Administrator Handbook
FROM THE OFFICE of HUMAN RESOURCES

We are pleased that you have chosen to become an administrator at Vassar College. We hope you find your work experience at the College to be productive, professionally engaging and personally enriching. The reputation that Vassar has achieved can only be continued by all members of the Vassar community contributing to its mission, goals, and priorities and by sharing its values of individual competency and mutual respect. In accepting employment at Vassar you join a community committed to a continuing tradition of educational excellence. A goal of the College is that employees feel valued and respected.

The Administrator Handbook has been developed to inform you of the College’s policies and practices as well as your rights and responsibilities. We also want to acquaint you with the benefits and services available to you. Since this handbook cannot cover every eventuality, please refer to other College documents or communications to fully clarify policies, practices and expectations. We particularly refer you to College Regulations, a summary of general rules of conduct that apply to all members of the community.

While this Administrator Handbook is not an employment contract, it does articulate the employment policies and other terms under which you are employed. Employment, for most members of the Vassar administration, follows the principle of “employment at will”; either the employee or the employer is free to sever the employment relationship, at their own discretion without cause, as long as College policies and applicable laws have been followed.

We invite you to share with us your questions and thoughts about work life at Vassar College. Please feel free to contact me or other staff in the Office of Human Resources to assist you with any matter that concerns you and your employment at the College.

Sincerely,

[Signature]

Ruth E. Spencer
Associate Vice President for Human Resources
# Table of Contents

## 1.0 Employment Policies

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.1</td>
<td>Equal Opportunity/Affirmative Action</td>
<td>6</td>
</tr>
<tr>
<td>1.2</td>
<td>Policy Against Discrimination and Harassment</td>
<td>6</td>
</tr>
<tr>
<td>1.3</td>
<td>Sexual Misconduct Policy</td>
<td>10</td>
</tr>
<tr>
<td>1.4</td>
<td>Dating/Domestic Violence Policy</td>
<td>12</td>
</tr>
<tr>
<td>1.5</td>
<td>Reporting Duties</td>
<td>13</td>
</tr>
<tr>
<td>1.6</td>
<td>Complaint Procedure</td>
<td>16</td>
</tr>
<tr>
<td>1.7</td>
<td>Office of Accessibility and Educational Opportunity</td>
<td>21</td>
</tr>
<tr>
<td>1.7.1</td>
<td>The Americans with Disability Act of 1990 (ADA)</td>
<td>22</td>
</tr>
<tr>
<td>1.8</td>
<td>Prospective Employee – Title IX</td>
<td>23</td>
</tr>
<tr>
<td>1.9</td>
<td>Conflict Resolution Procedure</td>
<td>23</td>
</tr>
<tr>
<td>1.10</td>
<td>Code of Ethics</td>
<td>23</td>
</tr>
<tr>
<td>1.11</td>
<td>Standards of Conduct</td>
<td>24</td>
</tr>
<tr>
<td>1.12</td>
<td>Prohibited Conduct</td>
<td>25</td>
</tr>
<tr>
<td>1.12.1</td>
<td>Policy on Consensual Relations</td>
<td>25</td>
</tr>
<tr>
<td>1.13</td>
<td>Disciplinary Action</td>
<td>26</td>
</tr>
<tr>
<td>1.14</td>
<td>Employment of Relatives</td>
<td>26</td>
</tr>
<tr>
<td>1.15</td>
<td>Salary Review</td>
<td>27</td>
</tr>
<tr>
<td>1.16</td>
<td>Administration Employment Categories</td>
<td>27</td>
</tr>
<tr>
<td>1.17</td>
<td>Extra Compensation for Administrators</td>
<td>28</td>
</tr>
<tr>
<td>1.18</td>
<td>Direct Deposit</td>
<td>28</td>
</tr>
<tr>
<td>1.19</td>
<td>Service Recognition Program</td>
<td>29</td>
</tr>
</tbody>
</table>

## 2.0 College Policies

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>2.1</td>
<td>Conflict of Interest</td>
<td>30</td>
</tr>
<tr>
<td>2.2</td>
<td>Smoking Policy</td>
<td>33</td>
</tr>
<tr>
<td>2.3</td>
<td>College Property</td>
<td>34</td>
</tr>
<tr>
<td>2.4</td>
<td>Solicitation</td>
<td>34</td>
</tr>
<tr>
<td>2.5</td>
<td>Computer Security</td>
<td>34</td>
</tr>
<tr>
<td>2.6</td>
<td>Parking</td>
<td>35</td>
</tr>
<tr>
<td>2.7</td>
<td>Drug-Free Workplace</td>
<td>36</td>
</tr>
<tr>
<td>2.8</td>
<td>Changes in Regular Hours of Operation</td>
<td>38</td>
</tr>
<tr>
<td>2.9</td>
<td>Time Report</td>
<td>38</td>
</tr>
<tr>
<td>2.10</td>
<td>Safety and Accident Reporting</td>
<td>38</td>
</tr>
<tr>
<td>2.11</td>
<td>Communications</td>
<td>39</td>
</tr>
<tr>
<td>2.12</td>
<td>Reimbursable Expenses</td>
<td>39</td>
</tr>
<tr>
<td>2.13</td>
<td>General Employment Information</td>
<td>40</td>
</tr>
<tr>
<td>2.14</td>
<td>Student Employment</td>
<td>40</td>
</tr>
<tr>
<td>2.15</td>
<td>Emergency Response and Evacuation</td>
<td>40</td>
</tr>
</tbody>
</table>

## 3.0 Employee Benefits

<table>
<thead>
<tr>
<th>Section</th>
<th>Title</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1</td>
<td>Health Insurance</td>
<td>44</td>
</tr>
<tr>
<td>3.1.1</td>
<td>Dependents Status for Health Insurance</td>
<td>44</td>
</tr>
</tbody>
</table>
3.1.2 Medical Insurance Cash-Out Agreement .............................................. 45
3.1.3 Retiree Benefits .................................................................................. 45
3.2 Life Insurance ....................................................................................... 46
3.2.1 Term Life Insurance and Accidental Death & Dismemberment ........ 46
3.2.2 Business Travel Accident Insurance ................................................... 47
3.3 Short-Term Disability Salary Continuation ............................................. 47
3.3.1 Maternity Leave ................................................................................ 47
3.4 Parental Leave ...................................................................................... 47
3.5 Long-Term Disability .......................................................................... 48
3.6 Retirement Account (RA) ................................................................. 48
3.7 Supplemental Retirement Account (SRA) ............................................. 49
3.8 Health Savings Account (HSA) .......................................................... 50
3.9 Flex Spending Accounts .................................................................... 50
3.10 Tele-Medicine .................................................................................... 51
3.11 Employee Assistance Program (EAP) ................................................ 51
3.12 Tuition Benefits .................................................................................. 51
3.12.1 Grants for Tuition at Other Colleges (Dependent Children of Administrators) .............. 51
3.12.2 Vassar Tuition Remission (Employees, Spouses/Domestic Partners and Dependents) .............. 52
3.12.3 Vassar “Special Student” Program .................................................. 53
3.12.4 Tuition Benefits for Part-Time Administrators ................................. 53
3.12.5 Summary of Tuition Remission and Grant Benefits ..................... 54
3.13 Paid Time Off .................................................................................... 54
3.13.1 Holidays ........................................................................................ 54
3.13.2 Vacation Policy ............................................................................. 55
3.13.3 Vacation/Health Leave Reporting Requirements ............................ 56
3.13.4 Personal Days ................................................................................ 56
3.13.5 Jury Duty ....................................................................................... 56
3.14 Leaves of Absence ........................................................................... 57
3.14.1 Leave Time for Professional Development ................................. 57
3.14.2 Family and Medical Leave Act (FMLA) of 1993 ............................ 57
3.14.3 Unpaid Leave ............................................................................... 59
3.15 Workers’ Compensation .................................................................. 59
3.16 Identification Cards .......................................................................... 60
3.17 Library ............................................................................................... 60
3.18 Fitness Facilities ................................................................................ 60
3.19 Child Care Information .................................................................... 61
3.20 Employee Wellness Program ............................................................ 62

4.0 Employee Services ............................................................................ 63
4.1 College Facilities and Services ............................................................ 63
4.2 Housing Information .......................................................................... 65

5.0 Separation .......................................................................................... 66
5.1 Exit Interview ..................................................................................... 66
5.2 Separation Pay ................................................................................... 66
5.3 Retiree .............................................................................................. 66
5.4 COBRA ........................................................................................... 66
5.5 Final Paycheck .................................................................................. 67
5.6 References .................................................................................................................. 67
5.7 Resignation ............................................................................................................... 67
5.8 Unemployment ........................................................................................................ 67

6.0 Appendices .............................................................................................................. 68
6.1 Corrective Action Guidelines for Administrative Employees ............................. 68
6.2 Statement on Civility and Responsibility in an Academic Community ............. 71
6.3 Overview and Process for Employees Who Need Accommodations ................. 72
6.4 Policy on Reporting Improper or Unlawful Activities and Prohibition of Retaliation ........................................................................................................ 73
6.5 Title IX Policy ......................................................................................................... 75
1.0 Employment Policies

1.1 Equal Opportunity/Affirmative Action

Vassar College is committed to fostering a diverse community of outstanding faculty, staff, and students, as well as ensuring equal educational opportunity, employment, and access to services, programs, and activities, without regard to an individual's race, color, national origin, religion, creed, age, disability, sex, gender identity, gender expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction.

Employees, students, applicants or other members of the College community (including but not limited to vendors, visitors, and guests) may not be subjected to harassment that is prohibited by law, or treated adversely or retaliated against based upon a protected characteristic. The College’s policy is in accordance with federal and state laws and regulations prohibiting discrimination and harassment. These laws include the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 as Amended by the Equal Employment Opportunity Act of 1972, and the New York State Human Rights Law. These laws prohibit discrimination and harassment, including sexual harassment and sexual violence.

Inquiries regarding the application of Title IX and other laws, regulations and policies prohibiting discrimination may be directed to Dr. Rachel Pereira, Esq., Title IX Coordinator, Legal Affairs Advisor and Director of Equal Opportunity, Office of EOAA, South Main 182/ Box 645 Poughkeepsie, NY 12604/ rapereira@vassar.edu; PH 845 437 7924.

Inquiries may also be directed to the United States Department of Education’s Office for Civil Rights, 32 Old Slip 26th Floor, New York, NY 10005-2500; PH 646-428-3800; OCR.NewYork@ed.gov."

1.2 Policy Against Discrimination and Harassment

I. Policy Statement

Refer to the Title IX Policy under Appendix 6.6.

Vassar is committed to the principles of integrity in an academic community, as articulated in the statement on civility and responsibility. Vassar’s policy is to prohibit discrimination or harassment in the administration of its educational policies, admissions policies, scholarships and loan programs, athletics programs, or other College programs and activities, and of its faculty, administration, staff, students, or visitors.
The College prohibits discrimination on based on an individual's actual or perceived race, color, religion or religious belief, citizenship status, sex, marital status, disability, pregnancy, sexual orientation, gender identity or expression, national origin, military status or affiliation, predisposing genetic information/characteristics, familial status, domestic violence victim status, age, other characteristic protected by law, or participation in activities protected by law.

The Vassar College Office Equal Opportunity and Affirmative Action (EOAA) oversees, facilitates and supports the college’s efforts to ensure equal opportunity for all persons regardless of protected characteristics and participation in protected activities in employment, educational programs and activities, and admissions.

II. Scope of Policy

This policy prohibits discrimination against or harassment of members of the College community and guests. Its scope includes, but is not limited to, any individuals regularly or temporarily employed, studying, living, visiting, or having any official capacity at Vassar College (such as volunteers and contractors).

The filing of a complaint under this policy is independent of any external investigation or court proceeding. The College will not necessarily wait for the conclusion of any external investigation or proceeding before commencing its own investigation or proceeding and taking immediate steps to ensure the safety and well-being of members of the College community. An allegation of discrimination or harassment is not proof of prohibited conduct, and a claim will not be taken into account during performance review, promotion, reappointment, or other evaluation unless a final determination has been made that this policy has been violated or an agreement has been reached as part of an informal resolution process. If necessary and appropriate, decisions regarding extension, reappointment, or promotion may be deferred, in accordance with this policy, until any allegation is resolved.

Either party has five business days from receipt of the EOAA decision to appeal that decision. For further details on the appeal process see, "College Regulations, Policy Against Discrimination, Formal Grievance Process (https://deanofthecollege.vassar.edu/documents/college-regulations/VassarCollegeRegulations.pdf.)."

III. Relationship to Academic Freedom and Responsibility

As articulated in the Vassar College Statement on Academic Freedom, Vassar is dedicated to freedom of inquiry in the pursuit of truth and is vigilant in defending the right of individuals to free speech. This may include the introduction and discussion of controversial and challenging matters both within and beyond the classroom. However, discrimination and harassment are neither legally protected nor excused by reference to academic freedom or freedom of speech.

IV. Definitions

A. Discrimination is any distinction, preference, advantage for, or detriment to an individual compared to others that is based on an individual's actual or perceived race, color, religion or religious belief, citizenship status, sex, marital status, disability, pregnancy, sexual orientation, gender identity or expression, national origin, military status or affiliation, predisposing genetic information/characteristics, familial status, domestic violence victim status, age, or other characteristic protected by law that adversely affects a term or condition of an individual's employment, education, living environment, or
participation in a College activity, or is used as the basis for, or a factor in, decisions affecting that individual's employment, education, living environment, or participation in a College activity.

B. Discriminatory Harassment is unwelcome conduct directed toward an individual based on an individual's actual or perceived race, color, religion or religious belief, citizenship status, sex, marital status, disability, pregnancy, sexual orientation, gender identity or expression, national origin, military status or affiliation, predisposing genetic information/characteristics, familial status, domestic violence victim status, age, or other characteristic protected by law, that has the purpose or effect of unreasonably interfering with an individual's employment or educational performance, or creating an intimidating, hostile, offensive, or abusive environment for that individual's employment, education, living environment, or participation in a College activity. Harassment needs only to rise above the threshold of petty slights or trivial inconveniences.

C. Retaliation is a form of unlawful discrimination, which includes intentional action taken by an individual or allied third party as reprisal for engaging in a “protected activity,” that has the purpose or effect of unreasonably interfering with an individual's employment or educational performance; or creating an intimidating, hostile, offensive, or abusive environment for that individual's employment, education, living environment; and/or participation in a College activity. Protected activities for which protections apply, include but are not limited to:

- Reporting, making a complaint, participating in an investigation or grievance proceeding or for assisting in any such proceeding.
- Communicating with a supervisor or manager about employment discrimination, including harassment
- Refusing to follow orders that would result in discrimination
- Resisting sexual advances, or intervening to protect others
- Requesting accommodation of a disability or for a religious practice
- Asking managers or co-workers about salary information to uncover potentially discriminatory wages.

Retaliation includes, but is not limited to, intimidation, coercion, harassment, making threats, and any other adverse educational or employment action. Retaliation should be reported promptly to the EO/AA Office for investigation, which may result in disciplinary action independent of any sanction or interim measures imposed in response to any underlying allegations of discrimination and/or harassment.

D. Retaliatory Harassment is intentional action taken by an individual or allied third party, absent legitimate nondiscriminatory reasons, that harms an individual as reprisal for engaging in a “protected activity.” Harassment needs only to rise above the threshold of petty slights or trivial inconveniences. Protected activities for which anti-retaliation protections apply, include but are not limited to:

- Reporting, making a complaint, participating in an investigation or grievance proceeding or for assisting in any such proceeding.
- Communicating with a supervisor or manager about employment discrimination, including harassment
- Refusing to follow orders that would result in discrimination
- Resisting sexual advances, or intervening to protect others
- Requesting accommodation of a disability or for a religious practice
- Asking managers or co-workers about salary information to uncover potentially discriminatory wages.

E. Sexual Harassment Sexual Harassment is unwelcome conduct, that does not fall under the Vassar College Title IX Policy, which is either of a sexual nature, or which is directed at an individual because of that individual’s sex that has the purpose or effect of unreasonably interfering with an individual's employment or educational performance; or creating an intimidating, hostile, offensive, or abusive
environment for that individual's employment, education, living environment; and/or participation in a College activity. This includes harassment on the basis of sex, sexual orientation, self-identified or perceived sex, gender expression, gender identity and the status of being transgender. Harassment needs only to rise above the threshold of petty slights or trivial inconveniences. The College's policy on sexual misconduct may also apply when sexual harassment involves physical contact. Examples of sexual harassment can include, but are not limited to:

- Egregious, unwanted sexual attention or other verbal or physical conduct of a sexual nature;
- Sex stereotyping
- Implied or overt threats of punitive action resulting from rejection of sexual advances
- Conditioning a benefit on an individual's acceding to sexual advances/making such assent a term or condition of employment (either explicitly or implicitly)
- Unwelcome, sexually explicit messages, statements, or materials;
- Attempting to coerce an unwilling person into a romantic or sexual relationship;
- Sexual violence;
- Intimate partner violence;
- Stalking, including cyberstalking; and
- Gender-based bullying.

Sexual harassment can occur between any individuals, regardless of their sex or gender. New York Law protects employees, paid or unpaid interns, and non-employees, including independent contractors, and those employed by companies contracting to provide services in the workplace. Harassers can be a superior, a subordinate, a coworker or anyone in the workplace including an independent contractor, contract worker, vendor, client, customer or visitor. The unwelcome behavior may be based on power differentials, the creation of a hostile environment, or retaliation.

Sanctions will be enforced against individuals engaging in sexual harassment and against supervisory and managerial personnel who knowingly allow such behavior to continue.

To make a report of sexual harassment, please feel free to contact the Office of Equal Opportunity and Affirmative Action/Title IX or submit an online report at https://forms.gle/StXGQXnr7DHxzgji9. To file a complaint, please see complaint procedures below.

Office of Equal Opportunity and Affirmative Action
Vassar College, Box 645, 124 Raymond Avenue, Poughkeepsie, New York 12604-0645
Phone: (845) 437-7924
Fax: (845) 437-5715
Email: eoaa@vassar.edu
Website: http://eoaa.vassar.edu

EXTERNAL REPORTING OPTIONS: Individuals with complaints of this nature also have the right to seek recourse from outside of the college by filing a complaint with the Office of Civil Rights, the NY State Division of Human Rights or federal Equal Employment Opportunity Commission (EEOC) (employees).

U.S. Department of Education Office of Civil Rights, Headquarters
400 Maryland Avenue, SW, Washington, DC 20202-1100
Customer Service Hotline #: (800) 421-3481
Facsimile: (202) 453-6012 TTY#: (800) 877-8339
Email: OCR@ed.gov
Web: http://www.ed.gov/ocr
1.3 Sexual Misconduct Policy

I. Policy Statement
Members of the Vassar College community, guests, and visitors have the right to be free from sexual violence. Vassar College is committed to fostering a community that promotes the prompt reporting of sexual misconduct and timely and fair resolution of sexual misconduct complaints. The expectations of our community regarding sexual misconduct can be summarized as follows: In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing, and voluntary consent prior to and during sexual activity. Vassar’s policy is to prohibit sexual misconduct. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated.

Any allegations or incidents of sexual misconduct that do not fall under the Vassar Title IX policy will be addressed under these policies.

Sexual misconduct offenses include, but are not limited to, sexual harassment (see Policy Against Discrimination and Harassment above), non-consensual sexual contact or attempts to commit same, nonconsensual sexual intercourse or attempts to commit same, and sexual exploitation. Use of alcohol or other drugs will never function as a defense to a violation of this policy. The College will consider the concerns and rights of both the reporting individual and the accused.

Vassar’s policy is to prohibit stalking. Stalking occurs when a person engages in repetitive behavior directed toward another person and knows or should reasonably know that such conduct is likely to alarm, harass, or cause reasonable fear of harm or injury in that person, or in a third party. The feared harm of injury may be to the person’s physical, emotional, or mental health, personal safety, property, education, or employment. Stalking may include, but is not limited to, unwanted visual or physical proximity to a person, repeatedly conveying oral or written threats, extorting money or valuables, implicitly threatening
physical conduct, or any combination of these behaviors directed at or toward a person. All incidents of stalking will be taken seriously. When the stalker is anonymous, the college will investigate as thoroughly as possible using all available resources. The following are some examples of stalking type behavior:

1. Unwelcome communication, including, but not limited to: face-to-face, telephone, voice message, electronic mail, written letter, and/or contact; unwelcome gifts or flowers, etc.
2. Threatening or obscene gestures
3. Surveillance
4. Trespassing
5. Vandalism
6. “Peeping-tommery”
7. Voyeurism
8. Unwelcome touching or physical contact
9. Gaining unauthorized access to personal, medical, financial, and/or other identifying information, including, but not limited to: access by computer network, mail, telephone, or written communication

Cyber-stalking is an extension of the physical form of stalking where electronic media such as the internet, instant messengers, cell phones, or other similar devices are used to pursue, alarm, harass, or cause reasonable fear of harm or injury in that person, or in a third party. Some examples of cyber-stalking include but are not limited to: unwanted/unsolicited emails or instant messages, disturbing messages on online bulletin boards, unsolicited communications about a person, their family, friends, or co-workers, or sending/posting disturbing messages with another username.

II. Additional Applicable Definitions
Affirmative consent is a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression.

1. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent may be initially given but withdrawn at any time.
2. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity.
3. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm. When consent is withdrawn or can no longer be given, sexual activity must stop.
4. In order to give effective consent, one must be of legal age; New York State defines 17 years as of legal age.

Incapacitation may be caused by the lack of consciousness or being asleep, being involuntarily restrained, or if an individual otherwise cannot consent. Depending on the degree of intoxication, someone who is under the influence of alcohol, drugs, or other intoxicants may be incapacitated and therefore unable to consent.

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats), and coercion that overcome resistance or produce consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.
1. There is no requirement that a person resist a sexual advance or request, but resistance is a clear demonstration of non-consent.
2. The use of force is not “worse” than the subjective experience of violation of someone who has experienced sexual contact or intercourse without consent.
3. The use of physical force constitutes a stand-alone, non-sexual misconduct offense as well, and it is the college’s expectation that those who use physical force (assault, restricting movement or activity, battery, etc.) would face not just the sexual misconduct charge, but also charges under the College Regulations for the additional assultive behavior.

Coercion is unreasonable pressure for sexual activity.

1. Coercing someone into sexual activity is comparable to physically forcing someone into sexual activity.
2. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to obtain consent from another.
3. When someone makes clear that they do not want to engage in sex or a sexual activity, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

1.4 Dating/Domestic Violence

I. Policy Statement

The purpose of Vassar College’s Dating/Domestic Violence policy is to define dating/domestic violence and to outline the student conduct process for charges of relationship abuse. All students, faculty, administrators, and staff are subject to this policy. Vassar College is a residential educational community bound by common standards of conduct and adherence to its educational missions. Dating/domestic violence interferes with the College’s educational mission and with students’ aspirations and abilities, individually and collectively by:

1. Causing emotional and/or physical harm to community members;
2. Contributing to an atmosphere of fear;
3. Offending the dignity and violating the autonomy of community members; and
4. Disrupting the academic progress of affected community members

II. Definitions

A. Dating/domestic violence is a progressive and/or persistent pattern of abusive behaviors that are perpetrated by the abuser to gain and maintain power and control over the victim. Abuse can be physical, sexual, emotional/verbal, and/or economical. This includes (but not limited to) any behaviors that frighten, intimidate, terrorize, manipulate, hurt, humiliate, blame, injure or wound someone. Dating/domestic violence not only affects those who are abused, but also has a substantial effect on family members, friends, coworkers, other witnesses, and the community at large.

Dating/domestic violence can occur in straight/heterosexual relationships, same-sex/gender relationships, marriages, cohabitation relationships, or dating and in intimate relationships that involve an emotional attachment. This also includes former intimate partners.

Dating/domestic violence can impact people regardless of race, age, sexual orientation, religion, or gender. Dating/domestic violence affects people of all socioeconomic backgrounds and education levels.
Domestic violence is a crime of violence committed by:

1. A current or former spouse of the victim;
2. A person with whom the victim shares a child in common;
3. A person who is cohabitating with or has cohabitated with the victim as a spouse;
4. A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies;
5. Any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

Dating violence is a crime of violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship may include the consideration of the following factors:

1. Length of the relationship;
2. Type of relationship;
3. Frequency of interaction between the persons involved in the relationship.

III. Additional Applicable Definitions

A. Emotional/Verbal Abuse is persistent abuse that undermines an individual’s sense of self-worth and/or self-esteem. This may include, but is not limited to constant criticism, diminishing one’s abilities, name-calling, and/or damaging one’s relationship with her or his friends and/or family.

