



THE VIKING CODE

Student Handbook

2025-2026

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Dear Students:

Welcome to the 2025-2026 academic year! We look forward to your active participation in the life of the campus.

A hallmark of a Berry education is a well-rounded experience. There are innumerable opportunities for involvement through colloquia, speakers, organization activities, sports, service, and college-wide events. We encourage you to make the most of your time at Berry by taking full advantage of these programs and events.

We are glad you are here, and we look forward to working with you to make 2025-2026 a great year.

Sincerely,

Michael McElveen, EdD
Assistant Vice President for Student Affairs
Interim Dean of Students

ACADEMIC CALENDAR

Fall Semester 2025

July 10, Thursday	First payment due for fall semester courses
August 22, Friday	Online add/drop for cleared returning students opens at 8 am
August 25, Monday	Classes begin
August 28, Thursday	Last day to change fall schedule; online add/drop closes at 4 pm (courses on schedule after this day apply toward financial aid)
August 28, Thursday	Drop deadline for PA program
September 1, Monday	Labor Day—no classes
September 26, Friday	Last day to withdraw from first 7-week courses
October 10, Friday	First 7-week courses end
October 10, Friday	Mountain Day activities; no classes after 2 pm
October 11, Saturday	Mountain Day
October 11, Saturday	Online grading opens for first 7-week courses (closes Wednesday, Oct 15)
October 13, Monday	Second 7-week courses begin
October 14, Tuesday	Last day to add or drop a second 7-week course
October 18-21, Sat-Tue	Fall Break—no classes
October 27, Monday	Senior Exit Examinations
October 27-31, Mon-Fri	Advising, week 1
November 3-7, Mon-Fri	Advising, week 2
November 3-14	Pre-registration for Spring 2026 courses
November 14, Friday	Last day to withdraw from full-term or second 7-week courses
November 14, Friday	Withdrawal deadline for PA program
November 14, Friday	Cultural Event deadline for students graduating in December
November 26-28	Thanksgiving Holidays—no classes
December 5, Friday	Last day of classes
December 6, Saturday	Online grading opens
December 8-12	Final Examinations
December 10, Wednesday	First payment due for spring semester courses
December 17, Wednesday	All final grades due by 10 am
December 19, Friday	Conferral of diplomas for students completing all degree requirements in fall

Spring Semester 2026

January 9, Friday	Online add/drop for cleared returning students opens at 8 am
January 12, Monday	Classes begin
January 15, Thursday	Last day to change spring schedule; online add/drop closes at 4 pm (courses on schedule after this day apply toward financial aid)
January 15, Thursday	Drop deadline for PA program
January 19, Monday	Martin Luther King Jr. Day—no classes
February 13, Friday	Last day to withdraw from first 7-week courses
February 27, Friday	First 7-week courses end
February 28, Saturday	Online grading opens for first 7-week courses
March 2, Monday	Second 7-week courses begin
March 3, Tuesday	Last day to add/drop second 7-week courses
March 9-13	Spring Break
March 16, Monday	Senior exit examinations (major field)
March 16-20	Advising, week 1
March 23-27	Advising, week 2
March 23—April 2	Pre-registration for Summer and Fall 2026 courses
March 23—April 2	Application for Fall 2026 and Spring 2027 graduation (VikingWeb)
April, 3, Friday	Good Friday—no classes
April 7, Tuesday	Symposium on Student Scholarship—classes suspended
April 10, Friday	Last day to withdraw from full-term or second 7-week courses
April 10, Friday	Withdrawal deadline for PA program
April 10, Friday	Cultural Event deadline for students graduating in May
April 28, Tuesday	Last day of classes
April 29, Wednesday	Reading Day
April 30, Thursday	Online grading opens
April 30—May 6	Final Exams (Thursday—Wednesday)
May 6, Wednesday	Grades for graduating students due 10 am
May 6, Wednesday	Baccalaureate
May 8, Friday	Graduate Student Commencement
May 9, Saturday	Undergraduate Student Commencement
May 11, Monday	All final grades due by 10 am

