospital, call BARCC's hotline (see contact information above).

<http://www.bidmc.org/>

Beth Israel Deaconess Medical Center
330 Brookline Ave
Boston, MA 02215
617-667-7000

<http://www.nwh.org/>

Newton-Wellesley Hospital
2014 Washington Street
Newton, MA 02462
617-243-6000

Jane Doe, Inc.: Maintains a comprehensive list of all sexual assault and domestic/dating violence resources in Massachusetts, including those for specialized populations, available at www.janedoe.org.

***Journey to Safety program at Jewish Family & Children Services:** Provides support and financial assistance to those who experience domestic or dating violence, available at 781-647-5327.

***MASOC:** Coalition of professionals that provide counseling to sexually abusive children and youth, available at www.masoc.net or (413) 540-0712.

***Massachusetts Bar Association Lawyer Referral Service:** Provides referrals to private attorneys, available at www.masslawhelp.com or 617-654-0400.

***MATSA:** Coalition of professionals that provide counseling to sexually abusive adults, available at www.matsa.org.

National Stalking Resource Center: Provides online information and resources for stalking victims including stalking victim safety planning guides, stalking incident logs, and tips for victims at <https://www.victimsofcrime.org/our-programs/stalking-resource-center>.

Rape, Abuse, Incest National Network (RAINN): Provides an anonymous, secure online hotline for sexual assault and incest survivors, available worldwide 24/7 at www.online.rainn.org, and a national hotline at 800-656-HOPE (4673).

***REACH Beyond Domestic Violence:** Provides shelter and support services to those who experience domestic or dating violence, available at www.reachma.org, their hotline (24/7): 800-899-4000; or their office phone (business hours): 781-891-0724.

Stop Abusive and Violent Environments (SAVE): Provides resources and support information for people accused of Sexual Misconduct, available at www.saveservices.org or 301-801-0608.

***The Network La Red:** Provides free advocacy, support, and safety planning for LGBTQ victims of domestic and dating violence, available at www.tnlr.org or 617-742-4911.

***The Second Step:** Provides shelter, support, and legal services to those who experience domestic or dating violence, available at www.thesecondstep.org or 617-965-3999.

***Victim Rights Law Center (VRLC):** Provides free lawyers to represent victims on court-based no contact orders including restraining orders, harassment prevention orders, school-based grievances, immigration/visa issues, and other legal matters related to sexual assault, available at www.victimrights.org or 617-399-6720.

C. Municipal, State & Federal Government Resources

Newton Police: Investigates criminal reports of Newton-based crimes and has concurrent jurisdiction with Campus Police for crimes that happened at Mount Ida College.

<http://www.newtonpolice.com/>

1321 Washington Street
Newton, MA 02465
617-796-2100

Massachusetts State Police: Investigates criminal reports against campus and municipal police officers.

<http://www.mass.gov/eopss/agencies/msp/>

General Headquarters
470 Worcester Road
Framingham, MA 01702
508-820-2300

U.S. Department of Education, Office for Civil Rights (OCR): Works to end gender-based discrimination in schools and investigates grievances.

<http://www2.ed.gov/about/offices/list/ocr/index.html>

5 Post Office Square, 8th Floor
Boston, MA 02109
617-289-0111

Massachusetts Commission Against Discrimination (MCAD): Works to end discrimination in Massachusetts and investigates grievances.

<http://www.mass.gov/mcad/>

John McCormack Building
One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108
617-994-6000

Equal Employment Opportunity Commission (EEOC): Works to end discrimination federally and investigates grievances.

www.eeoc.gov

JFK Federal Building
475 Government Center
Boston, MA 02203
800-669-4000

White House Task Force to Protect Students from Sexual Assault: Provides resources for how to respond to and prevent sexual assault on college campuses, available at www.notalone.gov.

VIII. Definitions

Consent is informed, freely and actively given words or actions that indicate an agreement to engage in activity. Consent to some form of sexual activity does not necessarily mean Consent to other forms of sexual activity. Consent to sexual activity may be withdrawn at any time and mutually understandable Consent must be obtained at every stage of sexual interaction. Lack of verbal or physical resistance does not constitute Consent. A current or previous dating or social or sexual relationship by itself does not constitute Consent. The manner of dress of the person involved with the accused in the activity at issue does not constitute Consent.

Consent can never be given under the following circumstances:

- Through the use of [force](#) or fraud.
- When a person is [incapacitated](#), and that incapacity is known or should be known by the accused.
- When a person is a child under the age of 16.