B. Psychological Abuse is abuse that would cause fear in a reasonable person. This includes but is not limited to intimidation; threatening physical harm to self, partner, children, or partner’s family or friends; threatening to disclose partner’s orientation, destruction of pets and property; and isolating from family, friends, or school and/or work.

C. Economic Abuse is intending to make or attempting to make an individual financially dependent on their partner. This includes but is not limited to maintaining control over financial resources, withholding one’s access to money, or forbidding attendance at school, employment, or other activities.

D. Physical Abuse is physical harm by partner. This includes but is not limited to hitting, slapping, shoving, grabbing, pinching, biting, hair-pulling, spitting, physical restraint, and/or restricting breathing. Physical abuse may also include denying a partner medical care or coercing use of alcohol and/or other drugs, touching in ways that make a person uncomfortable, and persistent treatment of the victim and other people as objects via actions and remarks.

E. Sexual Abuse involves violating an individual’s autonomy over her/ his body. Sexual abuse may include, but is not limited to, coercing or attempting to coerce any sexual contact or behavior, forcing the partner to dress in a sexually explicit way, forcing to watch or simulate pornography, rape, or accusing the victim of sexual activity with others.

1.5 Reporting Duties

I. Policy Statement

Different people on campus have different reporting responsibilities and different abilities to
maintain confidentiality, depending on their roles at the college and upon college policy, when they receive a report of gender-based discrimination involving a student. At Vassar, some individuals and campus resources can offer confidentiality while others have specific obligations to respond when they receive a report of a crime or a campus policy violation. Even offices and employees who cannot guarantee confidentiality will maintain your privacy to the greatest extent possible. The information you provide to a non-confidential resource will be relayed only as necessary for the Title IX Coordinator to investigate and/or seek resolution.

*If a student is unsure of someone's duties and ability to maintain your privacy, the student should ask them before disclosing any details of the incident.*

II. Responsible Employees

Reporting an incident of sexual misconduct to the Title IX coordinator or a “responsible employee” is official notice to the institution. Students have the right and can expect to have incidents of gender-based discrimination taken seriously by the institution when formally reported, and to have those incidents investigated and properly resolved through administrative procedures.

All “responsible employees” must report the incident to the director of equal opportunity/Title IX coordinator, who will determine the most appropriate course of action to ensure a prompt and equitable response. Formal reporting means that only people who need to know will be told, and information will be shared only as necessary with investigators, witnesses, and the accused individual.

All non-student employees except those listed as Private Resources or Confidential Resources below are designated as “responsible employees” when they receive reports or complaints of alleged gender-based discrimination including sexual harassment, sexual assault, and other forms of sexual misconduct involving students. In addition, all non-student members of the campus community in unpaid official capacities (e.g., partners of faculty house fellows) or non-student volunteers (e.g., athletic team volunteer assistants) have the same reporting responsibilities as for responsible employees.

At Vassar College, the following officers and individuals are designated as “responsible employees”:

1. President
2. Senior officers
3. Director of equal opportunity/Title IX coordinator and faculty director of affirmative action
4. Safety and Security Office personnel
5. Human resources administrators
6. Other deans, associate deans and administrators with supervisory responsibilities
7. Student conduct administrators
8. Residential life professional staff
9. Academic department chairs and program directors
10. Faculty and other employees supervising overnight domestic or international student trips

III. Private Resources

A student may seek assistance from campus “private resources” without starting a formal process. These resources focus primarily on advocacy and support for students impacted by gender-based discrimination including sexual harassment, sexual assault, and other forms of sexual misconduct.

The following individuals are designated as “private resources.”
1. Student fellows,
2. Sexual Assault and Violence Prevention (SAVP) Director and Violence Prevention Educator,
3. Sexual Assault Response Team (SART) Advocates.

Neither the college nor the law requires private resources to divulge personally identifiable information except in certain circumstances as described below. Some of these resources may need to share incident reports with their supervisors, but they will not share any personally identifiable information about the student’s report unless the student gives permission, except in the rare event that the incident reveals an imminent need to protect the student or other members of the community. If any personally identifiable information must be shared, the student will be informed, and it will only be shared as necessary with as few people as possible and making every effort to protect the student’s privacy.

- Sexual Assault and Violence Prevention Coordinator, (845) 437-7863
- Sexual Assault Response Team, (845) 437-7333 and ask for SART

IV. Confidential Resources

Students who desire that details of an incident be kept confidential should speak with mental health counselors, medical providers, or members of the clergy. These persons are not required to disclose information unless there is a concern for imminent health and safety of the student or others. Students may also seek confidential support from off-campus resources, such as a rape crisis center counselor.

**On-Campus Resources for Students**
Counseling Service, (845) 437-5700
Health Services, (845) 437-5800

**Off-Campus Resources**
Poughkeepsie Center for Victim Safety & Support 24/7, (845) 452-7272
New York State Domestic Violence and Sexual Violence Hotline, 24/7, 1-800-942-6906

V. Special Reporting Duties for Supervisors

All supervisors, faculty department chairs, and program directors who become aware of behavior that may be in violation of the Policy Against Discrimination and Harassment must contact the Office of Equal Opportunity and Affirmative Action for guidance on how to respond appropriately to allegations of discrimination, harassment, or sexual misconduct.

VI. Special Duties Involving Child Abuse or Mistreatment of a Minor:

Individuals should report suspected child abuse and neglect, including sexual assault, to law enforcement and/or to the New York Statewide Central Register of Child Abuse and Maltreatment (sometimes referred to as the State Central Register or SCR) by calling one of the numbers listed below. It is not the responsibility of any employee, student or volunteer to investigate child abuse. This is the role of child protective services and law enforcement authorities. Vassar College must act quickly regarding all accusations of sexual or physical abuse. The source of abuse does not need to be known in order to file a report.

If you suspect child abuse or neglect, do the following:
If a child is in immediate danger, call the police (911) immediately.

College employees and students should notify local law enforcement immediately when these situations are suspected. Town of Poughkeepsie Police: (845) 485-3670.

Members of the college community may also contact the Vassar College Safety and Security Department at (845) 437-7333, but not before they contact local law enforcement.

If there is concern about abuse of a child by a parent or custodian call the Child Abuse Hotline:
- Responsible employees should call (800) 635-1522.
- All others should call (800) 342-3720.

1.6 Complaint Procedure

I. Policy Statement

The College has two approaches for resolving complaints of alleged discrimination and harassment: informal resolution and the formal grievance processes. Informal resolution efforts and the formal grievance processes are not mutually exclusive, and neither is a prerequisite for the other. Moreover, the informal resolution process may be ended at any time in order to initiate a formal complaint.

Individuals who believe that they have been victims of sexual or some other form of harassment can contact an EO/AA officer who will meet with them to hear their concerns and review available options for informal and formal resolution. Discussing a concern does not commit one to making a formal charge. However, an individual reporting harassment should be aware that the College may decide that it is necessary to take action to address the harassment beyond an informal discussion.

The College encourages the prompt reporting of any potential violations of this policy so that it can take appropriate steps to maintain an environment free of harassment and can ensure that its procedures are effective. While no fixed reporting period has been established, early reporting and intervention has proven to be the most effective method of resolving actual or perceived incidents of sexual and other forms of harassment.

A. Informal Resolution: Seeking Mediation

1. Whenever possible and perceived to be safe by all parties, informal resolution is encouraged but is not required. Informal resolution efforts may include, but are not limited to, presentation by complainant of her or his concerns and desired outcome to the respondent in writing or in a meeting convened by the EO/AA office, or mediated discussion between the complainant and respondent.

2. In cases of requests for mediation, the EO/AA officer(s) will assess the situation to determine whether mediation is appropriate and whether it will be conducted by a trained mediator, and/or in the presence of EO/AA officer(s), supervisor, dean, senior officer, human resources administrator, or other appropriate member of the College community. The complainant and the respondent may refuse mediation or may end mediation at any time. No adverse inference is to be drawn from either decision. Mediation is never appropriate in cases of alleged sexual assault. The EO/AA Office will document all informal resolution efforts. Informal resolution outcomes may include, but are not limited to,

- Explicit agreements about future conduct;
Changes in the working, learning, or living environment;
- Targeted educational and training programs; and
- Other forms of corrective action, as appropriate.

B. Formal Grievance Process

A formal grievance process may be initiated by meeting in person with the EO/AA Officer or, for matters involving the faculty, the Faculty Director of Affirmative Action, or by writing to the EO/AA Office. The College strongly encourages submission of grievances in writing after a grievance is initiated through an in-person meeting. The formal grievance should be emailed to eoaa@vassar.edu. It may also be hand delivered, or sent by certified mail to the attention of either the Faculty Director of Affirmative Action or the EO/AA officer, as appropriate, at: Office of Equal Opportunity and Affirmative Action, Vassar College, Campus Box 645, 124 Raymond Ave, Poughkeepsie NY 12604-0645. A formal grievance must identify and include the following information:

1. Complainant’s signature and the date signed;
2. Name of the respondent, his or her position or status, and contact information, if known;
3. Clear and concise description of the alleged incident(s), and when and where it occurred;
4. Description of all informal efforts, if any, to resolve the issue(s) with the person involved. This includes names, dates, and times of attempted or actual contact along with a description of the discussion and the manner of communication made in the course of each effort;
5. Supporting documentation and evidence; and
6. Names of witnesses or individuals who may have direct and relevant information about the specific allegation (with accompanying addresses, email addresses, and telephone numbers).

Privacy

The privacy of all parties to a complaint will be respected, except insofar as it interferes with the College’s investigative, grievance, and appeal processes as described in this document. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted except to those listed in Section IX of Vassar College Regulations policy. Violations of privacy of the complainant, the respondent, support persons, or parties to the investigation by any member of the EOAA office or any member of an investigative, grievance, or appeal panel may lead to disciplinary action by the College.

Initial Investigation

The EO/AA Office will investigate any reported grievances regarding harassment or discrimination promptly and impartially. The investigation may include, but is not limited to, individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other knowledge relevant to the investigation. Based on the investigation, the EO/AA Office will determine if there is sufficient evidence to support reasonable cause. The Office will inform the complainant and respondent of the outcome of the investigation and provide a summary of the investigative process, determination, and possible sanctions if appropriate. At this point, both parties may accept or reject the outcome and determination(s) of the investigation. If both parties accept a determination that there is insufficient evidence to support reasonable cause, then the case is closed. If both parties accept a determination that there is sufficient evidence to support reasonable cause, then the respondent’s senior officer will assign sanctions and take corrective action designed to end the discrimination or harassment, prevent its recurrence, and remedy its effects on the complainant and the College community. A finding of the EO/AA Office that is accepted by both parties is final. Either the complainant or the respondent may reject the determination of the initial investigation, in part or entirely,
and request a grievance hearing by sending a written request to the EO/AA Office within five (5) business days of receiving the written decision. The preferred mode of delivery for the grievance panel request is via email to eoaa@vassar.edu. It may also be hand delivered, or sent by certified mail to the attention of either the Faculty Director of Affirmative Action or the EO/AA officer, as appropriate, at: Office of Equal Opportunity and Affirmative Action, Vassar College, Campus Box 645, 124 Raymond Ave, Poughkeepsie NY 12604-0645.

Grievance Hearing

Upon receipt of a written request, the College will act expeditiously to convene a grievance hearing panel, ordinarily within ten (10) business days. The panel ordinarily is chaired by the respondent’s senior officer when there is no conflict of interest as determined by the EO/AA officer(s) in consultation with the President. The hearing panel will review testimony from the complainant, the respondent, and any other relevant witnesses and will consider the determination of the investigation and any documentary evidence that the EO/AA officer(s) and the panel may deem appropriate. The determination of the initial investigation by the EO/AA office will be forwarded to, but is not binding on, the members of the panel.

The panel convened to hear a formal grievance against a student is the College Regulations Panel. All applicable College Regulations rules and procedures for the hearing will be applied. The Grievance Hearing Panel (hereafter the “panel”) convened to hear a formal grievance against a member of the faculty is composed of three voting members of the faculty and the panel convened to hear a grievance against a member of the administration is composed of three administrators. In consultation with the EO/AA Officer, the Chair appoints an appropriate panel from a pool of trained faculty and administrators who are of equivalent or higher rank than the respondent to the grievance.

In the case of a formal grievance against an EO/AA officer in the performance of his or her duties, the grievance will be forwarded to the President who will investigate (or assign an investigator) and render a decision as to whether there has been a violation of the Policy. A decision may be appealed to the Chair of the Board of Trustees in accordance with the grounds for appeal outlined below. In the case of a formal grievance against a senior officer, the EO/AA Office will forward the grievance to the President who will investigate (or assign an investigator) and render a decision as to whether there has been a violation of this policy. A decision may be appealed to the Chair of the Board of Trustees in accordance with the grounds for appeal outlined below. In the case of a formal grievance against the President, the EO/AA Office will forward the grievance to the Chair of the Board of Trustees who will investigate (or assign an investigator) and render a decision as to whether there has been a violation of the Policy. The decision rendered by the Chair of the Board of Trustees is binding and final.

Determination of the Panel

The Panel will deliberate in private session and will decide by closed vote whether a violation of the College’s Policy Against Discrimination and Harassment and/or other College policies has occurred, based on the preponderance of the evidence. The Chair does not vote.

A decision that a violation has occurred requires majority agreement among the members eligible to vote. In the case of a determination of a violation, the Chair will determine the appropriate remedy or sanction, in consultation with the Panel, except where the appropriate remedy or sanction may require changes to the procedures or conduct of a faculty review.

A written summary of the decision, prepared by the Chair, will be conveyed to the complainant, the respondent, and the EO/AA Office, ordinarily either within ten (10) business days after deliberations have been completed or, in cases that require consultation of the Faculty Appeal Committee, with thirty (30)
business days after deliberations have been completed.

Response

The College will impose prompt remedial and/or disciplinary action against any respondent found to have violated this policy. Responsive action may include, for example, targeted educational and training programs; the development and enforcement of explicit contractual agreements about future conduct; changes in the working, learning, or living environment; formal censure; reassignment or removal from an appointed position; suspension or expulsion; termination of employment; or other measures as the College believes will be effective in ending the misconduct and correcting the effects of the harassment.

Time Frame and Grounds for Filing a Request for Appeal

Either party (complainant or respondent) may appeal the determination and/or sanctions of the Panel within five (5) business days of receiving the written decision by delivering a signed and dated appeal by hand or by certified mail to the Office of Equal Opportunity and Affirmative Action, Vassar College, Box 645, 124 Raymond Ave, Poughkeepsie NY 12604-0645 or by email to eoaa@vassar.edu.

Dissatisfaction with the outcome of the hearing is not grounds for appeal. The only grounds for appeal are as follows:

a. Procedural irregularity that affected the outcome of the matter (i.e., a failure to follow the institution’s own procedures);
b. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
c. The Title IX Coordinator, investigator(s), or decision-maker had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.
d. The sanctions imposed are disproportionate to the severity of the violation or substantially outside the parameters set by the College. The appeal body will return the complaint to the Chair/senior officer of the Grievance Hearing Panel, who may then increase, decrease, or otherwise modify the sanctions.

In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and sanction are presumed to have been decided reasonably and appropriately.

Sanctions will take effect immediately, notwithstanding an appeal. A request may be made to the hearing panel chair to defer the effective date of sanctions in exigent circumstances. In cases where the appeal results in reinstatement to the institution or of privileges, all reasonable attempts will be made to restore the individual to his or her prior status, recognizing that some opportunities may be irretrievable in the short term.

The EO/AA Office will provide a copy of the appeal to the other party, who may file a response within ten (10) business days. All appeals and responses are then forwarded to the appropriate appeal body for initial review. If the appeal body determines that the appeal meets the limited grounds and is timely, the documentation is taken under consideration. If the respondent in the original complaint is a faculty member, the elected faculty Appeal Committee hears all appeals, except for appeals of a remedy or sanctions determined by the Appeal Committee itself, which are heard by the Academic Affairs Committee of the Board of Trustees.

If the respondent in the original complaint is a student, the College Regulations Appeal Panel, chaired by the dean of the college, hears all appeals. If the respondent in the original complaint is a non-faculty
employee, the vice president for finance and administration hears all appeals unless the initial grievance panel was chaired by the vice president for finance and administration. In this case, the president appoints another senior officer to hear the appeal.

Determination by Appeal Bodies

The appeal body ordinarily will render a written decision within seven (7) business days from the hearing of the appeal. The appeal body may take the following actions:

a. Determine that new evidence raised on appeal should be considered and return the complaint to the original hearing panel to reconsider in light of the new evidence only.

b. Determine that a material procedural or substantive error occurred, and return the complaint to the original hearing body with instructions to reconvene to address the error. In rare cases, where the procedural or substantive error cannot be addressed by the original hearing body (as in cases of bias), the appeal body may order a new hearing on the complaint with a newly constituted grievance hearing panel.

c. Determine that the sanctions imposed are disproportionate to the severity of the violation and substantially outside the parameters set by the College. The appeal body will return the complaint to the Chair/senior officer of the Grievance Hearing Panel, who may then increase, decrease, or otherwise modify the sanctions.

d. Deny the request for appeal.

C. Retaliation

Retaliation against any person, including the complainant or the respondent, for making a complaint, cooperating with an investigation, or participating in a grievance procedure is a violation of College policy. Retaliation includes, but is not limited to, intimidation, coercion, harassment, making of threats, and any other adverse educational or employment action. Retaliation should be reported promptly to the EO/AA Office for investigation, which may result in disciplinary action independent of any sanction or interim measures imposed in response to the underlying allegations of discrimination and/or harassment.

D. False and Malicious Complaints

False and malicious accusations of harassment or discrimination, as opposed to complaints that, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

E. Record Retention for Discrimination and Harassment Complaints

The Office of Equal Opportunity and Affirmative Action is responsible for maintaining records relating to discrimination and harassment reports, investigations, and resolutions. Records will also be maintained in accordance with College records policies, generally for at least seven (7) years after the date the complaint is resolved. Records may be maintained longer at the discretion of the EO/AA officer in cases where the parties have a continuing affiliation with the College. All records pertaining to pending litigation or a request for records will be maintained in accordance with instructions from legal counsel.

F. Support Resources

1. Confidential Support and Counseling: Individuals are encouraged to contact on-campus and off-campus counselors, or members of the clergy and chaplains for confidential counseling regarding
any harassment matter. Employees and faculty members are encouraged to contact Vassar’s Employee Assistance Program (EAP), (800) 828-6025, to access off-campus counseling resources, or to contact members of the clergy and chaplains for confidential counseling regarding any harassment matter. Seeking counseling is not meant to take the place of instituting the informal resolution or formal grievance processes described above.

2. Support Person: The complainant and the respondent each may have a support person present with them during the informal resolution and formal grievance processes to provide moral support. The support person cannot be a party to the grievance or serve as a potential witness (character or factual). This support person must be a member of the college community. Except as directed by the investigator or Chair, a support person will limit his/her role in a hearing to that of a support person to the complainant or the respondent. That is, a support person will have no speaking role at a hearing. A request may be made to the EO/AA officer(s) for special consideration to bring a support person who is not a member of the college community in extraordinary circumstances. Witnesses and others involved in an investigation are not entitled to have a support person. Support persons must be identified to the EO/AA officer at least two (2) business days before the date of the meeting with the EO/AA officer or the hearing.

3. Legal Counsel: It is the complainant’s and the respondent’s decision whether to seek the advice and assistance of an attorney at their own expense if they need legal advice. Although anyone has the right to seek legal advice, neither the complainant nor the respondent may be represented by legal counsel at investigatory interviews, informal resolution processes, or a college administrative hearing.

1.7 Office of Accessibility and Educational Opportunity

Vassar College is committed to providing individuals with disabilities equal access to the academic courses, programs, activities, services and employment at the College. In accordance with the provisions of Section 504 of Rehabilitation Act of 1973 and the Americans with Disabilities Act of (1990) 2008, the College strives in its policies and practices to assure not only nondiscrimination but to provide for the full participation of individuals with disabilities in all aspects of College life. In support of this mission, the Office of Accessibility and Educational Opportunity provides services to self-identified individuals with disabilities. The Office of Accessibility and Educational Opportunity also provides assistance in identifying appropriate support and accommodations in the work environment for faculty and staff. Disabilities may include, but are not necessarily limited to, visual impairments, mobility and orthopedic impairments, hearing impairments, chronic medical conditions, learning disabilities, and psychological or emotional disorders.

The role of the Director of Accessibility and Educational Opportunity is to evaluate requests for accommodations and services based on the needs of self-identified students, faculty or staff members with disabilities, and to coordinate accommodations, auxiliary aids and services with appropriate College personnel. To ensure the provision of reasonable and effective accommodations, individuals must provide documentation of their disability or disabilities by an appropriate professional. Individuals with disabilities must also provide the Director of Accessibility and Educational Opportunity sufficient time to evaluate the request, to determine the appropriate course of action, and to implement appropriate accommodations and support services.

Requests for accommodations and auxiliary aids and services involve evaluation of the following criteria by the Director of Accessibility and Educational Opportunity and other Vassar faculty, administration, or staff, as appropriate:
1. whether the person meets the criteria for being otherwise qualified as an individual with a disability under the ADA and Section 504;
2. whether the disability is appropriately documented in writing by a qualified professional. The amount and type of required documentation will be based upon the nature of the disability and the nature and duration of the requested accommodation;
3. whether the requested accommodation or support service is appropriate to the needs of the person with the disability and appropriate for the academic course, program, activity or work environment;
4. whether the student, faculty or staff member will have equal access or opportunity without the accommodation or support service;
5. whether the accommodation will fundamentally alter the academic course, program, or essential requirements of the job;
6. whether an alternate accommodation or academic modification could be implemented to provide equal access and opportunity.

To request an accommodation, refer to Appendix 6.3: Overview and Process for Employees Who Need Accommodation.

1.7.1 The Americans with Disability Act (ADA)

The Americans with Disabilities Act was signed into law in 1990, and revised by Congress in 2008. The ADA prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and activities of state and local government. Employers, labor organizations and joint labor-management committees must have nondiscriminatory application procedures, qualification standards, and must provide reasonable and appropriate accommodations to qualified individuals with disabilities.

Anyone who has a physical or mental impairment substantially limiting one or more major life activities, has a record of such impairment, or is regarded as having such impairment, is considered a person with a disability. In accordance with the provisions of the ADA and Section 504 of the Rehabilitation Act of 1973, disabilities may include, but are not necessarily limited to, visual impairments, mobility and orthopedic impairments, hearing impairments, chronic medical conditions, learning disabilities, and psychological disorders.

In terms of employment, the law defines a “qualified individual with a disability” as a person who can perform the essential functions of the job with or without reasonable accommodation. Accommodations are developed on an individual basis and in a partnership between the person with the disability and the employer. Accommodation solutions may involve equipment changes, workstation modifications, adjustments to work schedules, or assistance in accessing the facility, depending on the individual’s particular limitations and needs. Accommodations are based on the job tasks that must be performed, the functional limitations of the individual, and whether the proposed accommodation(s) will result in undue hardship to the employer.

The Affirmative Action Office has been designated to coordinate the College’s compliance with the Americans with Disabilities Act of 2008 and with Section 504 of the Rehabilitation Act of 1973. The office handles inquiries about compliance and investigates complaints of disagreements or denials of disability-related accommodations and services. Vassar College has adopted an internal appeals process for the prompt and equitable resolution of complaints or disagreements about accessibility, accommodations, auxiliary aids and services, and modifications to academic courses, programs, and
activities.

1.8 Prospective Employees – Title IX

In Vassar College is committed to fostering a diverse community of outstanding faculty, staff, and students, as well as ensuring equal educational opportunity, employment, and access to services, programs, and activities, without regard to an individual's race, color, national origin, religion, creed, age, disability, sex, gender identity, gender expression, sexual orientation, familial status, pregnancy, predisposing genetic characteristics, military status, domestic violence victim status, or criminal conviction.

Employees, students, applicants or other members of the College community (including but not limited to vendors, visitors, and guests) may not be subjected to harassment that is prohibited by law, or treated adversely or retaliated against based upon a protected characteristic. The University’s policy is in accordance with federal and state laws and regulations prohibiting discrimination and harassment. These laws include the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 as Amended by the Equal Employment Opportunity Act of 1972, and the New York State Human Rights Law. These laws prohibit discrimination and harassment, including sexual harassment and sexual violence.

Inquiries regarding the application of Title IX and other laws, regulations and policies prohibiting discrimination may be directed to Dr. Rachel Pereira, Esq., Title IX Coordinator, Legal Affairs Advisor and Director of Equal Opportunity, Office of EOAA, South Main 182/ Box 645 Poughkeepsie, NY 12604/ rapereira@vassar.edu; PH 845 437 792.

Inquiries may also be directed to the United States Department of Education’s Office for Civil Rights, 32 Old Slip 26th Floor, New York, NY 10005-2500; PH 646-428-3800; OCR.NewYork@ed.gov.

1.9 Conflict Resolution Procedure

In many cases, employment-related problems are a misunderstanding or the result of poor communication that can be resolved by both parties through additional discussion and agreement. Members of the College community are encouraged to bring employment-related issues to the appropriate supervisor.

The College recognizes that a procedure for resolving employment-related complaints that cannot be settled through the normal channels of communication with your supervisor is important. All employees having such complaints have the right to be heard and may expect a fair resolution without the fear of jeopardizing their employment status.

The Office of Human Resources handles complaints pertaining to non-faculty employment-related matters. A member of the College community who has an employment-related complaint should contact the Associate Vice President for Human Resources, Baldwin Hall, Room #300, campus mailbox #712.

1.10 Code of Ethics

As members of the Vassar College Administration, we bear responsibilities to preserve and strengthen all of the resources of the College – academic, human, physical, and financial. We are expected to
accomplish our goals consistent with high standards of ethical practice and serve as role models for the staff who work with us. We recognize that our personal and professional conduct reflect upon this institution, on our various professions, and on higher education as a whole.

We embrace the values and standards outlined below:

- Respect for all members of the Vassar community;
- Honesty and civility in word and deed;
- Fair and just treatment of everyone with whom we interact as professionals;
- High aspiration for the quality of our contributions to the College;
- Avoidance of any conflict, or the appearance of conflict, between personal and institutional interests.

We recognize the importance of understanding, supporting and interpreting the administrative policies and procedures of the College. We seek to contribute constructively to their ongoing evaluation and reformulation, as professionals working among others who share the values and standards of conduct identified above.

We can contribute most constructively when we work under certain conditions, most notably:

- A professional and supportive work environment;
- Clear statements of the conditions of employment, the process for professional assessment, and the duties and responsibilities borne by individual administrators;
- Within our scope of authority and Vassar’s employment policies, the right to exercise judgment and perform duties without disruption or harassment;
- Freedom of conscience and the right to refuse to engage in actions that violate the ethical principles contained in this code or provisions of the law.

1.11 Standards of Conduct

Vassar College expects a high standard of employee conduct

Certain violations of College regulations are so serious that they may call for immediate discharge or other appropriate disciplinary action. Such actions include, but are not limited to:

- refusing to carry out job duties or reasonable directives of the supervisor;
- deliberate or reckless action that causes either actual or potential loss to the College or employees, or damage to property or physical injury to employees;
- action that is or can reasonably be expected to be seriously detrimental to the College or its reputation;
- fighting or disorderly conduct on the premises or at a College-sponsored event;
- unauthorized disclosure or use of confidential or related material or information;
- misrepresentation, including falsification of reports or records, or deliberate failure to accurately complete reports or records;
- misappropriation of College funds or other assets;
- illegal or unauthorized possession of a weapon on College premises or at a College-sponsored event;
- theft or unauthorized removal of College property or of the property of others;
- willful discrimination in hiring, firing, pay, promotion, transfer, and conditions of employment of employees for reasons of race, color, religion or religious belief, citizenship status, sex, marital status, disability, pregnancy, sexual orientation, gender identity or expression, national origin, military
service or affiliation, genetic information, age, familial status, domestic violence victim status, because the individual has filed a complaint, testified or assisted in any proceeding, or any other characteristics protected by law;

- sexual harassment, defined as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature;
- serious or continued violation of safety standards;
- threats;
- drug and alcohol use;
- any other material breach of the employment relationship;
- sexual relations with students or subordinates (Updated March, 2013).

1.12 Prohibited Conduct

The College strives to provide a safe and secure workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees should review and understand all provisions of this workplace violence policy.

The College does not tolerate any type of workplace violence committed by or against employees or any other community member. Employees are prohibited from making threats or engaging in violent activities.

Any potentially dangerous situations must be reported immediately to a supervisor or the Office of Human Resources. Reports can be made anonymously and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. All parties involved in a situation will be counseled and the results of investigations will be discussed with them.

Any employee determined to have made a threat or who engaged in violent activity will be subject to disciplinary action, up to and including termination.

1.12.1 Policy on Consensual Relations

Members of the administration are prohibited from pursuing or engaging in a romantic relationship with any current Vassar student. The prohibition is year-round and includes students participating in off campus or summer programs and students on leave.

The College recognizes that adults, including young adults, may make choices regarding personal relationships. However, a romantic or sexual relationship between an administrator and a student may jeopardize the student’s academic program and the learning environment of other students and raises serious concerns regarding unequal status of power, validity of consent, conflicts of interest, and preferential treatment. For these reasons, an administrator’s professional responsibilities are incompatible with a sexual or romantic relationship with a student. Administrators engaging in such relationships put themselves, students, the College, and its educational mission at risk. Such behavior subjects the College and the administrator to allegations and charges of sexual harassment and additional legal liability. Administrators are subject to disciplinary action up to and including termination.

The AVP for Human Resources grants exemptions from this policy under reasonable circumstances. An
automatic exemption to this policy shall be granted when the spouse or domestic partner of an administrator enrolls as a student. When an exemption is made, the AVP for Human Resources notifies the EOAA office and makes arrangements, if necessary, to minimize any potential conflicts of interest.

An administrator who is involved in a romantic or sexual relationship with a subordinate employee must disclose its existence to his or her supervisor and must cooperate fully in making alternative arrangements for supervision, including work assignments and evaluation of performance. Failure to do so may result in disciplinary actions up to and including dismissal.

Potential violations of this policy are referred to the EOAA office; see investigations in the policy for discrimination and harassment. The standard of proof is clear and convincing evidence of a violation. If necessary, the EOAA office makes a recommendation to the Senior Officer and the AVP for Human Resources. The Senior Officer, in consultation with the AVP for Human Resources determines the appropriate disciplinary action. See also Corrective Action Guidelines for Administrators, Appendix 6.1.

1.13 Disciplinary Action

Under certain circumstances, the College will be required to address problems that are associated with an employee’s performance, attendance, or violation of College regulations or policies. The approach used for corrective action is intended to maintain a productive and safe work environment for all employees and to ensure employees that they will receive fair and equitable treatment. Reference the “Corrective Action Guidelines for Administrative Employees” under Appendix 6.1.

When a problem develops, the supervisor will meet with the employee to discuss the situation and to obtain information that will help determine the appropriate action to take. In most cases the necessary action will fall into one of two categories—progressive discipline or immediate termination.

Progressive discipline will be used for problems involving an employee’s work performance, attendance or lateness. In most cases, disciplinary action should occur in progressive steps so that termination occurs only after efforts have been made to correct the performance issues. However, violations of some College regulations are so serious that immediate termination may be appropriate.

1.14 Employment of Relatives

Vassar College acknowledges that employees often refer relatives for positions at the College, especially spouses and partners of individuals who are relocating in order to accept a position at Vassar. The College encourages search committees to review applications of relatives who are qualified for particular positions, and, if appropriate, arrange an interview. The hiring process in such cases must accord with the policies of equal opportunity and affirmative action that govern all recruitment and hiring.

Vassar acknowledges that employment of relatives in the same area of an organization can cause conflicts and problems with favoritism and employee morale. In these circumstances, all parties, including supervisors, are open to charges of inequitable consideration in decisions concerning work assignments, performance evaluations, promotions, demotions, disciplinary actions, and discharge. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day-to-day working relationships.

It is College policy that relatives of persons currently employed by the organization may be hired only if they will not be working directly for or supervising a relative or will not be directly above the relative’s
immediate superior or working directly for the relative’s immediate subordinate. If already employed, they cannot be transferred into such a reporting relationship.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment.

A relative is defined to include spouses/domestic partners, parents, children, brothers, sisters, brothers- and sisters-in-law, fathers- and mothers-in-law, stepparents, stepsiblings, and stepchildren. This policy also applies to individuals who are not legally related but who reside with another employee.

1.15 Salary Review

Salaries are established at the time of hire and are based on job responsibilities, an individual’s qualifications and experience, the employment market place, and equity within the context of salaries paid to other administrative employees. The salary level is reviewed once a year and may be increased depending upon internal and external economic conditions, individual job performance, or promotion to a position of higher responsibility. The performance reviews are conducted to provide administrators the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. Supervisors are required to have semi-annual discussions of performance and are encouraged to discuss progress of job performance and goals regularly. Normally, salary increases are effective on July 1st, the beginning of the fiscal year. (Revised March, 2019).

1.16 Administration Employment Categories

Full-time Employees – Employees whose appointment at Vassar normally requires at least 37.5 hours of work, regardless of the schedule of work. Full-time employees are eligible for benefits.

Part-time Employees – Employees whose appointment at Vassar normally requires them to be scheduled to work a specified fraction of a regular work-week, i.e., 20 hours per week. A part-time employee is eligible for benefits if she/he is regularly scheduled to work 20 hours a week for a minimum of 1,000 hours per year.

Academic-Year Employees – Employees generally scheduled to work from one week before classes begin to one week after commencement or August 15 to June 15.

Temporary Employees – On occasion, the College may have the need to hire employees to do work which is temporary. In such cases, the employee may be compensated on an hourly basis. Employees hired in this capacity will not be eligible for benefits, with the exception of those benefits mandated by law.

There are other employment categories on campus as well:

Faculty – positions include full-time, part-time and visiting appointments.

Staff – positions include clerical, secretarial and some technical positions. The Communication Workers of America (CWA) represents most staff employees.

Service – positions include food service, facilities operations, security, and residential life. The Service
Employees International Union (SEIU) Local 200 United represents most service employees.

Carpenters – carpenters are represented by the Communication Workers of America (CWA), local 1120, AFL-CIO.

Security – security officers are represented by the Hudson Valley Safety and Security Officer’s Union.

Copies of the union contracts are available on the Office of Human Resources website.

1.17 Extra Compensation for Administrators

The job descriptions of all administrators provide for the evolution of work that is within the scope of the original appointment, as well as special projects and committees that support the College community. Occasionally, an administrator may be asked to assume significant additional duties and responsibilities, i.e., when another position in the department or a related area is vacant for an extended period. If the additional duties are 1) significantly more difficult or entail significantly more responsibility than the administrator’s regular duties, 2) normally compensated at a significantly higher rate of pay, and 3) assumed for an extended period of time (more than 60 days), the supervisor and Senior Officer may recommend to Human Resources that supplemental compensation for that period be provided.

Whether payment is a stipend (lump sum payment not added to the base salary) or a temporary salary increase is determined by the Office of Human Resources, based on the nature and duration of the work. The beginning and anticipated end date must be provided on a Status Change Form to the Office of Human Resources. The increase percentage for salary adjustments should be consistent with standard promotional increase rates, normally not to exceed 10%.

Twelve-month, full-time administrative appointments are not eligible to receive extra compensation for time spent during the period of their full-time employment on other Vassar programs or services, such as summer programs or classroom teaching. If requests are made to teach or support a program outside the normal duties of the administrator, the administrator’s supervisor and the Senior Officer must agree that the time demands of the extra work expected of the full-time administrator can be accommodated beyond the duties of the regular appointment. (Revised 5/20/10)

1.18 Direct Deposit

Hourly paid administrators are paid biweekly and salaried administrators are paid monthly. Administrators are encouraged to set up direct deposit. Deposits can be made to virtually any domestic bank or credit union. Salaried administrators are paid on the 25th of each month. If the 25th falls on a weekend or a holiday, deposits are made on the preceding Friday. Thanksgiving and Christmas are exceptions to this rule; payday for these two holidays is the day prior to the beginning of the holiday period. Deposits are made so that the employee’s money is available at the start of the business day on the scheduled payday. Upon hire, administrators will be prompted to set up direct deposit through Workday Onboarding. To enroll or change bank accounts go to “Payment Elections” in Workday.

A payroll stub is provided to administrators through Workday on each payday. The stub indicates the gross pay, the deductions withheld from the pay, the year-to-date deduction accumulations, and the net pay (the amount of the direct deposit). Payroll stubs are available by payday through Workday under “My Payslips”.

28 Administrator Handbook 04/2019
Questions regarding direct deposit, payroll deductions or paystubs should be directed to the Payroll Office, ext 5880.

1.19 Service Recognition Program

The Service Recognition Program is held for those employees celebrating five-year increments of service achieved during the fiscal year. This formal program is held in the spring and hosted by the President of the College and coordinated by the Office of Human Resource
2.0 College Policies

2.1 Conflict of Interest Policy for Trustees, Officers and Key Persons

The Trustees, Officers and Key Persons of Vassar College have a duty to serve the purposes to which Vassar is dedicated, to conduct the affairs of Vassar in a manner consistent with such purposes, and not to advance their personal interests or the interests of third persons above those of Vassar.

This Policy is intended to ensure that these individuals understand and adhere to these requirements, always act in Vassar’s best interest and comply with applicable legal requirements. This Policy is designed to promote the identification, disclosure, evaluation and disposition of any real, potential, or apparent conflicts of interest that any of these individuals might have that call into question his or her duty of undivided loyalty.

1. Definitions.

All capitalized terms used in this Policy shall have the following meanings:

The term “Authorized Body” means the Board or that Committee of the Board, if any, having been delegated authority with respect to a given sphere of activity of Vassar.

The term “Audit Committee” means the Vassar Board’s Audit Committee.

The term “Board” means Vassar’s Board of Trustees.

The term “Committee of the Board” means a committee of Vassar appointed by the Board and consisting exclusively of Trustees.

The term “Conflict of Interest Arrangement” means each proposed transaction, agreement or other arrangement in which:

(a) (i) one or more Related Parties would have a financial interest and (ii) Vassar would be a participant; or

(b) there could be an actual or perceived conflict of interest for some other reason, including any transaction, agreement or other arrangement in which the interests of a Related Party could be seen as competing with the interests of Vassar.

The term “Covered Persons” means the individuals from time to time serving as the Trustees, Officers and Key Persons of Vassar.

The term “Key Person” means any person, other than a Trustee or officer, whether or not an employee of Vassar, who (a) has responsibilities, or exercises powers or influence over Vassar as a whole similar to the responsibilities, powers, or influence of Trustees and officers, (b) manages Vassar, or a segment of Vassar that represents a substantial portion of the activities, assets, income, or expenses of Vassar, or (c) alone or with others controls or determines a substantial portion of Vassar’s capital expenditures or operating budget.
The determination of which persons constitute Key Persons for purposes of this Policy shall be made on an annual basis by the Vice President for Finance and Administration and shall be approved by the Audit Committee.

The term “Officers” means the individuals from time to time elected or appointed as officers by the Board.

The term “Related Parties” means:

(a) Covered Persons.

(b) the following living relatives of each Covered Person:

   (i) his or her ancestors
   (ii) his or her siblings and half-siblings
   (iii) the spouse or domestic partner of each of his or her siblings and half-siblings
   (iv) his or her spouse or domestic partner (The term “domestic partner” is not limited to registered domestic partner relationships.)
   (v) his or her children, grandchildren, and great-grandchildren
   (vi) the spouse or domestic partner of each of his or her children, grandchildren and great-grandchildren.

(c) any entity or trust of which any individual described in paragraphs (a) or (b) above serves as a director, trustee, officer or employee.

(d) any entity or trust in which any one or more individuals described in paragraphs (a) or (b) above have a 5% or greater ownership or beneficial interest or, in the case of a partnership or limited liability company, any equity interest as a partner or member.

The term “Trustees” means the individuals from time to time serving as members of the Board.

The term “Vassar” means Vassar College.

2. Procedures for Disclosing, Addressing and Documenting Conflicts of Interests

   (a) Procedures Applicable to the Individual. When a Covered Person has a direct interest in a Conflict of Interest Arrangement, or an indirect interest through a person who is a Related Party with respect to such Covered Person, he or she:

   (i) must immediately disclose in writing the existence and circumstances of the Conflict of Interest Arrangement (including the material facts concerning his or her interest) to an Authorized Body;

   (ii) must refrain from attempting to influence the deliberations or voting of any Authorized Body on the Conflict of Interest Arrangement; and

   (iii) may not participate in or attend an Authorized Body’s deliberations or vote on the Conflict of Interest Arrangement. However, at the request of the Authorized Body, the Covered Person may present background information or answer questions on the Conflict of Interest Arrangement.
(b) _Procedures Applicable to Vassar._ Once an Authorized Body becomes aware of a Conflict of Interest Arrangement, the following procedures apply:

(i) _Authorized Body to Fulfill Vassar’s Responsibilities under this Policy._ An individual’s disclosure with respect to a Conflict of Interest Arrangement under Paragraph 2(a) triggers Vassar’s responsibilities under this Paragraph 2(b). However, the Authorized Body receiving the disclosure may request that the Audit Committee perform Vassar’s responsibilities, in which event references below are to the Audit Committee.

(ii) _Confirmation of Actions._ The Authorized Body performing Vassar’s responsibilities under this Paragraph 2(b) must confirm that the steps required under Paragraph 2(a) above have been or are being taken.

(iii) _Fairness and Reasonableness._ Before approving a Conflict of Interest Arrangement, the Authorized Body must determine that the Conflict of Interest Arrangement is fair, reasonable and in Vassar’s best interest.

(iv) _Comparability Data._ The Authorized Body must obtain and rely on comparable market data, to the extent available, in making the determination that the Conflict of Interest Arrangement is fair, reasonable and in Vassar’s best interest.

(v) _Alternative Transactions._ If the Conflict of Interest Arrangement is one in which a Related Party has a “substantial financial interest” within the meaning of New York law, the Authorized Body must consider alternative transactions, to the extent available.

(vi) _Materiality to Vassar._ The Authorized Body must determine whether the Conflict of Interest Arrangement is material to the financial, reputational or other interests of Vassar, in which event consideration must be given to alternative transactions, agreements or arrangements, to the extent available.

(vii) _Voting._ All determinations and approvals with respect to a Conflict of Interest Arrangement require the affirmative vote of not less than a majority of the members of the Authorized Body present at a meeting of the Authorized Body (provided a quorum is present and no greater portion is required by applicable law or the Vassar Governance). Interested Covered Persons may be counted solely for determining the presence of a quorum. Notwithstanding the foregoing, the salaries of those Officers who are compensated may be set only by the affirmative vote of a majority of the entire Board.

(viii) _Contemporaneous Documentation._ All disclosures and recusals with respect to a Conflict of Interest Arrangement together with the basis for all determinations and approvals of the Authorized Body must be contemporaneously documented in writing (including in the minutes of any meeting at which the Conflict of Interest Arrangement was discussed and voted on). This documentation must include an account of the consideration of comparable market data and alternative transactions, agreements or arrangements, to the extent available and considered pursuant to the requirements of this Policy.
(ix) **Disclosure to the Audit Committee.** If a Conflict of Interest Arrangement is before an Authorized Body other than the Audit Committee, the existence of the matter and its disposition (including compliance with the requirements of this Policy) must be promptly disclosed to the Audit Committee.

3. **Disclosure Statement**

Prior to the initial election, appointment or hiring of any Covered Person and annually thereafter, such individual must complete, sign and submit to the Controller of Vassar, a written disclosure statement identifying to the best of his or her knowledge:

(a) any entity or trust of which such individual or a Related Party with respect to that individual is an officer, director, trustee, member, owner (either as a sole proprietor or a partner) or employee and with which Vassar is known to have (or is known to be in discussion to have) a relationship;

(b) any transaction, agreement or other arrangement in which Vassar is a participant (or is known to be in discussion to be a participant) and in which the individual or a Related Party with respect to that individual might have a conflicting interest; and

(c) any other interests that could give rise to a Conflict of Interest Arrangement.

Each Covered Person must update his or her disclosure statement as necessary to reflect changes during the course of the year and submit a new disclosure statement at least once in each fiscal year.

Completed disclosure statements may be reviewed by the Secretary of the Board. The Secretary will provide a copy of all completed disclosure statements to the Audit Committee and the Chair of the Board and will periodically update the Chair of the Audit Committee and the Chair of the Board concerning compliance with the disclosure statement requirements of this Policy.

4. **Adoption, Implementation and Compliance**

The Board may make changes to this Policy from time to time, as it deems appropriate. The Board will oversee the implementation of, and compliance with, this Policy.

5. **Administration**

A copy of this Policy must be furnished to each Covered Person promptly upon its adoption. In addition, each new Covered Person must be furnished with a copy of this Policy prior to the commencement of his or her duties. Each Covered Person must acknowledge in writing, not less than annually, that he or she has read and is in compliance with this Policy.

*For adoption by the Executive Committee, February 2017*

### 2.2 Smoking Policy

In response to changes in New York State law, recommendations from the Drug Education Committee and feedback from members of the College community, the College has adopted the following policy regarding smoking on campus:

Vassar College is a smoke free and tobacco free campus.
Smoking is prohibited in the buildings and exterior grounds of the college. "Smoking", means consumption, inhaling, exhalng, or burning any type of matter or substance that contains tobacco or plant product intended for inhalation including but not limited to cigarettes, electronic nicotine delivery systems, cigars, pipes, chewing tobacco, hookahs and marijuana whether natural or synthetic, in any manner or any form. Smoking will also be prohibited in college and personal vehicles on campus.

Any individuals smoking on college grounds will be informed politely by Safety and Security or Campus Patrol that this is contrary to college policy.

The college reserves the right to initiate the following disciplinary procedures for repeated violations of the Smoke Free/Tobacco Free policy: Employees will be reported to their Supervisor and Office of Human Resources.

This policy applies equally to all employees, students, and visitors. (Added March, 2019)

2.3 College Property

College property, including equipment and vehicles essential in accomplishing job duties, is expensive and may be difficult to replace. When using College property, all employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The improper, careless, negligent, destructive, or unsafe use or operation of College property as well as excessive or avoidable traffic and parking violations are prohibited.

Employees who are authorized to operate Vassar owned or rented vehicles on a regular basis as part of their job requirements or a program affiliation must submit information regarding their license to the Office of Human Resources. For those positions that require a valid license, failure to have or obtain a valid driver’s license may be the basis for termination. Annual checks will be provided by the Office of Human Resources. Employees who lose their licenses and are required to have valid licenses as a job requirement should notify their supervisors immediately. (Paragraph Added 4/2013)

2.4 Solicitation

There may be no general solicitation of funds on campus, even for an established charity, unless there has been clearance through the Campus Activities Office.

2.5 Computer Security

Responsible Use of Information Technology Resources

The purpose of the information technology resources at Vassar is to support and enhance the college’s program of teaching, learning, and scholarship. Such resources include, but are not limited to computers,
telecommunications equipment, data and voice networks (whether accessed locally or remotely), audio-visual equipment, technology support staff, etc. These information technology resources and facilities also provide important support for communication and administration. Computing and Information Services strives to support the mission of the college by providing resources and facilities that are as extensive, effective, reliable, and secure as possible. This goal can be met only if members of the campus community use these shared resources in a manner that is legal, ethical, and respectful of others.

Use of Vassar’s information technology resources is subject to the same regulations as any other campus resources, facilities or activities. Users should be aware that laws that apply to the larger society, such as those governing intellectual property and harassment, also apply in the electronic community. Information technology resources may not be used for purposes that are inconsistent with the educational mission of the college. Users must not knowingly engage in activities that interfere with the normal operation of the information technology resources of the College. For further guidelines in appropriate use, individuals should refer to the College Regulations.

Vassar College values the privacy of individual users and will respect that privacy whenever possible. By its very nature, electronically stored and transmitted information is vulnerable to interception, so users should always take precautions to protect sensitive files. While the college reserves the right to access files and transmissions on college-owned equipment, it will not normally invoke this right without the consent of the user. If access without the consent of the user is necessary, it will take place only with the approval of the appropriate senior officer, with notification to the president, except when the college is legally required or constrained to act otherwise.

No Vassar student or employee will handle customer credit card information unless specifically authorized to do so, as per the college’s Credit Card Handling Procedures. Members of the Vassar community are strictly prohibited from distributing customer credit card information via email, messaging, voicemail, texting, or file sharing services. Users are also strictly prohibited from photocopying, scanning, or faxing credit card information. (Added February, 2018)

Passwords are an important part of Vassar’s efforts to protect its technology systems and information assets by ensuring that only approved individuals can access these systems and assets. A personal computer password is unique and must not be given to another employee or outsider. Employees are required to take all reasonable precautions to protect information against unauthorized access, use, disclosure, modification, duplication, or destruction.

Computers, printers, fax machines, office telephones, and internal and public networks should not be used for non-work related activities.

2.6 Parking

Administrators who drive to work and park on the College campus must register their vehicles with the Facility Operations Office. The Employee Vehicle Registration Form is available at Facilities Operations or Office of Human Resources. Each vehicle must display a current Vassar registration decal on the driver’s side window. New decals are issued when a new (or additional) vehicle is registered. All vehicle regulations also apply to any rental or borrowed vehicle brought onto the campus.