Force includes physical force (violence, abuse, or compulsion), threats, intimidation, or coercion (an unreasonable amount of pressure where what is unreasonable is determined by intensity, frequency, duration, and isolation).

Incapacitation means lacking the ability to make a reasoned, reasonable decision; lacking the ability to understand the Who, What, When, Where, Why, and How with respect to the activity.

- Indications that the use of alcohol or other drugs has led to incapacitation include stumbling/loss of equilibrium; slurred speech or word confusion; bloodshot, glassy, or unfocused eyes; vomiting, disorientation such as confusion about time, place, or surroundings; loss of consciousness; slow or irregular breathing; and bluish/pale skin color.

- A person that is asleep, unconscious, or slipping in and out of consciousness is incapacitated.
- Mental incapacitation exists in people with certain mental disabilities such as those with limited ability to make reasoned decisions in other areas of their life without the assistance of a caretaker or guardian.

Dating Violence is [abusive](#) behavior committed by a person who is or has been a [dating partner](#) with the victim/survivor.

Dating partner: a person who is in a social relationship of a romantic or intimate nature with another and where the existence of such a relationship is determined on consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship. Under certain circumstances, Dating Violence may also constitute [Domestic Violence](#).

Examples of Dating Violence:

- A couple has been on several private “dates” together. When one person asks the other to have sex, the other person does not [Consent](#). The person who requested sex pushes the other person against the wall and initiates sexual penetration.
- A couple that began dating in high school continues dating into their freshman year. Through social media, one individual hears the other is not staying committed to the relationship, as a result, the individual comes to campus and punches the other in the face.
- Two male faculty members were in a dating relationship for a year. One of the men decides that he wants to date other people. The other man disagrees and physically assaults his boyfriend in the parking lot.

Dissemination of Sexual Images is a form of [Sexual Exploitation](#) that occurs when a person disseminates photographs, video, or audio recordings of someone in a state of undress or engaging in sexual activity without their knowledge or [Consent](#), including dissemination through online outlets, social media, and in hard copy.

Domestic Violence is the [abuse](#) of a [family or household member](#).

Abuse is the occurrence of one or more of the following acts between family or household members:

- attempting to cause or causing physical harm;
- placing another in fear of imminent serious physical harm;
- [Sexual Assault](#);
- engaging in a pattern of behavior to gain or maintain power and control over another, whether through verbal, emotional, psychological, financial, physical, sexual or other means.

Family or household members are persons who:

- Are or were married to one another;
- Are residing together in the same household (household includes a residence hall room);

- Are or were related by blood or marriage;
- Have a child in common regardless of whether they have ever married or lived together; or
- Are or have been in a substantive dating or engagement relationship.

Examples of Domestic Violence:

- In a heterosexual couple, the woman is constantly belittling her partner. She frequently threatens to end her own life if he ever leaves her. She yells at him every time she “catches” him interacting with other women, even if he needs to for school. She gets angry when he spends time with family or friends, so he avoids them and feels isolated. She usually apologizes after her fits of rage, but he always feels like he’s walking on eggshells around her because he never knows when she’ll explode with anger.
- Two roommates in a college residence hall get into an argument and one roommate slaps or punches the other in the face.
- A lesbian couple is in a substantive dating relationship and one woman slams the other against a wall in public or behind closed doors.
- A male and a female staff member were formerly in a dating relationship. They are no longer in a relationship. The female staff member begins dating a new individual and the male staff member sends her threats via email suggesting that he will cause her physical harm. The female staff members fears for her safety.

Facilitation of Sexual Misconduct: Assisting in or encouraging [Sexual Misconduct](#) with the knowledge that the [Sexual Misconduct](#) is occurring or will occur.

Gender-Based Harassment is [unwelcome behavior](#) of a nonsexual nature based on a person’s actual or perceived sex, including behavior based on gender identity, gender expression, and nonconformity with gender stereotypes.

Unwelcome behavior: Behavior is unwelcome when a person does not request or invite it and considers to be undesirable or offensive. Unwelcome behavior does not have to include intent to harm, be directed at a specific target, or involve repeated incidents. Unwelcome behavior can involve persons of the same or opposite sex. Participation in the activity or the failure to complain does not always mean that the behavior was welcome. The fact that a person may have welcomed certain behavior does not necessarily mean that the person welcomed other behavior. Also, the fact that a person requested or invited behavior on one occasion does not mean that the behavior is welcome on a subsequent occasion.

Examples of Gender-Based Harassment:

- Repeated jokes about someone’s gender expression or nonconformity with gender stereotypes.
- Direct or implied threats that indicate that gender conformity will be a condition of employment, work status, promotion, grades or letters of recommendations;
- Discriminatory, degrading or insulting statements about the actual or perceived gender identity.