The driver of any motor vehicle on campus must be licensed to operate a motor vehicle on a public highway, and must conform to our traffic regulations. The campus speed limit is 15 miles per hour.
Vehicles must be parked in legal parking spaces. Owners of illegally parked vehicles are subject to fines as well as to having their vehicles towed.

Parking fines may be imposed for violations of our parking regulations. Parking fines are billed directly to employees by Accounting Services. Employees with unpaid parking fines may be ineligible to receive some services provided by the College until such fines are paid.

The College does not permit motorcycles, motor scooters, mopeds, or similar vehicles to be driven on campus. They may be parked only in the special spaces available near the North Gate.

Disability Parking—Persons with physical disabilities may park in spaces designated for “disability parking” if they have a permit issued by the Security Office and if they display the permit in their vehicle. Applicants must provide the College with either a New York State or Town of Poughkeepsie disability permit or have written approval from Health Service in order to receive on-campus disability parking.

2.7 Drug-Free Workplace

Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace. No employee may be under the influence of any illicit drug or alcohol while in the workplace, while on duty, or while operating a vehicle or equipment owned or leased by the College.

In accordance with the Drug-Free Work Place Act of 1988, the College must maintain a drug-free work place. Failure to comply with this law could jeopardize the important government funds that the College receives. The unlawful manufacture, possession, distribution, transfer, purchase, sale, use, or being under the influence of alcoholic beverages or illegal drugs while on the College’s property, while attending business-related activities, while on duty, or while operating a vehicle or machine leased or owned by the College is strictly prohibited and may lead to disciplinary action, including suspension without pay or discharge. When appropriate, the College may refer the employee to approved counseling or rehabilitation programs.

Any employee engaged in government contract or grant work must comply with this policy as a condition of employment. Should an employee be convicted of a drug-related crime that occurred in the workplace, she or he must notify Vassar within five days of the conviction. The College is then required to notify the appropriate government agency within 10 days of the conviction. Appropriate human services action, including disciplinary action and/or participation in a drug-abuse assistance or rehabilitation program, may result after notice of the conviction is received.

Employees who voluntarily admit to having drug or alcohol problems that have not resulted in disciplinary action may be eligible for unpaid time off to participate in a rehabilitation program. Such a leave will be granted if the employee abstains from use of the substance while on leave, abides by all organization policies, rules, and prohibitions relating to conduct in the workplace, and if Vassar will not suffer an “undue hardship” as a consequence of granting the leave. Final authorization for all leave requests rests with the senior officer upon recommendation of Office of Human Resources.

The Employee Assistance Program may be of assistance in seeking professional guidance regarding a drug- or alcohol-related problem.

Federal and New York State Laws Regarding Drug and Alcohol Violations
Both federal and New York State law make it a criminal offense to manufacture, distribute, dispense, or possess with intent to manufacture, distribute, dispense, or simply possess a controlled substance, including marijuana. 21 U.S.C. § 801, et. seq.; New York State Penal Law §§ 220 and §§ 221; New York State Public Health Law, § 3306. Federal penalties for the illegal possession, use, sale, or delivery of controlled substances depends on the quantity of the drug and the type of drug. Drugs are categorized according to Schedules, which depend on the drug’s known or potential medical value, its potential for physical or psychological dependence, and its risk, if any, to public health. Schedule I drugs carry the most severe penalty, and Schedule V drugs carry the least severe penalty. The Federal Controlled Substances Act provides penalties of up to 15 years imprisonment and fines of up to $25,000 for unlawful distribution of or possession of with intent to distribute narcotics. For unlawful possession of a controlled substance, a person is subject to one year of imprisonment and fines up to $5,000. Any person who unlawfully distributes a controlled substance to a person under 21 years of age may be punished by up to twice the term of imprisonment and fine otherwise authorized by law. Federal trafficking penalties for first offense Schedule I and II drugs range from a minimum of five years to a maximum of life in prison and a fine of $1 million for an individual or $10 million if not an individual. Penalties for first offense trafficking Schedule III and IV drugs range up to five years in prison and a fine of $250,000 for an individual or $1 million if not an individual. Federal penalties for first offense trafficking marijuana range up to a maximum of life in prison and up to $4 million fine for an individual or $10 million if not an individual, depending on the quantity of marijuana.

Violations and Penalties
The State of New York has established sanctions for the possession, use, and sale of controlled substances that are consistent with federal penalties. Specific criminal sanctions are delineated in the New York State Penal Laws, and the seriousness of the drug offense and penalty imposed upon conviction depends on the individual drug and the amount held or sold, as well as the holder’s intent (personal use, distribution, or sale). Below are some additional and important New York State laws regarding the unlawful use of alcohol, tobacco, and other drugs:

New York State Vehicle Traffic Law § 1192 - Driving While Ability Impaired (BAC .05 - .07): up to a $300 - $500 fine for 1st offense, up to 15 days in prison, 90-day license suspension; 2nd offense: $500 - $750 fine, up to 30 days in prison, minimum 6 month license revocation; 3rd offense (misdemeanor) $750 - $1,500 fine, up to 180 days in prison, minimum 6 month license revocation. Driving While Intoxicated (BAC .08 or more): up to a $500 - $1,000 fine for first offense, up to 1 year in prison, minimum 6 month license revocation. Felony Driving While Intoxicated (Second DWI conviction within 10 years): up to a $1,000 - $5,000 fine for second offense, up to 4 years in prison, minimum 1 year license revocation; 3rd offense: $2,000 - $10,000 fine, Class D Felony, up to 7 years in prison, minimum 1 year license revocation.

New York State Penal Law § 260.20(2) - Furnishing alcohol to persons under age 21; any visibly intoxicated person; or to any habitually intoxicated person known as such to the person authorized to dispense any alcoholic beverages: punishable by a fine and imprisonment up to 1 year. New York State Penal Law, § 260.21(3) - Selling tobacco products to any person under the age of eighteen is a class B misdemeanor and punishable by imprisonment of up to three months.

New York State Penal Law § 240.40 - Appearing in public under the influence of narcotics or a drug other than alcohol to the degree that he may endanger himself or other persons or property, or annoy persons in his vicinity is a violation, punishable by a fine and imprisonment up to 15 days.

Drugs Risks and Consequences
The college recognizes that alcohol and illicit drug abuse are harmful to relationships and family life, work and creativity, study and research, and the health and safety of our community members. For more

2.8 Changes in Regular Hours of Operation

Vassar College strives to maintain a safe environment for students in residence and for employees who work on campus. In the event of potentially difficult travel conditions for employees who commute to the campus, College officers may approve a reduction in normal administrative functions, while maintaining necessary services for students in residence. The following points summarize College policy in this regard:

- Members of the Vassar College Community understand that a general closing of the College while students are in residence is a serious event, unlikely to occur unless severe weather conditions dictate. Individual employees may reside in outlying areas where weather and road conditions may be more hazardous than in the immediate vicinity of the College, thus requiring the use of personal or vacation time. Supervisors should respect the needs of individual employees to use leave time on short notice under such conditions.
- Decisions to delay the opening of administrative offices, close the administrative offices earlier than normal, or reduce staffing levels across the campus to minimal levels will normally be made by the Vice President for Finance and Administration or that officer’s official substitute or designee.
- Certain employees may be required by their supervisors to work even when administrative offices are closed. These employees are referred to as “emergency essential employees” for purposes of this policy. In general, the College will minimize the number of emergency essential employees to those who are needed to maintain basic services for the residential College. It is the responsibility of supervisors to identify “essential employees” in advance of a possible closing related to weather conditions.
- When a decision to delay the opening or close the College early has been made by the Vice President for Finance and Administration, steps will be taken to relay the information through established communication channels, including the Vassar College call-in phone lines (437-7755 or 437-7756), the Info Site on the Vassar College web pages, and selected radio stations. A memorandum is normally distributed annually to all employees reiterating the snow closing phone numbers, specific web page address and other pertinent information. An early closing of the College will be announced via campus wide email distribution.

2.9 Time Reports

Some Administrators are required to submit worked time through Workday time reports because of requirements of State labor laws.

Administrators who supervise staff or service employees must be familiar with how time reports should be completed. The time report for hourly employees should accurately reflect both time worked as well as any leave time (i.e., vacation). Questions regarding the completion of time reports should be directed to the Payroll Office at ext. 5880.

2.10 Safety and Accident Reporting

Establishment and maintenance of a safe work environment is the shared responsibility of both the College and its employees. The College will attempt to assure as safe a workplace as possible. All employees are expected to obey safety rules and to exercise caution in all their work activities. They are
also expected to report any injury or unsafe conditions immediately. Employees are expected to correct and/or report any unsafe conditions promptly.

The College strongly believes in the following principles:

1. We are committed to providing a safe environment for all as a priority.
2. We believe that the safe performance of the job is always more important than the job itself.
3. We will provide the training, tools, and resources required to ensure a safe and clean environment for all.
4. Employees are empowered and required to discontinue any activity that involves the use of unsafe practices and bring their concerns to the supervisor immediately.

All accidents that result in injury or illness must be reported to the Benefits Office during the day on which the event occurred, regardless of how insignificant the injury/illness may appear. In some cases, it may not be possible to report the incident during the shift it occurred (if for instance the incident occurred at the end of the day and involved leaving campus for treatment). If this happens, the incident is to be reported on the following day. It is the supervisor’s responsibility to prepare an “Incident Investigation Report” and forward it to the Benefits Office within 24 hours of the injury or illness.

To assist in the effort to provide the safest possible work environment for employees, students, and visitors, the College has appointed a safety committee of representatives from throughout the College. The committee exists to help communicate and execute an effective safety program and may be consulted by any employee. The Director of Environmental Health and Safety should be contacted at ext. 5685 for additional information.

2.11 Communications

The Communications Office is charged with responsibility for the coordination and dissemination of all official information to the media. Communications handle all inquiries from newspapers, magazines, television, and radio services, as well as online media. Employees may not give out statements that involve the College without prior clearance from the Communications Office and reporters should be referred to the Communications Office. Administrators should note that no one is ever required to answer a reporter’s question; referral to Communications is the appropriate response.

2.12 Reimbursable Expenses

Funds are provided in many office budgets for attendance at conferences, classes, and other business-related activities. They are to be used for expenditures incurred while on College-related business and are allocated by the head of the office and/or department.

To receive reimbursement, complete an Expense Report in Workday attaching all itemized receipts. The Expense Report will route through the Workday approval process ending with Accounts Payable who will initiate the payment.

Travel by private automobile is reimbursed at the approved IRS rate and airfare is reimbursable only at the coach rate.

The College will reimburse administrators for professional certification and licenses that are required as a condition of employment. Questions on reimbursements related to job requirements, please contact Office
of Human Resources at ext. 6820.

Questions regarding reimbursable expenses or the completion of the Expense Report be directed to Accounting Services, ext. 5891.

2.13 General Employment Information

The College’s normal days and hours of operation are Monday through Friday from 8:30 a.m. to 5:00 p.m. The respective departments will establish the normal schedule for administrative employees, which may differ from the College’s normal days and hours of operation, to meet the particular needs and requirements of the department.

Salaried employees are considered exempt under the Fair Labor Standards Act; as such, these administrators work as needed to fulfill the duties and responsibilities of their positions. If you have any questions about your status under the Fair Labor Standards Act please contact Office of Human Resources.

While faculty appointments, those employed on grants, and other contractual arrangements do specify a time period related to classroom teaching or specific financial arrangements, administrators are not subject to a specific term of employment.

Administrators may resign at any time and for any reason and the College may terminate employment with or without cause, and even without prior notice. This statement is included to clarify fundamental employment terms, and should not be misinterpreted. Administrators’ employment with Vassar College is at-will under New York State law. Vassar is committed to developing a workplace that values trust and mutual respect, and the policies and procedures outlined in this handbook create a framework for resolving specific problems.

2.14 Student Employment

Members of the administration who wish to employ students should contact the Student Employment Office for a copy of the Student Employment Handbook. The handbook provides details of the extensive employment program and provides all the information needed to hire additional students. Almost all departments and offices have student positions through the student employment program and additional hires can be made with appropriate funding.

2.15 Emergency Response and Evacuation

_Emergency Management at Vassar College_

Vassar Security Officers are trained first responders and are prepared to take action in any emergency situation that may arise on campus. A Crisis Response Team, as well as a broader Crisis Communication Planning Team is in place to allow immediate response by individuals performing specific roles and functions already predefined. A Crisis Communication Plan has been developed by the College as part of its ongoing effort to protect Vassar College students, faculty, and staff. The development of this plan is based on a realistic assessment of potential incidents that could affect our community and the capabilities to react to those situations. The Vassar College emergency response plan permits the simultaneous...
distribution of broadcast e-mails, text messages, and voice calls (including voice mails for calls unanswered). The system is used to distribute emergency notifications without delay in situations where a clear and active (e.g., in progress) threat or emergency exists that impacts the community and where it is recommended that the recipients take some form of action in response to the active threat or emergency. Our emergency siren and emergency notification system is tested twice a year. Upon hearing the siren all community members are to “shelter in place” and await instructions. All members of the College community are reminded to update their contact information with the CIS department. More detailed information on emergencies, fire, evacuation and shelter in place drills can be found on the Residential Life website http://residentiallife.vassar.edu/guide/services/emergencies.html

Drills, Exercises and Training

The College prepares for a variety of emergency situations under the leadership of the Crisis Response Planning Group. The group meets regularly throughout the year, organizes teams to study resources and procedures, conducts tabletop and other exercises with public safety agencies, and develops the College’s Crisis Management Plan. Vassar College tests emergency response and reviews evacuation procedures at least annually. These tests include regularly scheduled drills, exercises, and appropriate follow through activities, designed for assessment and evaluation of emergency plan capabilities. At various times per year, the College advertises its emergency response procedures to the campus community through seminars, email and other publications and at least once in conjunction with a test of its emergency response and evacuation procedures. The College maintains and tests its Crisis Communications Plans on an annual basis.

Emergency Notification

The College has developed multiple means of communicating emergency information, including the Vassar College website at http://www.vassar.edu/emergency, automated telephone and text messaging, an emergency siren, and other means.

A. Automated Telecommunications/Email/Text Message Systems

Computing and Information Services, in collaboration with the Office of Communications and Safety and Security, has installed, maintains, and tests emergency communications systems capable of sending automated telephone calls, emails, and text messages to the entire student body and workforce. Twice a year the College tests the automated telephone and text systems by sending a text message to cell phones (students and employees) and recorded voice messages to cell phones (students and employees) and home phones (employees only) whose users have registered their contact information. These tests are always announced in advance. All students and employees are encouraged to provide contact information that can be used in the event of an emergency.

B. Responses to Emergency Siren on Campus

A violent incident on campus is something none of us expects to experience. Preparation for what to do in such instances is essential, however, and the College provides regular information sessions for students and employees. Below is a summary of main points to follow. Remember: RUN, HIDE, and FIGHT.

RUN: If the location of the problem is clear and it is obvious you can flee to a safer location, your best option may be to RUN.

HIDE: If fleeing does not seem like a safe option, HIDE in the most effective way you can: Lock or barricade your door, turn out the lights, silence your cell phone or other device that could indicate your
presence. Move away from doors and windows. If you are in an office, hide under your desk if you can and pull your desk chair under the desk.

FIGHT: If you are near the source of the gunfire, you may need to DEFEND yourself. Look around for what may be suitable objects that you can use to disarm or disable the perpetrator — fire extinguisher, chair or other furniture, for example. If you are with other people, form a plan to protect yourselves.

Whether or not you hear the siren, if you hear what sounds like gunshots, assume they are gunshots and consider your immediate options to avoid the perpetrator. For questions and comments, please contact the Safety and Security, (845) 437-5200. Information is also available at http://info.vassar.edu/resources/emergency/. In an emergency, call Security at 845-437-7333.

Procedures Used to Notify the Campus Community

In the event of a situation that poses an immediate threat to members of the campus community, Vassar College has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of emergency notification to all or a segment of campus community. These methods of communication include a mass notification system comprised of, Vassar’s e-mail system, automated telephone calls, and text messages to the entire student body and workforce. Vassar will post updates during a critical incident on the homepage at http://info.vassar.edu/resources/emergency/.

Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System

The Vassar Department of Safety and Security and/or other campus first responders may become aware of a critical incident or other emergency situation that potentially affects the health and/ or safety of the campus community. Generally, campus first responders become aware of these situations when they are reported to Safety and Security or upon discovery during patrol or other assignments. Once first responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, first responders will notify supervisors in Safety and Security or other authorized Vassar College offices to issue an emergency notification. The Director of Safety and Security in cooperation with Information Technology will immediately initiate all or some portions of Vassar’s emergency notification system. If, in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, Vassar may elect to delay issuing an emergency notifications. As soon as the condition that may compromise efforts is no longer present, Vassar will issue the emergency notification to the campus community.

Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification

Safety and Security and/or local first responders on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification with determining what segment or segments of the College community should receive the notification. Generally, campus community members in the immediate area of the dangerous situation (i.e. the building, adjacent buildings, or surrounding area) will receive the emergency notification first. The College may issue subsequent notifications to a wider group of community members. In addition to the emergency notification that may be issued via the mass notification system, the College will also post applicable messages about the dangerous condition on the College homepage to ensure the rest of the campus is aware of the situation and the steps they should take to maintain personal and campus safety. If the emergency affects a significant portion of the entire
campus, College officials will distribute the notification to the entire campus community.

*Determining the Contents of the Emergency Notification*

The Vassar Department of Safety and Security will, in concert with College and local first responders, determine the contents of the notification. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

*Procedures for Disseminating Emergency Information to the Larger Community*

When incidents are taking place at Vassar, the College will notify the larger community through social media outlets like Twitter, and traditional regional media outlets like television stations.

*Enrolling in the College’s Emergency Notification System*

Employees are automatically enrolled in the emergency notification system. We encourage members of the campus community to update their contact information with the Computing Information Services (CIS) as needed.
3.0 Employee Benefits

Vassar College offers a comprehensive benefits package to its employees. This package includes medical coverage, life insurance, long-term disability coverage, flex spending and health savings accounts, telemedicine and an Employee Assistance Program. In addition, the College provides a defined contribution retirement plan for administrators.

Full descriptions of each benefit plan are available from the Benefits Office and on the Benefits webpage: https://humanresources.vassar.edu/benefits/. We urge you to read the complete description of each benefit before making benefit choices. The descriptions of the benefits provided in this handbook are necessarily brief. Questions on a specific benefit should be directed to the Benefits Office at ext. 5850.

Vassar College may revise or discontinue at any time, for both active and retired employees, any benefit plan.

If an employee terminates her/his employment or if she/he is discharged, she/he may have the right to limited benefits provided in each plan. No rights to employment or benefits accrue to any employee, dependent, or beneficiary by any statement in or omission from this handbook.

3.1 Health Insurance

Vassar College offers a choice of medical plans to all eligible employees. Employees are asked to select a medical plan upon becoming an eligible plan participant. If an employee does not select a medical plan within thirty (30) days of eligibility, the employee must wait until the next Open Enrollment period to enroll.

Open Enrollment allows employees the opportunity to change health and other benefit plans and/or to add family members whom they have not previously enrolled.

Eligibility - All administrators who are scheduled to work at least twenty (20) hours per week for a minimum of 1,000 hours per year and their dependents become eligible for coverage on the first of the month coincident with or following date of hire. Coverage continues until the end of the month in which employment with the College ends.

Cost - The College contributes 85% of the cost of single coverage and 70% of employee-plus-dependent(s) coverage. The portion of the premium that the employee pays is deducted from her/his paycheck on a pre-tax basis. This means that the employee pays no federal, state or FICA tax on the cost of the medical plan. By law, domestic partner coverage is fully taxable.

3.1.1 Dependent Status for Health Insurance:

For purposes of determining medical benefit eligibility, dependents are:

1. Spouses
2. Unmarried dependent children to the end of the calendar year that they attain age 26. Children are defined as: natural children, legally adopted children, stepchildren who are claimed as dependents on the employee’s federal income tax return and/or a child for whom the employee is the proposed adoptive parent and who is dependent on the employee during the waiting period prior to the adoption being final.
3. Unmarried children of any age who are unable to work or support themselves because of mental
illness, developmental disability or mental retardation as defined in the New York State Mental Hygiene Law, or because of physical handicap. A physician must certify the disability.

4. Domestic partner (of the same or opposite sex). Please contact the Benefits Office for specific details of domestic partner eligibility/coverage and to receive the Affidavit of Domestic Partnership that must be completed along with the appropriate application for benefits.

**Changes in Medical Insurance Coverage: Adding/Removing Dependents**

**Adding Dependents**
Dependents can be added to medical insurance at these times only:
1. Within 30 days of the administrator’s date of hire at Vassar.
2. Open Enrollment: generally held in November and the change in coverage takes effect on the following January 1.
3. Life Status Change—Dependents may be added within 30 days of a life status change. Life status changes include:
   - birth or adoption of a child;
   - marriage;
   - death of a spouse/domestic partner;
   - spouse/domestic partner loses employment and benefits;
   - spouse/domestic partner loses benefits at work;

Employees must use Workday to add a dependent and must include appropriate documentation.

**Removing Dependents**
Dependents may be removed from medical insurance at any time using Workday.

**3.1.2 Medical Insurance Cash-Out Agreement**

Vassar’s medical plan cash-out program allows employees who have medical insurance through a source other than Vassar to receive a cash payment in lieu of medical coverage provided by Vassar.

The cash-out payment equals $400 for the calendar year, paid in taxable monthly installments of $33.33 via Workday payroll.

The cash-out option must be actively elected each calendar year during Open Enrollment as one of the ‘medical plan’ choices in Workday.

**3.1.3 Retiree Benefits**

A post-retirement HRA benefit is available to administrators hired before July 1, 2008. Eligible administrators elect to retire from active service at the age of 60 or older after having completed a minimum of 10 years of full-time service earned after age 50.

Retirees who elect to continue their medical coverage before they are eligible for Medicare must pay for that coverage themselves. The cost will be at the Vassar group rates. At retirement or upon reaching age 65, whichever is later, the College provides eligible retirees with a Retiree Health Reimbursement.
Account. Vassar credits the account with an annual amount intended to cover most or all of the cost of individually-purchased Medicare medical and prescription drug supplement insurance. Retirees are responsible for obtaining and paying for Medicare Part B coverage.

If an eligible retiree is married to another Vassar employee and chooses to continue coverage on her/his spouse’s medical plan, the HRA benefit will commence at age 65 or when the spousal coverage ends, whichever is later.

The benefit is extended only to those retirees who have had uninterrupted medical coverage from the date of the retirement. This means, for example, that if you have retired at age 60, you must continue to purchase your Vassar medical coverage at your expense between the ages of 60 and the date that you are eligible for Medicare.

3.2 Life Insurance

3.2.1 Term Life Insurance and Accidental Death & Dismemberment Insurance (AD&D)

Term Life Insurance

Eligibility - All full-time administrators working at least 1,000 hours per year become eligible for this coverage on the first day of their fourth full month of employment. However, if within three months prior to the commencement of employment at Vassar, an administrator was insured under another employer’s group life insurance plan, that administrator becomes eligible for this coverage on the first day of the first full month of employment.

In order to waive the waiting period, the administrator must provide the Benefits Office with evidence of insurability from her/his former employer.

Cost - The College assumes the full cost of this coverage. Employees must name a beneficiary for their life insurance.

Coverage - The amount of life insurance is equivalent to the administrator’s annual salary or $50,000, whichever is higher. The maximum benefit is $200,000. Administrators aged 70 or above have a benefit reduction of 50%. Federal taxes apply to any Vassar-paid life insurance in excess of $50,000.

If the resulting amount of insurance is not a multiple of $1,000, it will be raised to the next higher multiple of $1,000.

Accidental Death and Dismemberment Insurance (AD&D)

Accidental Death and Dismemberment benefits are also provided under this plan. In the event of accidental death, the principal amount of this benefit is equal to the term life insurance amount. A full schedule of AD&D benefits is available from the Benefits Office. Eligibility for AD&D insurance is the same as the eligibility for the term life insurance benefit, shown above.
3.2.2 Business Travel Accident Insurance

Vassar provides all employees with Business Travel Accident coverage. This policy provides additional life and AD &D insurance in the event of death while traveling on Vassar College business. Questions on the Business Travel Accident coverage should be directed to the Office of Finance and Administration.

3.3 Short-Term Disability Salary Continuation

Administrators who must be absent from work due to a short-term illness, including disability, will be paid a maximum of six months full salary. In order to qualify for salary continuation for a period of short-term disability beyond one week’s absence, administrators must supply sufficient evidence of illness or disability from their physician to the Benefits Office. This doctor’s notice must state the reason for absence, the beginning date of disability, and the expected date of return to work.

Administrators shall use all earned and unused vacation days after two months of paid short-term disability and as part of the salary continuation in months three through six. (See also Section 3.5, Long-Term Disability)

3.3.1 Maternity Leave

An administrator is entitled to two months paid leave for childbirth following pregnancy from the date the child is born. A medical reason for a longer maternity leave and any time away from the office prior to the birth is subject to the guidelines for short-term disability stated above. A maternity leave may be extended should the administrator choose to work part-time. A part-time leave cannot be more than the equivalent of the two-month limit. Part-time employment arrangements should be made with the approval of the administrator’s supervisor and senior officer.

3.4 Parental Leave

All benefit-eligible administrators who have completed at least one year of employment are eligible for a paid leave when their child is born or adopted (if the child is under six years of age). An administrator is eligible for ten weeks of paid parental leave commencing no later than six months after the date of birth or adoption. Such leave is granted by the president, upon recommendation by the administrator’s senior officer.

In cases where both parents are Vassar administrators, or one an administrator and the other a Vassar faculty member, one parent is eligible for Vassar’s paid parental leave under the appropriate policy for that employee.

An administrator who requires a medical leave during their pregnancy is awarded time off and compensated under the appropriate disability provisions of the College. (Updated August 2019)
3.5 Long-Term Disability

Long-Term Disability benefits are provided to an administrator as income security in the event he/she is totally disabled and no longer able to perform his/her job responsibilities.

Eligibility - All active full-time administrators working at least 1,000 hours per year become eligible for this coverage on the first day of the month following the completion of one year of employment and the attainment of age 25. However, if within three months prior to the commencement of employment at Vassar, an administrator was insured under another employer’s group total disability plan which provided for a minimum of five years of income benefits, that administrator will become eligible for this coverage on the first day of her/his first full month of employment.

In order to waive the waiting period, the administrator must provide the Benefits Office with evidence of insurability from her/his prior employer. The College assumes the full cost of this coverage.

After six months of total disability, if the claim is accepted, the policy provides a monthly income benefit for the maximum periods defined below:

<table>
<thead>
<tr>
<th>Disability Commencement Date</th>
<th>Maximum Coverage Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>59 years or younger</td>
<td>To 65th birthday</td>
</tr>
<tr>
<td>60 through 68 years</td>
<td>60 months or to 70th birthday, whichever occurs first</td>
</tr>
<tr>
<td>69 years or older</td>
<td>12 months</td>
</tr>
</tbody>
</table>

The disability income benefit is payable directly to the disabled administrator. The income payable on a monthly basis equals 60% of the administrator’s basic monthly salary to a maximum payment of $10,000 per month. The term “basic monthly salary” is defined as 1/12th of the basic annual salary rate and does not include any other forms of additional compensation. Payments will be reduced if the disabled administrator receives other disability income.

An administrator has up to one year from the initial date of medical leave to return to their previous position. After that time the administrator is considered to have resigned from their position. Any future applications to the College would be treated as a new candidate.

The College will continue to pay its portion of the administrator’s medical coverage for a total of one year from the initial date of disability, i.e. during the first six months of short term leave and then for six months of long term disability.

Additionally, the monthly annuity premium benefit provides for the continuation of contributions toward the administrator’s retirement account during the period of disability. The monthly annuity premium amount will be based on the administrator’s salary at the onset of the disability. If the disabled administrator becomes newly eligible for the retirement benefit during her/his disability, new retirement account contracts will be established with a benefit amount based on the administrator’s salary at the onset of the disability.

3.6 Retirement Account (RA)

Eligibility - Administrators who work at least 1,000 hours per year become eligible for this program after completing one year of service in a benefits eligible position. The one-year waiting period is waived for full-time administrators hired into positions equivalent to that of an associate professor or above.
Cost - The College assumes the full cost of this program.

Contributions - The College contributes an amount equal to a percentage of the administrator’s base salary to a retirement account in which the administrator is fully vested. These contributions earn interest and dividends until the administrator receives them as income at the time of her/his retirement. The percentage of base salary that is contributed to an administrator’s retirement account is determined by the administrator’s age on July 1 as follows:

<table>
<thead>
<tr>
<th>Attained Age on July 1</th>
<th>Contribution</th>
</tr>
</thead>
<tbody>
<tr>
<td>21 but less than 30</td>
<td>7%</td>
</tr>
<tr>
<td>30 but less than 40</td>
<td>11%</td>
</tr>
<tr>
<td>40 or older</td>
<td>12%</td>
</tr>
</tbody>
</table>

When the administrator becomes eligible for the College’s contribution, monthly contributions will begin as part of payroll. The College will default contributions 50% / 50% between Fidelity Investments and TIAA-CREF, with each provider allocating the funds to a Target-Date or “Life-Cycle” fund appropriate to the administrator’s age.

The administrator may make active investment allocations at any time. Please refer to the Benefits web page: [https://humanresources.vassar.edu/benefits/](https://humanresources.vassar.edu/benefits/) for a current list of available investment options.

The administrator retains the responsibility to monitor her/his investments, seek counsel from either or both vendors, and re-allocate funds if appropriate. The College provides a dedicated website for employees to manage their retirement funds, change vendors, and change SRA contributions: [https://netbenefits.com/vassar](https://netbenefits.com/vassar).

### 3.7 Supplemental Retirement Account (SRA)

Upon hire, each benefits-eligible administrator is automatically enrolled in the SRA at a 4% contribution level. During the onboarding process, the administrator may change the contribution percentage. To waive SRA enrollment entirely, the administrator must come to the Office of Human Resources and complete a paper opt-out form.

SRA contributions and earnings are not subject to federal and state taxes until they are received as income at retirement; therefore SRA deductions provide paycheck tax savings.

The College will default SRA contributions 50% / 50% between Fidelity Investments and TIAA-CREF, with each provider allocating the funds to a Target-Date or “Life-Cycle” fund appropriate to the administrator’s age.

The administrator may make active SRA investment allocations at any time. Please refer to the Benefits web page ([https://humanresources.vassar.edu/benefits/](https://humanresources.vassar.edu/benefits/)) for a current list of available investment options.

Federal Law sets the maximum contribution by an individual to an SRA. This maximum changes from time to time; contact Benefits for the current maximum. The annual maximum is incorporated in Workday payroll, so contributions will be capped at the current dollar limit even if the administrator...
selects a large percentage deduction.

Under the group SRA, administrators have the option of borrowing against their fund balance, within IRS guidelines. (Contributions towards the Retirement Account are not available for loan.)

### 3.8 Health Savings Account (HSA)

A Health Savings Account (HSA) allows an administrator to tax-shelter income via payroll deduction. The deduction funds the HSA, which can be used any time, even through retirement, to pay or reimburse qualified medical expenses. A list of IRS-qualified medical expenses is available on line from the IRS and elsewhere.

In order to contribute to an HSA, the administrator must be enrolled in the High Deductible Health Plan. The deduction amount, up to an annual IRS maximum, may be changed at any time, and unused funds roll over from year to year. The funds remain tax-free if used for qualified medical expenses. If a retiree uses the funds for other purposes, they will be considered a taxable distribution.

### 3.9 Flexible Spending Accounts

Administrators may elect a flex spending account within 30 days of their date of hire or during the annual Open Enrollment period.

Flexible spending accounts are designed to reduce taxes by using pre-tax income to pay for unreimbursed medical, dental, vision and/or dependent care expenses. Administrators who have an HSA are not eligible for a regular medical flex spending account.

By participating in a flexible spending account, the administrator authorizes Vassar to reduce her/his salary by the amount of eligible expenses she/he estimates she/he will have during the calendar year. As she/he incurs these expenses, she/he uses the money in the flexible spending account(s) to pay or reimburse her/himself for them.

Per IRS regulations, medical and dependent care flex spending account elections must be active, annual and irrevocable (except in the case of certain life change events.) This means that once the annual election is made at hire or during Open Enrollment, it cannot be changed until the Open Enrollment for the following tax/calendar year, and if no election is made, the prior year’s election will revert to zero.

Any unused funds in a medical or dependent care flex spending account are forfeited upon the close of the calendar year. (There is a 45-day grace period for medical accounts.) Therefore, administrators should choose their annual flex spending amount with caution.

The medical flex spending account must be used to pay or reimburse IRS-qualified medical expenses: a list of these expenses is available on line from the IRS, from the College’s flex spending administrator, and elsewhere.

The dependent care flex spending account is for administrators with children under the age of 13. Funds must be used for day care expenses for children during the administrator’s work day. Full details of qualifying dependents and expenses are available on line from the IRS, from the College’s flex spending administrator, and elsewhere.
Administrators with HSAs who would like an additional tax-favored account for excess dental or eyewear expenses may elect a ‘limited scope dental-vision’ flex spending account.

The IRS sets the annual maximum contribution amounts for medical and dependent care flex spending accounts. Information on the maximum will be provided at Open Enrollment and is available online from the IRS and elsewhere and is incorporated in Workday payroll.

For administrators using public transportation to commute to work, the College offers transit and parking flex spending accounts. These accounts have monthly, rather than annual, contribution limits and can be changed during the year.

3.10 Tele-Medicine

All Benefits-eligible administrators have access to physicians via phone, website and/or smartphone app. Services are available 24 hours/7 days for routine questions, care or prescriptions from board-certified physicians with a minimum of five years’ experience. In addition, administrators facing more complicated, confusing or worrisome diagnoses may obtain expert second opinion and clinical review from specialists in the relevant field. The tele-medicine benefit is free to the administrator or family member. Information on both telemedicine programs is on the Benefits web site: https://humanresources.vassar.edu/benefits/

3.11 Employee Assistance Program (EAP)

Vassar offers an Employee Assistance Program (EAP) to all employees and their families. Administrators may contact the EAP by phone for free short-term counseling, legal counsel, provider referral, and financial counseling. In addition, a range of information on these and other issues is available on the EAP’s website. For links and phone numbers, visit the Benefits web page: https://humanresources.vassar.edu/benefits/

3.12 Tuition Benefits

Tuition Benefits Overview

The College supports administrators’ education and that of their children and spouses/domestic partners. Vassar offers tuition remission benefits after three years of service unless the administrator was hired from a position at a college or university with a comparable tuition benefit program for dependent children. Vassar’s program provides tuition remission for study here, and also provides grants for employees’ eligible children to study at other colleges and universities. Details of Vassar’s tuition plans follow. All full-time administrators are eligible for tuition benefits; limitations apply to part-time administrators. (see section 3.12.4)

3.12.1 Grants for Tuition at Other Colleges (Dependent Children of Administrators)

Eligible dependent children of administrators who attend other accredited colleges or universities as undergraduate full-time students will receive grants of one-half of Vassar’s tuition per year, or the amount of the tuition charged by their college, whichever is less, for a maximum of four years (8 semesters or 12
Details:

- Administrators must complete a tuition grant form and attach the corresponding tuition bill from the college. Forms are available at the Office of Human Resources. The completed forms should be submitted to the Office of Human Resources.
- Tuition grant checks are made payable only to the college or university (not to the administrator) and are mailed directly to the institution.
- To be eligible for tuition benefits, a dependent child must be under the age of 24 at the beginning of the semester in which benefits are being requested and the child must be claimed as a dependent on the employee’s tax return.
- Administrators who leave the employ of the College before the end of a semester for which they, or their dependents, are receiving benefits must reimburse the College, on a pro-rata basis, for the benefits received for that semester.
- Under no circumstances will the dependent child receive tuition benefits for more than the equivalent of 8 semesters or 12 trimesters of academic work.
- In determining whether a school is eligible to receive grants under this benefit, the Benefits Office will apply the same guidelines used by Vassar’s Registrar for acceptance of transfer credit.
- Benefits are not provided for administrators or spouses/domestic partners for study at institutions other than Vassar.
- The administrator must be employed at Vassar on the first day of classes in order for the dependent to be eligible for any tuition benefits during that semester.

3.12.2 Vassar Tuition Remission (Employees, Spouses/Domestic Partners and Dependents)

Eligible administrators who are accepted by Vassar College in the regular undergraduate program, and who continue to work full-time in fulfilling their administrative duties, will receive full tuition remission for courses taken at Vassar for a maximum of four years (8 semesters).

Eligible spouses/domestic partners and dependents of administrators who are accepted by Vassar College in the regular undergraduate program will receive full tuition remission for courses taken at Vassar for a maximum of four years (8 semesters).

Details:

- Any individual eligible under this benefit, either as a matriculate or on exchange, will receive full tuition remission for up to 8 semesters to attend Vassar.
- Eligible coursework pursued off-campus and applied towards the Vassar degree requirement (for example, exchange programs or Junior Year Abroad) will be covered up to ½ of Vassar’s tuition.
- High school students (dependents of eligible employees) taking courses at Vassar for credit are billed for each unit but receive tuition remission. When the student accumulates five units of academic work, Vassar assumes that one semester of the tuition remission benefit has been used.
- Under no circumstances will any eligible party (employee, spouse/domestic partner, dependent child) receive tuition benefits for more than the equivalent of eight semesters (or 12 trimesters) of academic work.
- Five units of academic work taken as a “Special Student” (see section 3.12.3) will count as one semester of tuition remission.
- Individuals must be employed on the first day of Vassar classes in order to be eligible for any
tuition benefits during that semester.

- Employees who leave the employ of the College before the end of a semester for which they, or their dependents, are receiving benefits must reimburse the College, on a pro-rata basis, for the benefits received for that semester.
- To be eligible for tuition benefits, a dependent child must be under the age of 24 at the beginning of the semester in which benefits are being requested and the child must be claimed as a dependent on the employee’s tax return.
- Benefits are not provided for administrators or spouses/domestic partners for study at institutions other than Vassar.
- Courses must not interfere with the performance of normal employment duties.

3.12.3 Vassar “Special Student” Program

Full-time administrators, their spouses/domestic partners, and their dependent children may take Vassar courses for credit (without matriculating as a full-time undergraduate) if they have been accepted by the Dean of Studies as a “Special Student.”

Details:

- In all cases, the appropriate academic requirements must be met and space must be available in the class in order to qualify as a “Special Student.”
- Administrators, their spouses/domestic partners, and their dependent children must pay the registration fee per course, per semester, as a “Special Student.”
- This tuition waiver does not apply to courses taken in music performance or to other courses where special course fees are charged.
- A maximum of six courses, per student, may be taken as a “Special Student.” Exceptions will be made on the six course limitation for those pursuing a teaching certificate. (Revised March, 2019)
- High school students (dependents of eligible employees) taking courses at Vassar for credit are billed for each unit but receive tuition remission. When the student accumulates five units of academic work, Vassar assumes that one semester of the tuition remission benefit has been used.
- Five units of academic work taken as a “Special Student” will count as one semester of tuition remission.
- Individuals must be employed on the first day of Vassar classes in order to be eligible for any tuition benefits during that semester.
- Courses must not interfere with the performance of normal employment duties.
- Employees who leave the employ of the College before the end of a semester for which they, or their dependents, are receiving benefits must reimburse the College, on a pro-rata basis, for the benefits received for that semester.
- To be eligible for tuition benefits, a dependent child must be under the age of 24 at the beginning of the semester in which benefits are being requested and the child must be claimed as a dependent on the employee’s tax return.

3.12.4 Tuition Benefits for Part-Time Administrators

Administrators who are benefit-eligible and work less than full-time, and are a minimum of 0.5 FTE, will be eligible for 50% of the tuition benefits afforded to full-time administrative employees for themselves, their eligible spouses/domestic partners, or dependent children, under the same conditions which apply to
such employees, provided that the part-time employee:

a. has worked the requisite number of hours at the College for five years, three of which must have been completed immediately prior to the year in which the employee applies for the benefit, and
b. the employee continues to work the requisite number of hours while her or his dependent child is enrolled in college.

### 3.12.5 Summary of Tuition Remission and Grant Benefits

1. **Matriculating Benefits: Benefit Paid by Vassar (modified March, 2019):**

<table>
<thead>
<tr>
<th>Status</th>
<th>Eligibility Starts</th>
<th>Employee</th>
<th>Spouse/Domestic Partner</th>
<th>Dependent Child</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full-Time or Full-Time</td>
<td>After (3 yrs.) of</td>
<td>100% at</td>
<td>100% at Vassar only</td>
<td>100% at Vassar; up to 50% of Vassar tuition at other institution</td>
</tr>
<tr>
<td>Academic Year</td>
<td>Service</td>
<td>Vassar only</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part-Time and Benefit-Eligible (minimum 0.5 FTE)</td>
<td>After (6 yrs.) of Service</td>
<td>50% at Vassar only</td>
<td>50% at Vassar only</td>
<td>50% at Vassar; up to 25% of Vassar tuition at other institution</td>
</tr>
</tbody>
</table>

2. **Special Student Benefits (at Vassar Only): Benefit Paid by Vassar (modified March, 2019):**

<table>
<thead>
<tr>
<th>Status</th>
<th>Eligibility Starts</th>
<th>Employee</th>
<th>Spouse/Domestic Partner</th>
<th>Dependent Child</th>
</tr>
</thead>
<tbody>
<tr>
<td>Full-Time or Full-Time</td>
<td>At Hire</td>
<td>100%* at</td>
<td>100%* at Vassar only</td>
<td>100%* at Vassar only</td>
</tr>
<tr>
<td>Academic Year</td>
<td></td>
<td>Vassar only</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Part-Time and Benefit-Eligible (minimum 0.5 FTE)</td>
<td>After 5 Years</td>
<td>50%* at Vassar only</td>
<td>50%* at Vassar only</td>
<td>50%* at Vassar only</td>
</tr>
</tbody>
</table>

* A registration fee is charged for each course taken

### 3.13 Paid Time Off

#### 3.13.1 Holidays

The College observes 13 paid holidays each year. The following 9 holidays are usually observed on the day on which they fall:

- New Year’s Day (January 1)
- Spring Holiday (Friday before Easter)
- Memorial Day (last Monday in May)
• Independence Day (July 4)
• Labor Day (first Monday in September)
• Thanksgiving Day (fourth Thursday in November)
• Day after Thanksgiving (fourth Friday in November)
• Christmas Eve (December 24)
• Christmas Day (December 25)

A recognized holiday that falls on a Saturday will usually be observed on the preceding Friday. A recognized holiday that falls on a Sunday will usually be observed on the following Monday.

In addition to the recognized holidays listed above, the College calendar contains four floating holidays each fiscal year. The four floating days are: Lincoln’s Birthday, Washington’s Birthday, Martin Luther King Day and Veterans’ Day. The College will announce, each year, the designation of these days based on the operating needs of the College. Generally, these are taken between December 25 and January 1.

Due to the nature of the College calendar, some departments may be required to be open on some holidays and administrators may be required to work. Announcements will be made regarding the need for such openings.

3.13.2 Vacation Policy

Full-time full-year administrators are entitled to earn 22 days of vacation per fiscal year (July 1-June 30). Vacation is earned on a monthly basis at the rate of 1.833 days per month. Therefore, at the end of July the employee will have earned 1/12 of her/his vacation allotment, at the end of August she/he will have earned 2/12 (3.66 days), September 3/12 (5.50 days), etc.

Vacation earned during the fiscal year must be taken within six months after the close of the fiscal year. Therefore, vacation earned between July 1 and June 30 must be used by the following December 31 or it will be forfeited.

Newly hired administrators who begin work on or before the 15th of the month will begin earning vacation in the month in which they are hired. Administrators who begin work on or after the 16th of the month will begin earning vacation in the month following their date of hire. For example, a new administrator who begins work on March 15 will have earned 7.33 days of vacation by the end of the fiscal year (June 30) in which she/he is hired. The number of days is determined by multiplying 1.833 days times the number of months remaining during the fiscal year in which the employee is hired (1.833 x 4 months = 7.33). This time must be taken by December 31 of the same calendar year.

At the beginning of the new fiscal year (July 1), the administrator will continue to earn 1.833 days of vacation per month as described in the first paragraph listed above.

In the year in which an administrator terminates her/his employment, vacation time must be taken prior to the end of the fiscal year in which it was earned. Terminating employees will earn vacation in the month of their termination only if they work until after the 15th of the month. If the date of termination is prior to the 15th of the month, no vacation is earned for that month. For example, a full-time employee working only until March 20 will have earned 16.49 days of vacation during her/his last fiscal year of employment [1.833 x 9 months (July - March) = 16.49]

Administrators who do not work a full-time, full-year schedule, but who work a minimum of 1,000 hours
per year earn vacation on a pro-rated basis based on the number of hours per week and months per year that they are scheduled to work. Administrators working less than 1,000 hours per fiscal year do not earn paid vacation.

3.13.3 Vacation/Health Leave Reporting Requirements

Administrators have the responsibility for keeping a full record of vacation and sick leave in Workday. For vacation time, submit a Time Off Request in Workday and select “Vacation Days”. For sick time, submit a Time Off Request in Workday and select “Personal Days”. Make a note in the comments section indicating that the request is for “Sick” leave. The Time Off Request will route to the supervisor for review and approval. (Revised March, 2019).

3.13.4 Personal Days

Vassar College recognizes that, from time to time, it is necessary for administrators to require time off from work for personal reasons. When a critical personal need arises that requires a limited absence from work, the employee may attend to that business during the workday based on the reasonable and limited use of such personal time.

Some general uses of such critical personal business may include, but are not limited to, bereavement leave, house closing and medical/dental appointments which cannot be made after work hours.

Up to five (5) days may be requested for bereavement leave. If additional time is needed vacation time may be requested. (Added March, 2019)

Advance notification to the immediate supervisor is required. When advance notice is not possible, the Administrator should notify the person to whom they report at the earliest possible time of the absence. The College expects employees and supervisors to use sound judgment in limiting such absences to those occasions that are appropriate, keeping in mind both the administrator’s needs and the needs of the College.

Administrators have the responsibility for keeping a full record of personal days in Workday by submitting a Time Off Request and selecting “Personal Days”. In the comments, an explanation must be provided to the supervisor as to the reason for the request (i.e. bereavement). The Time Off Request will route to the supervisor for approval. (Added March, 2019)

3.13.5 Jury Duty

Administrators who are called to serve as jurors will have their salaries continue during such service.

The employee must notify their supervisor or department head and provide the Office of Human Resources with the official notification as soon as it is received.

Administrators have the responsibility for keeping a record of jury days in Workday by submitting a Time Off Request and selecting “Jury Duty”. The Time Off Request will route to the supervisor for approval.
3.14 Leaves of Absence

3.14.1 Leave Time for Professional Development

Vassar encourages the professional development of administrators in a variety of ways, including attendance at professional conferences, seminars, and training programs on- or off-campus. Departmental budgets, programs offered by the Office of Human Resources, special grants, and other discretionary funds may be available to support the cost of travel and program fees.

With the support of a department head and the Senior Officer responsible for the division, an administrator can gain released time from normal duties in order to enhance professional skills that are directly related to the employee’s job. The rationale for released time for professional development must be clear and compelling, and the leave must not create a burden on colleagues in the same department, nor require the hiring of additional staff to cover the duties of the administrator. The request for a professional development leave of more than ten (10) working days must be endorsed jointly by all Senior Officers, to ensure fairness across divisions. When released time is granted for professional development or enhancement purposes, it is understood that the individual will return to work in the department at the conclusion of the released time.

3.14.2 Family and Medical Leave Act (FMLA) of 1993

The Family and Medical Leave Act of 1993 requires that all employers with 50 or more employees provide this benefit to employees effective August 5, 1993.

The act provides for up to 12 weeks of unpaid leave during a 12-month period for one or more of the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child’s birth or placement);
- To care for the employee’s spouse/domestic partner, child, or parent who has a qualifying serious health condition;
- For the administrator’s own qualifying serious health condition that makes the administrator unable to perform their job;
- For qualifying exigencies related to the foreign deployment of a military member who is the administrator’s spouse, child, or parent.

An administrator who is a covered servicemember’s spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the servicemember with a serious injury or illness.

An administrator does not need to use leave in one block. When it is medically necessary or otherwise permitted, administrators may take leave intermittently or on a reduced schedule. Intermittent FMLA leave may be taken in short increments as little as one-hour. The same requirements for medical documentation apply to intermittent leave. The administrator’s supervisor is responsible for monitoring the use of intermittent FMLA leave patterns and should seek advice from Office of Human Resources on the guidelines that apply. Authorization of leaves may be withheld until verification of need is submitted. Absences under an approved intermittent FMLA leave must be submitted to the administrator’s supervisor through Workday. Submit a Time Off Request in Workday and select “Personal Days” or “Vacation Days”.