Hostile Environment: Exists if [Sexual Misconduct](#) is sufficiently serious that it interferes with or limits a person's ability to participate in or benefit from the College's offerings. Factors indicating the severity, persistence, and pervasiveness of the behavior are considered in determining whether there is a Hostile Environment. The more severe the behavior, the less need there is to show a repetitive series of incidents to prove a Hostile Environment, particularly if the misconduct is physical. Indeed, a single or isolated incident of [Sexual Misconduct](#) may create a Hostile Environment if the incident is sufficiently severe. For instance, a single instance of [Sexual Assault](#) may be sufficiently severe to create a Hostile Environment.

Non-Consensual Sexual Contact is [Sexual Assault](#) that does not include [penetration](#).

Penetration includes any penetration, no matter how slight, of the vagina, or anus with any body part or object, or oral penetration by a sex organ.

Examples of Non-Consensual Sexual Contact:

- Touching another person's intimate body parts (including genitalia, buttocks, mouth, breast, and groin area), whether under or over clothing, without [Consent](#).
- Intentionally using one's own intimate body parts to touch another person without [Consent](#);
- Touching another person in a sexual manner when such person is [incapacitated](#) by use of alcohol and unable to [consent](#).

Non-Consensual Sexual Penetration is [Sexual Assault](#) that includes [penetration](#).

Examples Non-Consensual Sexual Penetration:

- A female student was drinking with a male classmate in her residence hall room. After several drinks, the female became intoxicated to the point of [incapacitation](#). The male penetrated the female's vagina with his finger.
- After a first date, two male students were kissing and fondling each other and had removed their clothes. One man had initially [consented](#) to having sex, but changed his mind once they began to be intimate. He told the other man he did not want to have sex, but that man held him down and penetrated him anally.
- A woman broke up with her ex-boyfriend three months earlier, but he showed up at her dormitory room and told her he would not leave until she had sex with him. Believing she had no other choice, the female acquiesced to oral sex.
- A male student attended an off-campus party. He drank heavily and passed out. Two female students exposed his penis and took turns putting his penis in their mouths and taking pictures, hoping to make it look like he had been cheating on his girlfriend.

Preponderance of the Evidence Standard: If it is more likely than not that there was a violation. Also described as 51% certainty that there was a policy violation.

Responsible Employee: a Mount Ida College employee who has the duty to report incidents of [Sexual Misconduct](#), or who a student could reasonably believe has this authority or duty. The College's Responsible Employees include:

- All employees of the College—including faculty and staff—who are not also primarily students, except for mental or medical health care providers at the Counseling Center and Health Services.
- The following student employees:
 - Resident Assistants (RAs)
 - Orientation Ambassadors (OAs)
 - Campus Center Building Managers
 - Resident Life Work Study Students
 - Design Mentors

Retaliation occurs when any [adverse action](#) is taken against a person for making a complaint, assisting, testifying, participating in an investigation, proceeding or hearing related to a violation of law or policy (or for interfering with any right or privilege protected under law or policy).

Adverse actions can include, but are not limited to:

- Intimidation (using power or authority to influence another or instilling fear in another such as through implied threats);
- Discrimination;
- Threats

Examples of Retaliation:

- A member of a popular student organization is accused by another student of [Sexual Misconduct](#). Members of the student organization not involved in the situation take it upon themselves to stand outside the victim's door in the residence hall and then follow her around campus.
- A freshman is in class and a sophomore begins shouting at her that she is "making up lies" about the sophomore's boyfriend, yelling, "he isn't a rapist and you are a whore."
- A male student who reported another male student for [Sexual Misconduct](#) awakens to find a note slipped under the door of his residence hall room that says, "keep going if you want everyone else to find out you're gay."
- A supervisor has repeatedly asked an employee whom she supervises out on a date. The employee has declined the date invitations, and has reported the incidents to the College. During the annual performance evaluation, the supervisor gives the employee a negative evaluation.

Sexual Assault is actual or attempted sexual contact that occurs without [Consent](#) and where the lack of [Consent](#) is known or would be known by a reasonable, sober person. Sexual Assault includes [Non-Consensual Sexual Contact](#) and [Non-Consensual Sexual Penetration](#).

Sexual Exploitation means taking sexual advantage of another person for the benefit of the exploiter or another/others, and may occur within a context of actual or attempted abuse of a position of vulnerability, differential power, or trust. Sexual Exploitation may result in monetary,

social, academic or political gain. Sexual Exploitation can occur in many forms, such as [Voyeurism](#), [Dissemination of Sexual Images](#), and [Facilitation of Sexual Misconduct](#).