57 Administrator Handbook 04/2019
Make a note in the comments section indicating that the request is for “FMLA” leave. The Time Off Request will route to the supervisor for approval. All other guidelines related to FMLA leaves apply to intermittent FMLA leaves. (Updated April, 2019)

An administrator is eligible for this unpaid leave provided she/he worked at Vassar College for at least 12 months and worked at least 1,250 hours in the 12 months before taking leave.

FMLA: Family Leave

Family leave may be taken for the birth or placement of a child. The act specifically states that a son or daughter, for purposes of this leave, is a biological, adopted, foster child, stepchild, a legal ward or a child of a person standing in loco parentis (in place of parents.) The child must be under 18 years of age or, if over 18, must be physically or mentally disabled at the time that FMLA leave is to commence.

Request for family leave must ordinarily be made by the administrator at least 30 days prior to the date the leave is to begin. Entitlement to family leave expires at the end of the 12-month period beginning on the date of the birth or child placement.

FMLA: Medical Leave

Medical leave may be taken to care for a family member who has a serious health condition or if the administrator has a serious health condition that makes her/him unable to perform the functions of her/his job. The act specifically states that a family member is a: son or daughter, legally married husband or wife, and the employee’s biological parent(s) or someone who stood in loco parentis (in place of a parent) to an administrator when the administrator was a child.

A “serious health condition” is an illness, injury, impairment or physical or mental condition that involves in-patient care in a hospital, hospice or residential medical care facility, or continuing treatment by a health care provider. This term is not intended to cover short-term conditions for which treatment and recovery are very brief, but rather it describes a condition or illness that affects the person so that they are absent from work or school for more than just a few days.

The administrator should ordinarily provide the College with at least 30 days’ notice before the date that her/his leave is to begin. If the date of treatment requires leave to begin in less than 30 days, the administrator must provide notice as practicable.

FMLA: Guidelines

Under the act, the College has the right to solicit sufficient information from the administrator requesting the leave to determine whether or not the leave qualifies as FMLA leave. The College also has the right to decree that the leave being taken by the administrator is, in fact, FMLA leave. This determination must be made prior to the end of the leave and the College must notify the administrator of the final determination.

The College has the right to request medical certification of the family member’s or the administrator’s serious health condition prior to the start of the leave. The College can also require a second or third opinion (at the College’s expense) by a health care provider if there is reason to doubt the validity of the original medical certification. In the case of the administrator’s illness, the College may require the administrator to provide a fitness-for-duty report prior to returning from medical leave.

Qualified administrators are entitled to 12 weeks of unpaid leave in a 12-month period. Vassar College has
elected to 12-month period measured forward from the first date an employee takes FMLA leave. The next 12-month period would begin the first time FMLA leave is taken after completion of the prior 12-month period.

Earned vacation entitlements may be substituted for unpaid time under an FMLA leave at the administrator’s request.

If the administrator requests time off under the Family and Medical Leave Act to be at home following the birth or placement of a child, or to care for a family member with a serious health condition, the administrator may elect voluntarily to use her/his earned vacation for this purpose prior to beginning the unpaid portion of the leave.

The maximum leave period under the Family and Medical Leave Act is 12 weeks. Therefore, Vassar will grant an unpaid leave which when added to the paid leave will not exceed a total of 12 weeks leave during a 12-month period. For example, if the employee uses two weeks of vacation leave under the Family and Medical Leave Act to care for a family member with a serious health condition, Vassar will grant up to an additional 10 weeks of unpaid leave for this purpose for the remainder of the 12-month period. The two paid weeks plus the 10 unpaid weeks allows the employee the total requirement of 12 weeks off under the act.

Requests for leaves under the Family and Medical Leave Act must ordinarily be made in writing to the Benefits Office. The leave request must contain a complete description of the reason for the leave, along with the anticipated beginning and ending dates of the leave.

Administrators should submit leave requests at least 30 days in advance of the start of the leave to their supervisor.

Upon return from the leave, the administrator must be returned to the position she/he held prior to the beginning of the leave or to an equivalent position. Equivalent position means one with equivalent benefits, pay and other terms and conditions of employment.

The College must provide the administrator on a leave under the Family and Medical Leave Act with health insurance benefits during the duration of the leave. The administrator’s health benefits must be provided at the same level and under the same conditions as if the administrator had continued working and had not taken the leave. This means that the administrator must pay the full cost of family coverage if family coverage was in place at the time of the leave request and if the administrator wants the family coverage to continue during the period of the leave.

If the administrator does not return to Vassar immediately following the end of the leave, or if she/he returns and works for less than 30 days, Vassar has the right to recover the cost of the health benefit contributions made for the administrator during her/his leave. Vassar may recover these contributions by receipt of a voluntary payment from the administrator, through payroll deduction (deducting them from any monies owed the administrator at termination), or through legal action.

This notice provides only highlights of the Family and Medical Leave Act. Contact the Benefits Office ext. 5850 with specific questions on FMLA or to review the law in its entirety.

3.14.3 Unpaid Leave
Unpaid leaves may be granted to administrators upon request based on the needs of the College and the hardships such leave would place on the department.

Leaves must be requested in writing at least three months in advance of when the leave will begin. Leave requests should be directed to the appropriate department head and must be approved by the senior officer and confirmed by the Office of Human Resources.

The terms and conditions of the unpaid leave must be mutually agreed upon and approved by immediate supervisor, department director and Office of Human Resources, except as provided under the Family and Medical Leave Act. (see section 3.14.2)

3.15 Workers’ Compensation

Treatment of job-related illnesses or injuries is covered by Workers’ Compensation Insurance, provided the proper procedure for reporting is followed, and subject to adjudication by Vassar’s Workers’ Compensation insurer. It is important that all occupational illnesses or injuries, however minor, be reported immediately to the supervisor or to the Director of Environmental Health and Safety and to Office of Human Resources.

3.16 Identification Cards

All administrators are issued a photo ID card upon hire. This card is required for admission to special College events, for library use, and for charging privileges on campus.

The Office of Human Resources will provide each new administrator with an authorization to secure an ID. The Card Office, located at the College Center Service Desk, takes photos and issues cards.

3.17 Library

Circulating books from the stacks are loaned to administrators for the academic year. At the end of the academic year, materials should be returned or may be renewed. Books are subject to immediate recall if needed by another member of the Vassar community or for reserves. Browsing books have a two-week loan period.

Some materials may also be checked out of the Music Library with a Vassar ID card. Loan periods vary from three days to two weeks for sound and visual recordings, to a year for circulating books and printed music scores.

Administrators also have access to a wide array of online databases, which are available via the Library web site (https://library.vassar.edu/).

3.18 Fitness Facilities

Kenyon Hall
Kenyon includes international squash courts. Please call for reservations.
Walker Field House
This flexible, multipurpose facility has 42,250 square feet of floor space, a 25-meter, six-lane pool with a diving well which includes one-meter and three-meter boards, locker facilities, and a multipurpose room. Tennis and all outdoor sports practicing indoors train in Walker. In addition, many intramural programs and life fitness classes take place in Walker. Please call for operating hours and class schedules.

Scheduled lap swimming is available throughout the year.

Athletics and Fitness Center
The Athletics and Fitness Center includes a varsity gym with seating for 1,200 spectators and an indoor all-purpose running track. Additionally, it has a fitness room which contains cardiovascular equipment such as treadmills and stationary bikes, free weights and machine weights.

Prentiss Field
The outdoor sports teams compete at Prentiss Field, which is within walking distance of Vassar’s main campus. The complex features a soccer field, a baseball diamond, and a field hockey practice and playing field.

Joss Courts
The tennis team practices and plays on 11 hard courts located within campus boundaries. When not in use by the tennis teams, the Vassar community is free to enjoy the courts on a first-come, first-served basis.

Life Fitness Program
A comprehensive Life Fitness Program is available to the entire Vassar community and includes a variety of classes taught by certified instructors. Visit www.IMLeagues.com/Vassar for class schedules and registration. Please contact ext. 7471 for more details.

Golf Course
There is a nine-hole golf course on the campus, which opens in April and closes in November, depending upon the weather. This is operated as a concession and not directly by the College. The concessionaire sets fees. Special rates are given to members of the College community and their dependents. ID cards are required.

For more information including rules, guest privileges, etc., check the website: http://athletics.vassar.edu/facilities/ or call ext. 7451.

3.19 Child Care Information

Nursery School
The Wimpfheimer Nursery School is a laboratory school operated by the College located on the Vassar College campus. It enrolls 45 children, age two years through five years. Hours are from 8:00 a.m. to 5:30 p.m. during the academic year. Summer programs are available. Wimpfheimer also offers a school age after school program for 20 children ages five to ten. Bussing is available for children enrolled in the Arlington Central School District.

Visit https://wimpfheimer.vassar.edu/ or contact ext. 5630 for information on tour dates, school calendars, fees, etc.
Vassar Infant Toddler Center
The Vassar Infant Toddler Center is a small, developmentally based child care program on the Vassar campus for children from three months to three years of age. A professional teaching staff with a teacher-child ratio of one to three directs this program. For information, call ext. 7648 or visit the website at https://infanttoddler.vassar.edu/.

All arrangements for child care are the responsibility of the parents and must be made directly with the child care institution. Eligibility requirements, space availability, financial arrangements, etc. are between the parents and the school.

Vassar employees are required to use payroll deduction for tuition costs at either early childhood school. Please contact the Nursery School Office for further information at ext. 5630.

3.20 Employee Wellness Program

Vassar College Employee Wellness Program is designed to provide events and resources that support employee health and well-being. The program hosts various events, workshops, cooking demonstrations and wellness challenges. All employees are encouraged to participate. To join the e-mailing list or for additional information, contact Office of Human Resources. (Added March, 2019)
4.0 Employee Services

4.1 College Facilities and Services

**InfoSite**
The InfoSite is a comprehensive web site which provides notification of campus events, news and weather to the campus community. The address is http://info.vassar.edu.

**Bulletin Board**
The President’s bulletin board is located in the College Center on the wall to the right as one enters near Express. Special notices of importance to the College community also appear on this bulletin board and are issued from the President’s Office or the Communications Office.

**Mail Room**
All College mail must be addressed with a Vassar College box number. Box numbers may be found in the Vassar College Directory or by calling the Mail Room at ext. 5457. If the box number is not known, the department name should be indicated.

The Mail Room distributes incoming and internal mail as well as mail forwarding and meters outgoing College mail. Private carrier mail and small packages are delivered through the Mail Room; larger private carrier packages must be picked up at Central Receiving. The use of College paid postage for personal correspondence is not permitted. Unstamped mail may not be used for any advertising purposes.

The Mail Room is located in the College Center.

**College Store**
The College Store sells faculty and alum books, office supplies, gift items, local crafts, sustainable items, charitable items, clothing with the College name or logo, natural health and beauty products, food, technology accessories, and various other items of interest.

The College Store is located at the corner of Raymond and Collegeview Avenues.

**Computer Store**
The Computer Store sells Dell hardware, and other computing supplies. It also does repairs on Apple and Dell equipment. (Revised March, 2019)

The Computer Store is located in the College Center.
Copy Center
The Copy Center provides duplication services for the Vassar community, with equipment that is suited to the production of large quantities in a cost effective manner. Services include black-and-white and color copying and printing, folding, collating, stapling and cutting, binding and book making, and shredding.

The Copy Center is located in the College Center, Mail Room.

Employee Directories
An electronic directory of all faculty, administrators, and staff members is available on the College website under Employee Directory. The directory contains the names, departments, box addresses, telephones and job titles of all College employees. This information can also be accessed in Workday by searching the active employee. (Revised March, 2019)

Questions concerning the directory should be directed to the Service Desk at ext. 7224.

Facilities Operations
Facilities Operations includes the Building Trades, Grounds Services, Custodial Services, Facilities Systems and Services, Project Management, Energy Management and Work Control Center.

The Work Control Center (ext. 5999) takes orders for maintenance and/or repairs. Service Requests must be submitted in advance of the work being performed. All work is charged to the budget of the department making the request.

The Work Control Center will also arrange to move office furniture, large equipment, or transport large volumes of meeting supplies from one campus location to another. Sufficient time should be given for scheduling work of this nature.

Purchasing
The Purchasing Department is responsible for the procurement of the materials, equipment, supplies and services essential to the operation of the College. Purchasing strives to ensure the best price and most beneficial terms and conditions in accordance with Vassar College policy and procedures. The offices and warehouse are located adjacent to the Buildings and Grounds Services Center. Visit https://purchasing.vassar.edu/ for more information.

Lost and Found
All found articles may be turned in to the Campus Activities Office in the College Center. Contact Campus Activities at ext. 5370 to inquire about lost articles.

Meals and Snacks
- The Retreat - located in Main Building, College Center, South Atrium. Administrators may take their meals to the faculty lounge in College Center.
- Express - located in Main Building, College Center, North Atrium.
• Bridge Café – located in the Bridge for Laboratory Sciences
• Gordon Commons (formerly All College Dining Center (ACDC)) – located in Students’ Building.

4.2 Housing Information

Down Payment Assistance Program
The Down Payment Assistance Program is designed to provide participants up to 10% of the purchase price of a house, to a maximum of $30,000 at the same interest rate as the prevailing first-mortgage interest rate for a maximum repayment period of six (6) years. If two eligible Vassar employees purchase a property in joint ownership, the 10% maximum of purchase price limits the total amount that may be loaned to both employees. Payment is by payroll deduction. For details or to make application, please contact the Office of Strategic Planning and Academic Resources.

Eligibility Requirements
1. Tenured faculty with the rank of full professor or associate professor, or
2. Tenure track assistant professors who have been appointed to a second contract, or
3. Administrators who have a minimum of seven (7) years of service with the College and hold director or manager titles.

The house to be purchased under this program must be located within 15 miles of the College campus and used as the applicant's primary dwelling. Applicants cannot be current owners of a College house under the College’s Leasehold Agreement.

Restrictions
This program will normally be limited each calendar year to a maximum of eight (8) new participants. A total of $500,000 in capital will be made available for loans, to be monitored by the Dean of Strategic Planning and Academic Resources. Loans must be for the purchase of a principal residence within the prescribed area.
5.0 Separation

5.1 Exit Interview

Upon separation from the College all employees may be scheduled for an exit interview with the Office of Human Resources to discuss their reasons for leaving. The purpose of the interview is to evaluate the College’s effectiveness as an employer and to get suggestions and comments for improvement in any area of the College.

5.2 Separation Pay

The purpose of separation pay is to ease the financial concern on the part of an employee while she/he is seeking other employment. An employee may be eligible for separation pay if she or he is permanently laid off as a result of a reduction in force or if her/his position is eliminated and she/he is not offered another comparable position.

5.3 Retiree

A Vassar retiree is an employee who elects to retire from active service at the age of 55 or older after having completed a minimum of ten years of full-time service. Retirees are eligible to continue to use the Vassar campus facilities such as the library, tennis courts, athletic facilities, etc.

Upon retirement, participation in the life insurance, disability insurance and retirement plan ceases. For information on retiree medical benefits refer to Section 3.1.3.

Employees who are considering retirement should contact the Benefits Office at least three months in advance of their pending retirement date. The Benefits Office will review the status of all benefit programs in preparation for retirement and will assist the employee in completing her/his retirement paperwork.

5.4 COBRA

The Consolidated Omnibus Budget Reconciliation Act (COBRA) enables employees and their dependents to remain enrolled in the College’s group health plan after their employment with the College terminates, as provided in the statute.

The College will charge employees what it pays for the group premium rate per month, plus a 2% administration charge. Employees may be covered for up to 18, 29, or 36 months depending on the qualifying event under the federal law.

When COBRA benefits expire, coverage may in some cases be converted to a limited individual policy, making premium payments directly to the insurance carrier or HMO plan. Questions regarding COBRA should be directed to the Benefits Office ext. 5850.
5.5 Final Paycheck

All properties of the College must be returned to the employee’s supervisor. ID cards must be returned to the Office of Human Resources before a final check is issued. Any outstanding debts to the College will be deducted from final paycheck.

5.6 References

The Office of Human Resources does not release information on employees who leave the College without the employee’s written authorization.

5.7 Resignation

If an employee voluntarily elects to leave employment at Vassar, every attempt should be made to give the department advance notice. In order to allow time for the College to secure and train a replacement, this notice should be given as early as possible, preferably a minimum of two weeks.

5.8 Unemployment

All administrators are covered under the New York State Unemployment Compensation Law.

Upon involuntary termination or loss of job due to a position being eliminated, an administrator may be eligible to receive state unemployment compensation. Specific requirements exist such as working the minimum number of weeks or earning the specific salary required under the New York State Law.

Unemployment compensation claims must be filed directly with the New York State Unemployment Office. Any compensation decision is determined by New York State Unemployment Office, not Vassar College.
6.0 Appendices

6.1 Corrective Action Guidelines for Administrative Employees

Objective

Serving the mission of a world-class institution requires a high level of professionalism, accountability, and productivity. Vassar College aspires to foster an inclusive and positive professional atmosphere for all of its employees. These guidelines are established in order to provide a structure that allows Vassar to maintain its high standards of performance, while also encouraging employees who may not be meeting expectations to improve their performance and ultimately flourish. The steps below are intended to promote clear communication between supervisors and non-union administrative employees about job expectations and fulfillment of those expectations—as related to attendance, job performance, and behavior at work. This approach to professional development facilitates learning and improving together to ultimately create the inclusive and positive atmosphere we need to sustain our mission as a world-class institution of higher education.

Overview

Administrators in both supervisor and supervisee roles are expected to perform according to the highest standard of ethics, honesty, and work performance. The procedures below help clarify the process by which supervisors and supervisees can communicate explicitly about and achieve expected work results. Before initiating corrective action that includes an oral, written, or final written warnings, supervisors should contact Human Resources. Similarly, if corrective action has been received, employees are encouraged to be in touch with Human Resources. By New York State law, all non-union employees are employees at will, and nothing in these guidelines or any policy is intended to imply a contract. It is the intent of the College to consistently apply these guidelines with supervisors and employees in all cases, but the facts and circumstances of each case may influence the implementation of corrective action. Criminal or other off-campus behavior that impairs suitability for employment may also be the subject of corrective action under these guidelines.

Definitions and Guidelines

1. Corrective Action: The purpose of corrective action is to provide notification to the employee that there is a need to alter job performance, attendance or behavior in a way that meets College and departmental expectations, consistent with one’s job description and responsibilities. Corrective action also provides the opportunity for the employee to respond and correct the relevant behavior. Corrective action usually should proceed in the following progressive steps: a) oral counseling, b) oral warning, c) written warning, d) final written warning or final written warning with disciplinary suspension, and e) discharge

2. Inappropriate Behavior: Behavior which, whether by act or omission fails to meet high standards of professionalism, accountability, and productivity; interferes with a supervisor’s, other employee’s, or other Vassar community member’s efforts to maintain an inclusive and positive atmosphere; or otherwise impedes the continual and efficient operation of the College.

3. Authorized Administrative Leave: An administrator may be placed on a non-punitive, imposed absence from work for an unspecified period of time, pending investigation of suspected poor performance, poor attendance, or inappropriate behavior. An imposed absence may also be appropriate when considering a final written warning with a disciplinary suspension, when considering discharge, or when an employee's immediate removal from the work area is necessary. Decisions about pay during an
investigatory absence are based on the facts and circumstances of the case and in conjunction with Human Resources. Human Resources will work with the supervisor to determine the reasonable and necessary duration of administrative leave. Leave will ultimately resolve with:

a. Not found accountable under these guidelines (employee returns to work with no loss of pay);
b. Written Warning, Final Written Warning, or Final Written Warning with Disciplinary Suspension;
c. Discharge

Supervisors and managers will make efforts to ensure that any corrective action, including discharge, is fair and reasonable. Supervisors and managers will make efforts to consider the employee’s side and to investigate and consider all relevant circumstances and all relevant parties’ perspectives in determining if corrective action is appropriate.

Human Resources personnel are available to employees and supervisors to explain the corrective action process. Human Resources can provide information, options and a recommendation for further action. Human Resources works with the supervisor and, as appropriate, the relevant senior officer to determine what action is to be taken. Senior officer consultation and approval is required in advance of termination. Human Resources personnel are available to mediate and/or provide alternative resolutions and perspectives. No corrective action resulting in written warning, disciplinary suspension, final written warning, or discharge may be taken without prior review with Human Resources. Employees should be told at the start of any corrective action that they may consult with Human Resources.

The Employee Assistance Program (EAP) is available to assist employees with personal problems which may be affecting their work performance. The staff of the EAP is available to assist supervisors in making referrals. Employees should be aware that utilizing the services of the EAP is voluntary and confidential. Any referrals to EAP by the supervisor should be documented, particularly in any written warnings.

If, in conjunction with Human Resources, a supervisor deems an employee to have improved job performance, attendance, and/or behavior to an acceptable level following application of corrective action, and the behavior requiring correction does not recur over a reasonable period of time, a letter citing conclusion of the corrective action process may be given to the employee, although this is not required. The supervisor’s annual performance review should take into account the employee’s performance over the full annual period, citing as appropriate both the corrective action process and result. A copy should be sent to Human Resources for addition to the employee's employment record.

Corrective action generally progresses within the separate tracks of job performance, attendance, or inappropriate behavior, meaning that there could be more than one corrective action proceeding taking place at the same time for the employee; however, it is always important to consider the specific facts for each employee before taking corrective action, which may include review of prior or concurrent corrective action. Also, some job performance, attendance or inappropriate behavior may be so serious as to warrant bypassing some steps of corrective action, or to cause immediate discharge. Examples of such conduct are set forth in the Administrative Handbook. Regardless of the progressive action being taken, it should be applied in a timely, transparent, and consistent manner.

Process

The process outlined below is a guide to the steps that may be taken, and the general order in which they may be taken for progressive corrective action. However, please remember that corrective action should be taken in a manner consistent with the unique circumstances of each employee, which includes review of the employee’s history with the College and prior or concurrent corrective action, and the nature and severity of the issue in question.
First Step - Oral Counseling: A supervisor may elect to first orally counsel an employee about the issue.

Second Step - Oral Warning: The supervisor identifies a) the inappropriate behavior, performance deficiency, or attendance problem; b) the impact of such conduct on the department and the College; c) future expectations; and d) potential ramifications if the behavior does not change. Notes from the discussion should be retained by the supervisor.

Third Step - Written Warning: A written warning should be in the form of a memorandum or letter from the supervisor to the employee and include the items listed under “Second Step – Oral Warning,” above. The written warning notifies the employee, in a more significant way, of the cause for concern regarding attendance, performance or behavior and makes clear that additional and severe corrective action may occur if there is no improvement. A copy of the written warning should be sent to Human Resources.

Fourth Step - Final Written Warning or Final Written Warning with Disciplinary Suspension: The choice of action depends on the circumstances present. The purpose of the final written warning is to notify the employee in a significant way of cause for grave concern regarding attendance, job performance or inappropriate behavior. Another purpose is to indicate that further corrective action may occur if there is no improvement.

Disciplinary suspension without pay is a very serious form of corrective action. It should be used in combination with a final written warning or the reissuing of a final written warning only if the supervisor believes a suspension will help the employee correct the conduct. A Disciplinary Suspension should be for a stated period of time, but only of duration sufficient to demonstrate extreme concern about the employee's behavior, job performance or attendance. An authorized administrative absence, with pay, may be used during an investigation while determining appropriate corrective action.

Fifth Step – Discharge: Discharge is used when the supervisor, in consultation with Human Resources and the appropriate senior officer, concludes that attempts to correct the employee's behavior have failed or when the improper conduct is of such a serious nature that the employment relationship should not be continued.

Documentation

A record of any corrective action step taken in this process should be maintained by the supervisor. Written notices provided to the employee should state the nature of the inappropriate behavior, performance deficiency, or attendance problem; what is required to change the conduct; when the change must be made; and the consequences if the change is not made. The memorandum should also state clearly the nature of communication; e.g., “This is a written warning (or final written warning, or final written warning with a disciplinary suspension).”

The written record maintained by the supervisor should indicate that the employee's side was heard and considered prior to the taking of the particular action. If giving a final written warning with a disciplinary suspension, the length of the suspension should be clearly indicated. The memorandum or letter should also indicate that Human Resources is available to the employee for consultation.

The memorandum or letter should be given to the employee and a copy sent to Human Resources for the employee's employment record. The employee is not required to sign any written warning or other document. Sample written warning and final warning memoranda are available through Human Resources.

Documentation of a discharge also should be given in the form of a brief memorandum. The reasons for
the discharge should be stated, indicating that the employee's side was heard and considered. The memorandum should indicate that Human Resources is available to the employee as a resource. The memorandum should be reviewed by Human Resources in advance and a copy of the final memorandum provided to Human Resources for inclusion in the employee's employment record. The employee does not have to sign the discharge letter.

**Employee Appeal**

If the employee believes corrective action of oral warning, written warning, final written warning, administrative absence or suspension, or discharge has been undertaken unfairly, the employee may bring the concern to Human Resources and the senior officer who is responsible for the employee’s work unit. This request should be submitted in timely fashion and no more than 30 days after corrective action. The senior officer will conduct a review and be responsible for the final decision in such cases.

**Confidentiality**

Corrective action is to be treated as a confidential matter and information about the corrective action shared only on a need-to-know basis or as otherwise required by College policy or law. Verbal and written communications/notes should be handled with discretion and information shared only on a need-to-know basis. Any administrative absence or suspension should be described to others as an authorized absence.

**6.2 Statement of Civility and Responsibility in an Academic Community**

Vassar College is dedicated to freedom of inquiry in the pursuit of truth, and is vigilant in defending the right of individuals to free speech. The College, however, is also a community dedicated to the cultivation of an atmosphere in which all of its members may live and work free from intolerance, disrespect or harassment. The College, therefore, defends free speech and also embraces the principle of civil discourse. In this regard, members of the College community accept constraints, similar to those of parliamentary debate against personal attacks or courts of law against the use of inflammatory language. Under the rule of civility, individuals within the community are expected to behave reasonably, use speech responsibly, and respect the rights of others. Genuine freedom of mind is not possible in the absence of civility.

As a private institution, Vassar is a voluntary association of persons invited to membership on the understanding that they will respect the principles by which it is governed. Because Vassar is a residential college, and because it seeks diversity in its membership, individuals have a particular obligation beyond that of society at large to exercise self-restraint, tolerance for difference, and regard for the rights and sensitivities of others. When individuals violate their obligation to the community, such as through the denigration of groups within the College, it is not simply a matter for those particular groups, but it offends the sensibilities of the entire community. The strength and health of the College rests on the affirmation by all of its members of these principles of freedom with responsibility, and respect for others.

(Approved by the faculty February 25, 1987)
6.3 Overview and Process for Employees Who Need Accommodation

Vassar College is committed to providing individuals with disabilities equal access to academic courses, programs, and activities of the college. In accordance with the provisions of Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act as amended in 2008, the college strives in its policies and practices to ensure not only nondiscrimination but also to provide for the full participation of individuals with disabilities in all aspects of college life. In support of this mission, the Office for Accessibility and Educational Opportunity (AEO) provides services to self-identified students with disabilities. The AEO also provides assistance in identifying appropriate support and accommodations in the work environment for faculty and staff.

The Americans with Disabilities Act defines a disability as a physical or mental impairment that substantially limits one or more major life activities. These may include, but are not limited to, sensory loss, mobility and orthopedic challenges, chronic medical conditions, learning disorders, and psychological or emotional disorders.

**ADA Accommodations for Employees**

The Americans with Disabilities Act Amendments (ADAAA 2008) mandates employers to make workplace accommodations as requested by the qualified employee and supported by medical documentation, when requested. The ADA requires that the employer make reasonable accommodations in order for the employee to perform the essential job functions unless the modification causes undue hardship to the employer.

**Terms**

*Qualified Employee*– an individual who satisfies the skill, experience, education and other job related requirements of the position held and can perform the “essential job functions” of the position, with or without accommodation.

*Reasonable Accommodation*– a modification or adjustment to a job, the work or the environment or the way things are usually done that enables a qualified individual employee with a disability to attain the same level of performance, enjoy the benefits and privileges of employment available to a similarly situated employee without a disability. Reasonableness is determined by the resources of the total institution. Reasonableness does not include removing essential job duties, creating new jobs or providing personal needs items (i.e. eye glasses or mobility aids).

*Essential Job Functions*– those tasks that are required by the job established in the job description/advertisement or by contract.

*Undue Hardship*– the modifications requested are so significantly difficult, are overly extensive or disruptive or could adversely impact the actual running of the institution.

*Source: U.S. Dept. of Labor

**Process for Employees Who Need Accommodations**

1. Contact the Office of Human Resources, Manager of Leaves/Wellness to request an accommodation.
2. Manager will schedule a meeting to discuss the desired accommodation with the employee. Manager may ask for medical documentation of disability and suggested accommodation. The ADA allows
employers to request medical documentation to establish that the employee has an ADA disability, to show the employee needs the requested accommodations and to help determine effective accommodation options.

3. Manager reviews requested accommodation w/AVP of HR.

4. Manager and/or AVP of Human Resources consults with Director of Accessibility and/or Dept. Head or Dean of Faculty (for faculty requests) as appropriate regarding the accommodation request.

5. Manager consults with Facilities Operations as appropriate

6. Manager responds to the employee as promptly as possible verbally and follows up with written documentation.

7. Manager contacts employee to follow up if accommodations are satisfactory or additional steps are necessary.

6.4 Policy on Reporting Improper or Unlawful Activities and Prohibition of Retaliation

This policy governs the reporting and investigation of claims of certain types of improper or unlawful activities as defined below and the prohibition of retaliation against individuals reporting such activities. It describes the procedures to be followed for investigation of reports of improper or unlawful activities and for addressing complaints of retaliation for raising such issues. Nothing in this policy statement replaces the existing policies and procedures governing harassment and discrimination, equal opportunity, the handling of employment grievances and other personnel policies detailed in official handbooks and contracts governing employment conditions. This policy must be distributed to trustees, officers, and employees, and to volunteers who provide substantial services to Vassar College.

Policy

Vassar College (the “College”) seeks to achieve its mission as an educational institution by conducting its affairs ethically, and in full compliance with all federal, state and local laws. The College acknowledges its responsibility for the stewardship of public and private resources provided in pursuit of that mission. Vassar trustees, officers, employees, and volunteers (“Protected Persons”) are expected to adhere to high standards of professional and ethical conduct in carrying out their duties. The College’s Governance, policies, management, internal controls and operating procedures are designed to prevent, deter, and, if necessary, detect improper or unlawful activities. To these ends, the College has established the following procedures to investigate, address, and report, as appropriate, claims of improper activities. These procedures include measures to prevent, and if necessary to respond to, any retaliatory action taken against a Protected Person who, in good faith, reports improper activities.

“Improper activities” are defined, for purposes of this policy, as actions or failures to act by the College itself, or by its trustees, officers, employees, or volunteers in the course of their duties, which may result in either violations of Federal, State, or local law, or create a danger to public health or safety. The term also includes fraudulent or dishonest conduct by College officers or employees in the course of their duties, such as providing false or misleading information with regard to the College’s financial status, and violations of the College’s policies.

The College prohibits any retaliation against Protected Persons who in good faith report improper activities, who participate in an investigation pertaining to alleged improper activity, or who refuse to engage in what they believe in good faith to be illegal activities. A College trustee, officer, or employee may not use official authority, directly or indirectly, in order to discourage a Protected Person to come forward with a suspected improper activity.
Protected Persons are encouraged to use the procedures outlined below to report improper activities.

This policy is not a vehicle for reporting violations of the College’s applicable human resources policies, problems with co-workers or managers, or issues related to alleged employment discrimination or sexual or any other form of prohibited discrimination or harassment, all of which should be dealt with in accordance with the applicable College policies. The matters that should be reported under this policy include suspected fraud, theft, embezzlement, accounting or auditing irregularities, bribery, kickbacks, misuse of the College’s assets, or suspected regulatory, compliance, or ethics-related issues, concerns, or violations.

Procedures

1. **How to Make a Report.** A report of improper activities may be made by any Protected Person by writing to the Chair of the Audit Committee, in care of the Secretary of the Board (Vassar College Box 720) or, if the report involves the Chair of the Audit Committee, to the Chair of the Board of Trustees. The Chair of the Audit Committee is hereby designated to administer this policy.

2. **Report in Writing.** Reports of improper activities should be made in writing for the sake of clarity. Reports should be factual and contain the specific information that is known by the person making the report.

3. **Report Promptly.** Reports should be made promptly; the passage of time increases the difficulty of verifying allegations.

4. **Handling of Reports.** The Chair of the Audit Committee or the Chair of the Board of Trustees, as applicable, will ensure that an investigation appropriate to the allegation, including, if appropriate, the retention of legal counsel, accounting, or other specialists, takes place promptly and thoroughly. The College will treat the information provided with discretion and, to the extent permitted under law, confidentially. There may exist circumstances where the College is required to disclose information it is provided. The Chair of the Audit Committee or the Chair of the Board of Trustees, as applicable, will report the findings of any investigations to the Audit Committee.

5. **Response to Violations.** The Chair of the Audit Committee or the Chair of the Board of Trustees, as applicable, will review reports relating to investigations and will make recommendations as to appropriate responses to the Audit Committee of the Board of Trustees. The Audit Committee of the Board of Trustees will review all recommendations and will respond with remedial or disciplinary action as appropriate to a finding of improper activities. Any person who is the subject of a whistleblower complaint may not be present at or participate in Board of Trustees or Audit Committee deliberations or votes on the matter relating to such complaint, provided that the Board of Trustees or Audit Committee may request that such person present information as background or answer questions at a meeting prior to the commencement of deliberations or voting relating thereto. No trustee who is an employee of the College may participate in any Board of Trustees or Audit Committee deliberations or voting relating to administration of this policy.

6. **Policy of Non-Retaliation.** The College has a strict policy prohibiting any retaliatory action against any Protected Person who reports in good faith improper activities or who refuses to perform actions that a Protected Person in good faith believes would result in a violation of law. No Protected Person who in good faith reports any action or suspected action taken by or within
the College that is illegal, fraudulent, or in violation of any adopted policy of the College shall suffer intimidation, harassment, discrimination, or other retaliation or, in the case of employees, adverse employment consequences. Incidents of retaliation should be reported to the Director of Equal Opportunity for issues involving administrators or staff, to the Faculty Director of Affirmative Action for issues involving faculty, or to the Chair of the Board of Trustees for issues involving Trustees or volunteers, and such person will investigate and report the findings to the Chair of the Audit Committee. Reports of improper retaliation will be investigated promptly, and disciplinary action will be taken where the report is verified and/or substantiated.

7. **Report to Audit Committee.** All investigations and claims of retaliation under this policy will be compiled annually by the Chair of the Audit Committee, the Director of Equal Opportunity, and the Faculty Director of Affirmative Action and a summary written report will be provided to the Audit Committee.

### 6.5 Title IX Policy

**Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations**

1. **Introduction**

What is the purpose of the Title IX Grievance Policy?

Title IX of the Educational Amendments of 1972 prohibits any person in the United States from being discriminated against on the basis of sex in seeking access to any educational program or activity receiving federal financial assistance. The U.S. Department of Education, which enforces Title IX, has long defined the meaning of Title IX’s prohibition on sex discrimination broadly to include various forms of sexual harassment and sexual violence that interfere with a student’s ability to equally access our educational programs and opportunities.

On May 19, 2020, the U.S. Department of Education issued a Final Rule under Title IX of the Education Amendments of 1972 that:

- Defines the meaning of “sexual harassment” (including forms of sex-based violence)
- Addresses how this institution *must* respond to reports of misconduct falling within that definition of sexual harassment, and
- Mandates a grievance process that this institution *must* follow to comply with the law in these specific covered cases before issuing a disciplinary sanction against a person accused of sexual harassment.


Based on the Final Rule, Vassar College will implement the following Title IX Grievance Policy, effective August 14, 2020.

**How does the Title IX Grievance Policy impact other campus disciplinary policies?**

Vassar College remains committed to addressing any violations of its policies, even those not meeting the narrow standards defined under the Title IX Final Rule.
In recent years, “Title IX” cases have become a short-hand for any campus disciplinary process involving sex-based discrimination, including those arising from sexual harassment and sexual assault. But under the Final Rule, Vassar College must narrow both the geographic scope of its authority to act under Title IX and the types of “sexual harassment” that it must subject to its Title IX investigation and adjudication process. Only incidents falling within the Final Rule’s definition of sexual harassment will be investigated and, if appropriate, brought to a live hearing through the Title IX Grievance Policy defined below.

Specifically, our campus has College Regulations that define certain behavior as a violation of campus policy, including Sexual Harassment, Sexual Assault, Domestic Violence, Dating Violence, Stalking, and related sex-based offenses.

To the extent that alleged misconduct falls outside the Title IX Grievance Policy, or misconduct falling outside the Title IX Grievance Policy is discovered in the course of investigating covered Title IX misconduct, the institution retains authority to investigate and adjudicate the allegations under the policies and procedures defined within the College Regulations through a separate grievance proceeding.

https://deanofthecollege.vassar.edu/documents/college-regulations/

The elements established in the Title IX Grievance Policy under the Final Rule have no effect and are not transferable to any other policy of the College for any violation of the Code of Conduct, employment policies, or any civil rights violation except as narrowly defined in this Policy. This Policy does not set a precedent for other policies or processes of the College and may not be cited for or against any right or aspect of any other policy or process.

How does the Title IX Grievance Policy impact the handling of complaints?

Our existing Title IX office and reporting structure remains in place. What has changed is the way our Title IX office will handle different types of reports arising from sexual misconduct, as detailed in full throughout Section 2.

2. The Title IX Grievance Policy

General Rules of Application

Effective Date

The Title IX Grievance Policy will become effective on August 14, 2020, and will only apply to sexual harassment alleged to have occurred on or after August 14, 2020. Incidents of sexual harassment alleged to have occurred before August 14, 2020, will be investigated and adjudicated according to the process in place at the time the incident allegedly occurred.

Revocation by Operation of Law

Should any portion of the Title IX Final Rule, 85 Fed. Reg. 30026 (May 19, 2020), be stayed or held invalid by a court of law, or should the Title IX Final Rule be withdrawn or modified to not require the elements of this policy, this policy, or the invalidated elements of this policy, will be deemed revoked as of the publication date of the opinion or order and for all reports after that date, as well as any elements of the process that occur after that date if a case is not complete by that date of opinion or order publication. Should the Title IX Grievance Policy be revoked in this manner, any conduct covered under the Title IX Grievance Policy shall be investigated and adjudicated under the pre-existing Sexual Misconduct Policy.
Non-Discrimination in Application

The requirements and protections of this policy apply equally regardless of sex, sexual orientation, gender identity, gender expression, or other protected classes covered by federal or state law. All requirements and protections are equitably provided to individuals regardless of such status or status as a Complainant, Respondent, or Witness. Individuals who wish to file a complaint about the institution’s policy or process may contact the Department of Education’s Office for Civil Rights using contact information available at https://ocr.cas.ed.gov/contact-ocr.

Definitions

Covered Sexual Harassment

For the purposes of this Title IX Grievance Policy, “covered sexual harassment” includes any conduct on the basis of sex that satisfies one or more of the following:

1. An employee conditioning educational benefits on participation in unwelcome sexual conduct (i.e., quid pro quo);
2. Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the educational institution’s education program or activity;
3. Sexual assault (as defined in the Clery Act as rape, fondling, incest, statutory rape), which includes any sexual act directed against another person, without the consent of the victim including instances where the victim is incapable of giving consent;
   a. Rape is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
   b. Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity.
   c. Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
   d. Statutory Rape is sexual intercourse with a person who is under the statutory age of consent. The age of consent in New York is 17, but this varies by state.
4. Dating violence (as defined in the Violence Against Women Act (VAWA) amendments to the Clery Act), which includes any violence committed by a person: (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (B) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) The length of the relationship; (ii) The type of relationship; (iii) The frequency of interaction between the persons involved in the relationship.
   a. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
   b. Domestic violence (as defined in the VAWA amendments to the Clery Act), which includes any felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under New York State domestic or family violence laws or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of New York.
Please note that in order for an alleged Domestic Violence incident to be investigated under the policy, the relationship between the Complainant and Respondent must be more than just two people living together as roommates. The people cohabitating must be current or former spouses or have a relationship or status as described above.

6. Stalking (as defined in the VAWA amendments to the Clery Act), meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to-- (A) fear for their safety or the safety of others; or (B) suffer substantial emotional distress.
   a. For the purposes of this definition:
      i. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.
   b. Reasonable person means a reasonable person under similar circumstances and with similar identities to the Complainant.
   c. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.
   d. Stalking as defined above may not always be “on the basis of sex” (for example when an individual stalks an athlete due to celebrity worship rather than sex), but when stalking is “on the basis of sex” (for example, when the stalker desires to date the victim) stalking constitutes “sexual harassment” for purposes of this policy. Stalking that does not constitute sexual harassment because it is not “on the basis of sex” may be addressed under other applicable College policies.

Note that conduct that does not meet one or more of these criteria may still be prohibited under the Vassar College Regulations.

For the purposes of this Title IX Grievance Policy, “Affirmative Consent” is:

a knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Consent can be given by words or actions, as long as those words or actions create clear permission regarding willingness to engage in the sexual activity. Silence or lack of resistance, in and of itself, does not demonstrate consent. The definition of consent does not vary based upon a participant’s sex, sexual orientation, gender identity, or gender expression.

1. Consent to any sexual act or prior consensual sexual activity between or with any party does not necessarily constitute consent to any other sexual act. Consent is required regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent may be initially given but withdrawn at any time.

2. Consent cannot be given when a person is incapacitated, which occurs when an individual lacks the ability to knowingly choose to participate in sexual activity.

3. Consent cannot be given when it is the result of any coercion, intimidation, force, or threat of harm. When consent is withdrawn or can no longer be given, sexual activity must stop.

4. In order to give effective consent, one must be of legal age; New York State defines 17 years as of legal age.

(See Vassar College Regulations: https://deanofthecollege.vassar.edu/documents/college-regulations/VassarCollegeRegulations.pdf)
Education Program or Activity

For the purposes of this Title IX Grievance Policy, Vassar’s “education program or activity” includes:

- Any on-campus premises
- Any off-campus premises that Vassar has substantial control over. This includes buildings or property owned or controlled by a recognized student organization.
- Activity occurring within computer and internet networks, digital platforms, and computer hardware or software owned or operated by, or used in the operations of Vassar’s programs and activities over which the Vassar College has substantial control.

Formal Complaint

For the purposes of this Title IX Grievance Policy, “formal complaint” means a document – including an electronic submission - filed by a complainant with a signature or other indication that the complainant is the person filing the formal complaint, or signed by the Title IX Coordinator, alleging sexual harassment against a respondent about conduct within Vassar’s education program or activity and requesting initiation of the procedures consistent with the Title IX Grievance Policy to investigate the allegation of sexual harassment.

Complainant

For the purposes of this Title IX Grievance Policy, Complainant means any individual who has reported being or is alleged to be the victim of conduct that could constitute covered sexual harassment as defined under this policy.

Relevant evidence and questions

“Relevant” evidence and questions refer to any questions and evidence that tends to make an allegation of sexual harassment more or less likely to be true.

“Relevant” evidence and questions do not include the following types of evidence and questions, which are deemed “irrelevant” at all stages of the Title IX Grievance Process:

- Evidence and questions about the complainant’s sexual predisposition or prior sexual behavior unless:
  - They are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or
  - They concern specific incidents of the complainant’s prior sexual behavior with respect to the respondent and are offered to prove consent. 34 C.F.R. § 106.45(6)(i).

- Evidence and questions that constitute, or seek disclosure of, information protected under a legally-recognized privilege. For example, legally-recognized privileges include attorney-client privilege.

- Any party’s medical, psychological, and similar records unless the party has given voluntary, written consent. 85 Fed. Reg. 30026, 30294 (May 19, 2020).

Respondent
For the purposes of this Title IX Grievance policy, Respondent means any individual who has been reported to be the perpetrator of conduct that could constitute covered sexual harassment as defined under this policy.

Privacy vs. Confidentiality

Consistent with the Vassar College Regulations, references made to confidentiality refer to the ability of identified confidential resources to not report crimes and violations to law enforcement or college officials without permission, except for extreme circumstances, such as a health and/or safety emergency or child abuse. References made to privacy mean Vassar’s offices and employees who cannot guarantee confidentiality but will maintain privacy to the greatest extent possible, and information disclosed will be relayed only as necessary to investigate and/or seek a resolution and to notify the Title IX Coordinator or designee, who is responsible for tracking patterns and spotting systemic issues. Vassar will limit the disclosure as much as practicable, even if the Title IX Coordinator determines that the request for confidentiality cannot be honored.

Disability Accommodations

This Policy does not alter any institutional obligations under federal disability laws including the Americans with Disabilities Act of 1990, and Section 504 of the Rehabilitation Act of 1973. Parties may request reasonable accommodations for disclosed disabilities to the Title IX Coordinator at any point before or during the Title IX Grievance Process that do not fundamentally alter the Process. The Title IX Coordinator will not affirmatively provide disability accommodations that have not been specifically requested by the Parties, even where the Parties may be receiving accommodations in other institutional programs and activities.

Making a Report Regarding Covered Sexual Harassment to the Institution

Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person’s verbal or written report.

Contact Information for the Title IX Coordinator:

Name: ______Rachel Pereira_________
Title: ______Title IX Coordinator___________
Office Address: 124 Raymond Avenue, Box 645 Poughkeepsie, NY 12604
South Main 182__________________________________________
Email Address: __rapereira@vassar.edu_____________________
Telephone Number: __845-437-7924___________________________

Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

Confidential and Private Reporting

The following Officials will provide privacy, but not confidentiality, upon receiving a report of conduct prohibited under this policy:
• Title IX Coordinator or designee
- Student Fellows & House Student Advisors (HSAs)
- Director of Health Promotion & Education
- Director of Case Management
- Support, Advocacy, & Violence Prevention (SAVP) Director and Program Coordinator; (845) 437-7863
- Support, Advocacy, & Violence Prevention (SAVP) Advocates, (845) 437-7333 and ask for an SAVP Advocate

The following Officials may provide confidentiality:
- On-Campus Confidential Resources for Students:
  1. Counseling Service, (845) 437-5700
  2. Health Services, (845) 437-5800
- Off-Campus Confidential Resources:
  1. Poughkeepsie Center for Victim Safety & Support 24/7
     i. Rape Crisis/Crime Victims Hotline: (845) 452-7272
     ii. Domestic Violence Hotline: (845) 485-5550
  2. New York State Domestic Violence and Sexual Violence Hotline, 24/7, 1-800-942-6906

Any employee not otherwise designated is a mandatory reporter.

- “Official with Authority” (“OWA”):
  a. President
  b. Board of Trustee Members
  c. Campus Safety & Security
  d. All Faculty
  e. Director of Equal Opportunity/Title IX Coordinator and Faculty Director of Affirmative Action
  f. Senior Officers/Deans/ Administrators/Directors with supervisory responsibilities
  g. Academic Deans/Dept Chair/Program Directors
  h. Coaches/Athletic Trainers/Athletic Directors

**Non-Investigatory Measures Available Under the Title IX Grievance Policy**

**Supportive Measures**

Complainants (as defined above), who report allegations that could constitute covered sexual harassment under this policy, have the right to receive supportive measures from Vassar regardless of whether they desire to file a complaint, which may include no contact orders, counseling, modifications of work schedules, etc., as appropriate. Supportive measures are non-disciplinary and non-punitive.

Supportive Measures may include, but are not limited to include:
- counseling
- extensions of deadlines or other course-related adjustments
- modifications of work or class schedules
- campus transport services
- restrictions on contact between the parties (no contact orders)
- changes in work or housing locations
- leaves of absence
- increased security and monitoring of certain areas of the campus

**Emergency Removal**

Vassar retains the authority to remove a respondent from Vassar’s program or activity on an emergency basis, where Vassar (1) undertakes an individualized safety and risk analysis and (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of covered sexual harassment justifies a removal.

**Administrative Leave**

Vassar retains the authority to place a non-student employee respondent on administrative leave during the Title IX Grievance Process, consistent with Vassar Faculty Handbook, and applicable Employee Handbooks.

**The Title IX Grievance Process**

**Filing a Formal Complaint**

The timeframe for the Title IX Grievance Process begins with the filing of a Formal Complaint. The Grievance Process will be concluded within a reasonably prompt manner, and no longer than ninety (90) business days after the filing of the Formal Complaint, provided that the Process may be extended for a good reason, including but not limited to the absence of a party, a party’s advisor, or a witness; concurrent law enforcement activity; reasonable requests of either party, or the need for language assistance or accommodation of disabilities. The procedure for applying for extensions is described below.

To file a Formal Complaint, a complainant must provide the Title IX Coordinator a written, signed complaint describing the facts alleged. Complainants are only able to file a Formal Complaint under this Policy if they are currently participating in, or attempting to participate in, the education programs or activities of Vassar, including as an employee. For complainants who do not meet this criteria, the College will utilize existing policy in Vassar College Regulations. [https://deanofthecollege.vassar.edu/documents/college-regulations/VassarCollegeRegulations.pdf](https://deanofthecollege.vassar.edu/documents/college-regulations/VassarCollegeRegulations.pdf)

If a complainant does not wish to make a Formal Complaint, the Title IX Coordinator may determine a Formal Complaint is necessary. Vassar will inform the complainant of this decision in writing, and the complainant need not participate in the process further but will receive all notices issued under this Policy and Process.