Sexual Harassment is [unwelcome behavior](#) of a sexual nature including sexual advances; requests for sexual favors; [Sexual Assault](#); and [Sexual Exploitation](#).

Sexual Harassment also includes:

- Verbal or physical activity of a sexual nature when submission to or rejection of such activity is made either explicitly or implicitly a term or condition of academic status or employment;
- Verbal or physical activity of a sexual nature when submission to or rejection of such activity is made either explicitly or implicitly a basis for academic, residential, co-curricular, athletic or employment decisions;
- Verbal or physical activity that has the purpose or effect of unreasonably interfering with an individual's academic, residential, co-curricular, athletic, social environment or work performance by creating a [Hostile Environment](#) from an objective and subjective perspective. (For behavior to be objectively offensive, it is evaluated from a "reasonable person" standard, or the standard of a person in the complainant's position with average skill, reason and judgment and must be severe or pervasive. For behavior to be subjectively offensive, it is evaluated from the perspective of the person filing the complaint.)

Sexual harassment can occur irrespective of sex or gender and harassing behavior need not be motivated by sexual desire in order to violate this policy.

Examples of Sexual Harassment:

- unwelcome sexual advances, whether they involve physical touching or not;
- repeated sexual jokes, written or oral references to sexual activity, gossip regarding one's sex life, comment on an individual's body, comment about an individual's sexual activity, deficiencies or prowess;
- direct or implied threats that indicate that submission to sexual advances will be a condition of employment, work status, promotion, grades or letters of recommendations;
- persistent and unwelcome requests for dates, unwelcome and repeated emails, texts or telephone calls of a sexual nature;
- discriminatory, degrading or insulting statements about the actual or perceived sex or sexual orientation.

Sexual Misconduct refers generally to all forms of sex/gender discrimination, including [Dating Violence](#), [Domestic Violence](#), [Gender-Based Harassment](#), [Sexual Assault](#), [Sexual Harassment](#), [Retaliation](#), [Sexual Exploitation](#), and [Stalking](#). Sexual Misconduct can occur regardless of the gender identity or sex of the parties involved (e.g. can occur between opposite sex or same sex).

Stalking: engaging in a course of behavior, acts or threats directed at a specific person that would cause a reasonable person to:

- fear for his or her safety or the safety of others; or

- suffer substantial emotional distress

The behavior, acts or threats involved in stalking may involve communication delivered by mail, or by use of a telephonic or telecommunication device, e-mail, internet communications, instant messages or the like.

Examples of Stalking:

- A couple meets through a social media site and has multiple online conversations and decide to meet up. After their first meet up the woman decides she is not interested in continuing the relationship or communicating further. Regardless, the man continues to use social media to contact the woman, saying that even if she doesn't want to be in a relationship, he will always know where she is and she is never alone. This causes the woman to suffer substantial emotional distress.
- A young man meets a young woman at orientation and they become friendly. When the students return home, the young man continues to have contact with the young woman through text message and social media on an hourly basis. Eventually, he begins calling her home telephone and leaving messages for her on the home voice mail system. In his messages, he says that she'd better start picking up the phone or else she'll regret ignoring him. The young woman becomes afraid for her safety.
- A student starts showing up at a professor's office several times per day. The professor sets reasonable boundaries, yet the student keeps showing up and just standing right by the professor, without saying anything. Then, the student starts leaving notes on the professor's car, saying s/he wants to see more of the professor. The student starts calling and texting the professor's personal phone, leaving messages like "I like the black sweater you wore at home last night." The student also starts sending these threatening messages to the professor's family members, and sliding notes under the door of the professor's home. The professor finds this very distressing.

Support Measures: Assistance accessing available resources that address safety, wellbeing, and academic/workplace needs such as: advocacy; safety planning; no contact orders; assistance with reporting to police; legal assistance; changing classes; withdrawing from classes; extra time to complete coursework or work assignments; changes to transportation; health or mental health services; disability services; and moving to a different residence hall or office. Support Measures are available when a complainant requests them and if they are reasonably available, regardless of whether the complainant pursues a College and/or police investigation. Information about Support Measures will only be shared with people involved in implementing the Support Measures on a need-to-know basis.

Voyeurism is a form of [Sexual Exploitation](#) that occurs when a person observes, photographs, tapes or otherwise records someone involved in sexual activity, or in a state of undress, without their knowledge or [Consent](#).