Nothing in the Title IX Grievance Policy Vassar College Regulations prevents a complainant from seeking the assistance of state or local law enforcement alongside the appropriate on-campus process.

**Multi-Party Situations**

The institution may consolidate Formal Complaints alleging covered sexual harassment against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations of covered sexual harassment arise out of the same facts or circumstances.

**Determining Jurisdiction**
The Title IX Coordinator will determine if the instant Title IX Grievance Process should apply to a Formal Complaint. The Process will apply when all of the following elements are met, in the reasonable determination of the Title IX Coordinator:

1. The conduct is alleged to have occurred on or after August 14, 2020;
2. The conduct is alleged to have occurred in the United States;
3. The conduct is alleged to have occurred in Vassar’s education program or activity; and
4. The alleged conduct, if true, would constitute covered sexual harassment as defined in this policy.

If all of the elements are met, Vassar will investigate the allegations according to the Grievance Process.

**Allegations Potentially Falling Under Two Policies:**

If the alleged conduct, if true, includes conduct that would constitute covered sexual harassment and conduct that would not constitute covered sexual harassment, the Title IX Grievance Process will be applied in the investigation and adjudication of all of the allegations.

**Mandatory Dismissal**

If any one of these elements are not met, the Title IX Coordinator will notify the parties that the Formal Complaint is being dismissed for the purposes of the Title IX Grievance Policy. Each party may appeal this dismissal using the procedure outlined in “Appeals,” below.

**Discretionary Dismissal**

The Title IX Coordinator may dismiss a Formal Complaint brought under the Title IX Grievance Policy, or any specific allegations raised within that Formal Complaint, at any time during the investigation or hearing, if:

- A complainant notifies the Title IX Coordinator in writing that they would like to withdraw the Formal Complaint or any allegations raised in the Formal Complaint;
- The respondent is no longer enrolled or employed by Vassar; or,
- If specific circumstances prevent Vassar from gathering evidence sufficient to reach a determination regarding the Formal Complaint or allegations within the Formal Complaint.

Any party may appeal a dismissal determination using the process set forth in “Appeals,” below.

**Notice of Dismissal**

Upon reaching a decision that the Formal Complaint will be dismissed, the institution will promptly send written notice of the dismissal of the Formal Complaint or any specific allegation within the Formal Complaint, and the reason for the dismissal, simultaneously to the parties through their institutional email accounts. It is the responsibility of parties to maintain and regularly check their email accounts.

**Notice of Removal**

Upon dismissal for the purposes of Title IX, Vassar retains discretion to utilize Vassar College Regulations, or other employment handbooks to determine if a violation of the Code of Conduct has occurred. If so, Vassar will promptly send written notice of the dismissal of the Formal Complaint under the Title IX Grievance Process and removal of the allegations to the conduct process.

**Notice of Allegations**
The Title IX Coordinator will draft and provide the Notice of Allegations to any party to the allegations of sexual harassment. Such notice will occur as soon as practicable, after the institution receives a Formal Complaint of the allegations, if there are no extenuating circumstances.

The parties will be notified by their institutional email accounts if they are a student or employee, and by other reasonable means if they are neither.

The institution will provide sufficient time for the parties to review the Notice of Allegations and prepare a response before any initial interview.

The Title IX Coordinator may determine that the Formal Complaint must be dismissed on the mandatory grounds identified above, and will issue a Notice of Dismissal. If such a determination is made, any party to the allegations of sexual harassment identified in the Formal Complaint will receive the Notice of Dismissal in conjunction with, or in separate correspondence after, the Notice of Allegations.

Contents of Notice

The Notice of Allegations will include the following:

- Notice of the Vassar’s Title IX Grievance Process and a hyperlink to a copy of the process.
- Notice of the allegations potentially constituting covered sexual harassment, and sufficient details known at the time the Notice is issued, such as the identities of the parties involved in the incident, if known, including the complainant; the conduct allegedly constituting covered sexual harassment; and the date and location of the alleged incident, if known.
- A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process.
- A statement that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, as required under 34 C.F.R. § 106.45(b)(5)(iv);
- A statement that before the conclusion of the investigation, the parties may inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which the institution does not intend to rely in reaching a determination regarding responsibility, and evidence that both tends to prove or disprove the allegations, whether obtained from a party or other source, as required under 34 C.F.R. § 106.45(b)(5)(vi);

Ongoing Notice

If, in the course of an investigation, the institution decides to investigate allegations about the complainant or respondent that are not included in the Notice of Allegations and are otherwise covered "sexual harassment" falling within the Title IX Grievance Policy, the institution will notify the parties whose identities are known of the additional allegations by their institutional email accounts or other reasonable means.

The parties will be provided sufficient time to review the additional allegations to prepare a response before any initial interview regarding those additional charges.

Advisor of Choice and Participation of Advisor of Choice

Vassar will provide the parties equal access to advisors and support persons; any restrictions on advisor participation will be applied equally.
Vassar has a long-standing practice of requiring students to participate in the process directly and not through an advocate or representative. Students participating as Complainant or Respondent in this process may be accompanied by an Advisor of Choice to any meeting or hearing to which they are required or are eligible to attend. The Advisor of Choice is not an advocate. Except where explicitly stated by this Policy, as consistent with the Final Rule, Advisors of Choice shall not participate directly in the process as per standard policy and practice of Vassar.

Vassar will not intentionally schedule meetings or hearings on dates where the Advisors of Choice for all parties are not available, provided that the Advisors act reasonably in providing available dates and work collegially to find dates and times that meet all schedules.

Vassar’s obligations to investigate and adjudicate in a prompt timeframe under Title IX and other college policies apply to matters governed under this Policy, and Vassar cannot agree to extensive delays solely to accommodate the schedule of an Advisor of Choice. The determination of what is reasonable shall be made by the Title IX Coordinator or designee. Vassar will not be obligated to delay a meeting or hearing under this process more than five (5) business days due to the unavailability of an Advisor of Choice, and may offer the party the opportunity to obtain a different Advisor of Choice or utilize one provided by Vassar.

**Notice of Meetings and Interviews**

Vassar will provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings with a party, with sufficient time for the party to prepare to participate.

**Delays**

Each party may request a one-time delay in the Grievance Process of up to five (5) business days for good cause (granted or denied in the sole judgment of the Title IX Coordinator, Director of Student Conduct, or designee) provided that the requestor provides reasonable notice and the delay does not overly inconvenience other parties.

For example, a request to take a five-day pause made an hour before a hearing for which multiple parties and their advisors have traveled to and prepared for shall generally not be granted, while a request for a five-day pause in the middle of investigation interviews to allow a party to obtain certain documentary evidence shall generally be granted.

The Title IX Coordinator shall have sole judgment to grant further pauses in the Process.

**Investigation**

**General Rules of Investigations**

An investigator designated by the Title IX Coordinator will perform an investigation under a reasonably prompt timeframe of the conduct alleged to constitute covered sexual harassment after issuing the Notice of Allegations.

Vassar and not the parties, has the burden of proof and the burden of gathering evidence, i.e., the responsibility of showing a violation of this Policy has occurred. This burden does not rest with either party, and either party may decide not to share their account of what occurred or may decide not to
participate in an investigation or hearing. This does not shift the burden of proof away from Vassar and does not indicate responsibility.

Vassar cannot access, consider, or disclose medical records without a waiver from the party (or parent, if applicable) to whom the records belong or of whom the records include information. Vassar will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence, (i.e. evidence that tends to prove and disprove the allegations) as described below.

**Inspection and Review of Evidence**

Prior to the completion of the investigation, the parties will have an equal opportunity to inspect and review the evidence obtained through the investigation. The purpose of the inspection and review process is to allow each party the equal opportunity to meaningfully respond to the evidence prior to conclusion of the investigation.

Evidence that will be available for inspection and review by the parties will be any evidence that is directly related to the allegations raised in the Formal Complaint. It will include any:

1. Evidence that is relevant, even if that evidence does not end up being relied upon by the institution in making a determination regarding responsibility;
2. inculpatory or exculpatory evidence (i.e. evidence that tends to prove or disprove the allegations) that is directly related to the allegations, whether obtained from a party or other source.

The institution will share the evidence made available for each party and each party’s advisor, if any, to inspect and review through hard copy. The Institution is not under an obligation to use any specific process or technology to provide the evidence and shall have the sole discretion in terms of determining format and any restrictions or limitations on access.

The parties will have ten (10) business days to inspect and review the evidence and submit a written response by email to the investigator. The investigator will consider the parties’ written responses before completing the Investigative Report. Parties may request a reasonable extension as their designated extension request.

The institution will provide the parties five (5) business days after the initial inspection and review of evidence, and before the investigator completes their Investigative Report, to provide additional evidence in response to their inspection and review of the evidence, and then provide the parties five (5) business days to inspect, review, and respond to the party’s additional evidence through a written response to the investigator. Those written responses may be disclosed to the parties. See, 85 Fed. Reg. 30026, 30307 (May 19, 2020).

Any evidence subject to inspection and review will be available at any hearing, including for purposes of cross-examination.

The parties and their advisors must sign an agreement not to disseminate any of the evidence subject to inspection and review or use such evidence for any purpose unrelated to the Title IX grievance process. See, 85 Fed. Reg. 30026, 30435 (May 19, 2020).

**Inclusion of Evidence Not Directly Related to the Allegations:**
Evidence obtained in the investigation that is determined in the reasoned judgment of the investigator not to be directly related to the allegations in the Formal Complaint will be included in the appendices to the investigative report.

**Investigative Report**

The Title IX Coordinator and an investigator designated by the Title IX Coordinator will create an Investigative Report that fairly summarizes relevant evidence, and provide that Report to the parties at least ten (10) business days prior the hearing in hard copy for each party’s review and written response.

The Investigative Report is not intended to catalog all evidence obtained by the investigator, but only to provide a fair summary of that evidence.

Only relevant evidence (including both inculpatory and exculpatory – i.e. tending to prove and disprove the allegations - relevant evidence) will be referenced in the Investigative Report.

The investigator may redact irrelevant information from the Investigative Report when that information is contained in documents or evidence that is/are otherwise relevant. See, 85 Fed. Reg. 30026, 30304 (May 19, 2020).

**Hearing**

**General Rules of Hearings**

Vassar will not issue a disciplinary sanction arising from an allegation of covered sexual harassment without holding a live hearing, unless otherwise resolved through an informal resolution process.

The live hearing may be conducted with all parties physically present in the same geographic location, or, at Vassar’s discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually through Google Hangout and Zoom. This technology will enable participants simultaneously to see and hear each other. At its discretion, Vassar may delay or adjourn a hearing based on technological errors not within a party’s control.

All proceedings will be recorded through audio recording. That recording or transcript will be made available to the parties for inspection and review.

OPTIONAL: Prior to obtaining access to any evidence, the parties and their advisors must sign an agreement not to disseminate any of the testimony heard or evidence obtained in the hearing or use such testimony or evidence for any purpose unrelated to the Title IX Grievance Process. Once signed, this Agreement may not be withdrawn See, 85 Fed. Reg. 30026, 30435 (May 19, 2020).

**Continuances or Granting Extensions**

Vassar may determine that multiple sessions or a continuance (i.e. a pause on the continuation of the hearing until a later date or time) is needed to complete a hearing. If so, Vassar will notify all participants and endeavor to accommodate all participants’ schedules and complete the hearing as promptly as practicable.

**Newly-discovered Evidence**

As a general rule, no new evidence or witnesses may be submitted during the live hearing.
If a party identifies new evidence or witnesses that were not reasonably available prior to the live hearing and could affect the outcome of the matter, the party may request that such evidence or witnesses be considered at the live hearing.

The Adjudicator will consider this request and make a determination regarding (1) whether such evidence or witness testimony was actually unavailable by reasonable effort prior to the hearing, and (2) whether such evidence or witness testimony could affect the outcome of the matter. The party offering the newly-discovered evidence or witness has the burden of establishing these questions by the preponderance of the evidence.

If the Adjudicator answers in the affirmative to both questions, then the parties will be granted a reasonable pause in the hearing to review the evidence or prepare for questioning of the witness.

**Participants in the live hearing**

Live hearings are not public, and the only individuals permitted to participate in the hearing are as follows:

*Complainant and Respondent (The Parties)*
- The parties cannot waive the right to a live hearing.
- The institution may still proceed with the live hearing in the absence of a party, and may reach a determination of responsibility in their absence, including through any evidence gathered that does not constitute a “statement” by that party. 85 Fed. Reg. 30026, 30361 (May 19, 2020).
  - For example, A verbal or written statement constituting part or all of the sexual harassment itself is not a “prior statement” that must be excluded if the maker of the statement does not submit to cross-examination about that statement. In other words, a prior statement would not include a document, audio recording, audiovisual reading, and digital media, including but not limited to text messages, emails, and social media postings, that constitute the conduct alleged to have been the act of sexual harassment under the formal complaint. See, OCR Blog (May 22, 2020), available at [https://www2.ed.gov/about/offices/list/ocr/blog/20200522.html](https://www2.ed.gov/about/offices/list/ocr/blog/20200522.html)
- Vassar will not threaten, coerce, intimidate or discriminate against the party in an attempt to secure the party’s participation. See 34 C.F.R. § 106.71; see also 85 Fed. Reg. 30026, 30216 (May 19, 2020).
- If a party does not submit to cross-examination, the decision-maker cannot rely on any prior statements made by that party in reaching a determination regarding responsibility, but may reach a determination regarding responsibility based on evidence that does not constitute a “statement” by that party.
- The decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party’s absence from the live hearing or refusal to answer cross examination or other questions. See 34 C.F.R. §106.45(b)(6)(i).
- The parties shall be subject to the institution’s Rules of Decorum.

*The Decision-maker*
- The hearing body will consist of a single adjudicator.
- No member of the hearing body will also have served as the Title IX Coordinator, Title IX investigator, or advisor to any party in the case, nor may any member of the hearing body serve on the appeals body in the case.
- No member of the hearing body will have a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
The hearing body will be trained on topics including how to serve impartially, issues of relevance, including how to apply the rape shield protections provided for complainants, and any technology to be used at the hearing.

The parties will have an opportunity to raise any objections regarding a decision-maker’s actual or perceived conflicts of interest or bias at the commencement of the live hearing.

**Advisor of choice**

- The parties have the right to select an advisor of their choice, who may be, but does not have to be, an attorney.
- The advisor of choice may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party, except for the purpose of cross-examination.
- In addition to selecting an advisor to conduct cross-examination, the parties may select an advisor who may accompany the parties to any meeting or hearing they are permitted to attend, but may not speak for the party.
- The parties are not permitted to conduct cross-examination; it must be conducted by the advisor. As a result, if a party does not select an advisor, the institution will select an advisor to serve in this role for the limited purpose of conducting the cross-examination at no fee or charge to the party.
- The advisor is not prohibited from having a conflict of interest or bias in favor of or against complainants or respondents generally, or in favor or against the parties to the particular case.
- The advisor is not prohibited from being a witness in the matter.
- If a party does not attend the live hearing, the party’s advisor may appear and conduct cross-examination on their behalf. 85 Fed. Reg. 30026, 30340 (May 19, 2020).
- If neither a party nor their advisor appear at the hearing, Vassar will provide an advisor to appear on behalf of the non-appearing party. See, 85 Fed. Reg. 30026, 30339-40 (May 19, 2020).
- Advisors shall be subject to the institution’s Rules of Decorum, and may be removed upon violation of those Rules.

**Witnesses**

- Witnesses cannot be compelled to participate in the live hearing, and have the right not to participate in the hearing free from retaliation. See, 85 Fed. Reg. 30026, 30360 (May 19, 2020).
- If a witness does not submit to cross-examination, as described below, the decision-maker cannot rely on any statements made by that witness in reaching a determination regarding responsibility, including any statement relayed by the absent witness to a witness or party who testifies at the live hearing. 85 Fed. Reg. 30026, 30347 (May 19, 2020).
- Witnesses shall be subject to the institution’s Rules of Decorum.

**Hearing Procedures**

For all live hearings conducted under this Title IX Grievance Process, the procedure will be as follows:

- The adjudicator will open and establish rules and expectations for the hearing;
- The Parties will each be given the opportunity to provide opening statements;
- The adjudicator will ask questions of the Parties and Witnesses;
- Parties will be given the opportunity for live cross-examination after the adjudicator conducts its initial round of questioning; During the Parties’ cross-examination, adjudicator will have the authority to pause cross-examination at any time for the purposes of asking the adjudicator’s own follow up questions; and any time necessary in order to enforce the established rules of decorum.
- Should a Party or the Party’s Advisor choose not to cross-examine a Party or Witness, the Party shall affirmatively waive cross-examination through a written or oral statement to the adjudicator. A Party’s waiver of cross-examination does not eliminate the ability of the adjudicator to use statements made by the Party.
Live Cross-Examination Procedure

Each party’s advisor will conduct live cross-examination of the other party or parties and witnesses. During this live-cross examination the advisor will ask the other party or parties and witnesses relevant questions and follow-up questions, including those challenging credibility directly, orally, and in real time.

Before any cross-examination question is answered, the adjudicator will determine if the question is relevant. Cross-examination questions that are duplicative of those already asked, including by the adjudicator may be deemed irrelevant if they have been asked and answered.

Review of Recording

The recording of the hearing will be available for review by the parties within (ten) 10 business days, unless there are any extenuating circumstances. The recording of the hearing will not be provided to parties or advisors of choice.

Determination Regarding Responsibility

Standard of Proof

Vassar uses the preponderance of the evidence standard for investigations and determinations regarding responsibility of formal complaints covered under this Policy. This means that the investigation and hearing determines whether it is more likely than not that a violation of the Policy occurred.

General Considerations for Evaluating Testimony and Evidence

While the opportunity for cross-examination is required in all Title IX hearings, determinations regarding responsibility may be based in part, or entirely, on documentary, audiovisual, and digital evidence, as warranted in the reasoned judgment of the Decision-maker.

Decision-makers shall not draw inferences regarding a party or witness’ credibility based on the party’s or witness’ status as a complainant, respondent, or witness, nor shall it base its judgments in stereotypes about how a party or witness would or should act under the circumstances.

Generally, credibility judgments should rest on the demeanor of the party or witness, the plausibility of their testimony, the consistency of their testimony, and its reliability in light of corroborating or conflicting testimony or evidence.

Still, credibility judgments should not rest on whether a party or witness’ testimony is non-linear or incomplete, or if the party or witness is displaying stress or anxiety.

Decision makers will afford the highest weight relative to other testimony to first-hand testimony by parties and witnesses regarding their own memory of specific facts that occurred. Both inculpatory and exculpatory (i.e. tending to prove and disprove the allegations) evidence will be weighed in equal fashion.

Except where specifically barred by the Title IX Final Rule, a witness’ testimony regarding third-party knowledge of the facts at issue will be allowed, but will generally be accorded lower weight than testimony regarding direct knowledge of specific facts that occurred.
The Final Rule requires that Vassar allow parties to call “expert witnesses” for direct and cross examination. While the expert witness will be allowed to testify and be cross examined as required by the Final Rule, the decision-maker will be instructed to afford lower weight to non-factual testimony of the expert relative to fact witnesses, and any expert testimony that is not directed to the specific facts that occurred in the case will be afforded lower weight relative to fact witnesses, regardless of whether the expert witness testimony is the subject of cross examination and regardless of whether all parties present experts as witnesses.

The Final Rule requires that Vassar allow parties to call character witnesses to testify. While the character witnesses will be allowed to testify and be cross examined as required by the Final Rule, the decision-maker will be instructed to afford very low weight to any non-factual character testimony of any witness.

The Final Rule requires that Vassar admit and allow testimony regarding polygraph tests (“lie detector tests”) and other procedures that are outside of standard use in academic and non-academic conduct processes. While the processes and testimony about them will be allowed to testify and be crossed as required by the Final Rule, the decision-maker will be instructed to afford lower weight to such processes relative to the testimony of fact witnesses.

Where a party or witness’ conduct or statements demonstrate that the party or witness is engaging in retaliatory conduct, including but not limited to witness tampering and intimidation, the adjudicator may draw an adverse inference as to that party or witness’ credibility.

**Components of the Determination Regarding Responsibility**

The written Determination Regarding Responsibility will be issued simultaneously to all parties through their institution email account, or other reasonable means as necessary. The Determination will include:

1. Identification of the allegations potentially constituting covered sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding which section of the College Regulations, or relevant employee handbook, if any, the respondent has or has not violated.
5. For each allegation:
   a. A statement of, and rationale for, a determination regarding responsibility;
   b. A statement of, and rationale for, any disciplinary sanctions the recipient imposes on the respondent; and
   c. A statement of, and rationale for, whether remedies designed to restore or preserve equal access to the recipient’s education program or activity will be provided by the recipient to the complainant; and
5. The recipient’s procedures and the permitted reasons for the complainant and respondent to appeal (described below in “Appeal”).

**Timeline of Determination Regarding Responsibility**

If there are no extenuating circumstances, the determination regarding responsibility will be issued by Vassar within ten (10) business days of the completion of the hearing.

**Finality**

The determination regarding responsibility becomes final either on the date that the institution provides the parties with the written determination of the result of the appeal, if an appeal is filed consistent with
the procedures and timeline outlined in “Appeals” below, or if an appeal is not filed, the date on which the opportunity to appeal expires.

**Appeals**

Each party may appeal (1) the dismissal of a formal complaint or any included allegations and/or (2) a determination regarding responsibility. To appeal, a party must submit their written appeal within five (5) business days of being notified of the decision, indicating the grounds for the appeal.

The limited grounds for appeal available are as follows:

- Procedural irregularity that affected the outcome of the matter (i.e., a failure to follow the institution’s own procedures);
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter;
- The Title IX Coordinator, investigator(s), or decision-maker had a conflict of interest or bias for or against an individual party, or for or against complainants or respondents in general, that affected the outcome of the matter.
- The sanctions imposed are disproportionate to the severity of the violation or substantially outside the parameters set by the College. The appeal body will return the complaint to the Chair/senior officer of the Grievance Hearing Panel, who may then increase, decrease, or otherwise modify the sanctions.

The submission of appeal stays any sanctions for the pendency of an appeal. Supportive measures and remote learning opportunities remain available during the pendency of the appeal.

If a party appeals, the institution will as soon as practicable notify the other party in writing of the appeal, however the time for appeal shall be offered equitably to all parties and shall not be extended for any party solely because the other party filed an appeal.

Appeals may be no longer than 20 pages (including attachments). Appeals should be submitted in electronic form using ARIAL or TIMES NEW ROMAN, 12 point font, and single-spaced. Appeals should use footnotes, not endnotes. Appeals that do not meet these standards may be returned to the party for correction, but the time for appeal will not be extended unless there is evidence that technical malfunction caused the appeal document not to meet these standards.

Appeals will be decided by the appropriate Appeal body, who will be free of conflict of interest and bias, and will not serve as investigator, Title IX Coordinator, or hearing decision maker in the same matter. If the respondent in the original complaint is a faculty member, the elected faculty Appeal Committee hears all appeals, except for appeals of a remedy or sanctions determined by the Appeal Committee itself, which are heard by the Academic Affairs Committee of the Board of Trustees. If the respondent in the original complaint is a student, the College Regulations Appeal Panel, chaired by the Dean of the College, hears all appeals. If the respondent in the original complaint is a non-faculty employee, the Vice President of Human Resources hears all appeals unless the initial grievance panel was chaired by the Vice President of Human Resources. In this case, the president appoints another senior officer to hear the appeal.

Outcome of appeal will be provided in writing simultaneously to both parties, and include rationale for the decision.

**Retaliation**
Vassar will keep the identity of any individual who has made a report or complaint of sex discrimination confidential, including the identity of any individual who has made a report or filed a Formal Complaint of sexual harassment under this Title IX Grievance Policy, any Complainant, any individual who has been reported to be the perpetrator of sex discrimination, any Respondent, and any witness, except as permitted by the FERPA statute, 20 U.S.C. 1232g, or FERPA regulations, 34 CFR part 99, or as required by law, or to carry out the purposes of 34 CFR part 106, including the conduct of any investigation, hearing, or judicial proceeding under this Title IX Grievance Policy.

No person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX of the Education Amendments of 1972 or its implementing regulations.

No person may intimidate, threaten, coerce, or discriminate against any individual because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding or hearing under this Title IX Grievance Policy.

Any intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right or privilege secured by Title IX or its implementing regulations constitutes retaliation. This includes any charges filed against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but that arise from the same facts or circumstances as a report or complaint of sex discrimination or a report or Formal Complaint of sexual harassment.

Complaints alleging retaliation may be filed according to Vassar’s retaliation policy. (Policy added August 2020)