Summer Semester 2026	
May 18, Monday	Block A (UG and GR—5 weeks) begins Block C (UG and GR—10 weeks) begins
May 18, Monday	PA Summer Block (13 weeks) begins
May 19, Tuesday	Add/drop closes for Block A & C courses (4 pm)
May 19, Tuesday	Drop deadline for PA program
May 25, Monday	Memorial Day—no classes
June 8, Monday	Block D (GR—6 weeks) begins
June 9, Tuesday	Add/drop closes for Block D courses (4 pm)
June 12, Friday	Last day to withdraw from Block A courses
June 18, Thursday	Block A courses end
June 19, Friday	Juneteenth Holiday (no classes)
June 19, Friday	Online grading for Block A opens (closes June 24 @ 10 am)
June 22, Monday	Block B (UG—5 weeks) begins
June 23, Tuesday	Add/drop closes for Block B courses (4 pm)
July 3, Friday	Independence Day Holiday
July 10, Friday	Last day to withdraw from Block C courses
July 17, Friday	Block D courses end
July 18, Saturday	Online grading for Block D opens (closes July 22 @ 10 am)
July 24, Friday	Blocks B & C courses end
July 25, Saturday	Online grading for Blocks B & C end (closes July 29 @ 10 am)
July 29, Wednesday	Withdrawal deadline for PA program
August 7, Friday	Conferral of degrees for Undergraduate, MBA, and Graduate Education
August 12, Wednesday	Grading opens for PA courses
August 14, Friday	PA courses end—all grades due for PA courses

2025-2026

SCHOOL PSALM

(Psalm 121)

I will lift up mine eyes unto the hills, from whence cometh my help.
My help cometh from the Lord, which made heaven and earth.
He will not suffer thy foot to be moved; He that keepeth thee will not slumber.
Behold, He that keepeth Israel shall neither slumber nor sleep.
The Lord is thy keeper: the Lord is thy shade upon thy right hand.
The sun shall not smite thee by day, nor the moon by night.
The Lord shall preserve thee from all evil: He shall preserve thy soul.
The Lord shall preserve thy going out and thy coming in from this time forth,
and even for evermore.

ALMA MATER

Far up in the hills of Georgia stands
Old Berry tried and true,
The Shrine of many a memory of
The Silver and the Blue.
Our loyalty and love we pledge,
God keep thee without fail,
Be thou the light that shines for right,
Alma Mater, Hail, All Hail!

SCHOOL HYMN

O God our help in ages past,
Our hope for years to come;
Our shelter from the stormy blast,
And our eternal home!
Before the hills in order stood,
Or earth received her frame,
From everlasting Thou art God,
To endless years the same.
O God our help in ages past,
Our hope for years to come;
Be Thou our guard while life shall last,
And our eternal home!

ADMINISTRATION

Andy Bressette, *Vice President for Enrollment Management*

Laura Croft, *Vice President for Advancement*

Brian Erb, *Chief Operating Officer and Vice President for Finance*

Casee Gilbert, *Chief of Staff*

Sandeep Mazumder, *President*

Nancy Rewis, *Vice President for Marketing & Communications*

David Slade, *Provost*

TRADITIONS

What was it about Berry that caught the interest of Andrew Carnegie, captured the enthusiasm of Theodore Roosevelt, appealed to the practical mind of Henry Ford and earned his generous support? What is it about Berry today that commands an equal measure of enthusiasm among leading Americans and thousands of loyal friends?

The answers to these questions are found in the fascinating story of founder Martha Berry, her successors, and the remarkable institution they have built from a cabin to a college. Berry is a college rich in heritage. Many campus customs are deeply rooted.

Students celebrate the end of the academic year with an annual event called Finals Fest, which is a “spring fling” type event that includes a concert, inflatables, novelties and food.

Honors Convocation is held during the spring semester. Awards and scholarships are given to students who have excelled academically, provided leadership, or contributed to the Berry community. Student Work Week featuring the LifeWorks Awards are also annual spring recognition events.

MOUNTAIN DAY

Each year on the first or second weekend of October, Martha Berry is remembered in a traditional celebration, which is called Mountain Day. This year Mountain Day Weekend will be October 10-12, 2025. The holiday, which celebrates Miss Berry’s birthday, includes several Berry traditions.

The Mountain Day Olympics will be on Friday afternoon on Evans Hall South Lawn.

A picnic lunch will be held on Saturday at the foot of Lavender Mountain (WinShape Campus).

The lunch is followed by the main event of the day, the Grand March. The music for the Grand March is provided by the college wind ensemble. Students, led by the seniors, join hands, separate, and unite in ever widening lines as they weave a march pattern on the gentle slope at the foot of Lavender Mountain. During the march, students drop donations into the birthday basket, traditionally the number of cents equal to the student’s age. These donations become a part of the Martha Berry Memorial Endowment Fund, established by Miss Berry with gifts made to her to aid The Berry Schools. Traditionally, female students dress in a pastel pink (blue, if senior) dress or skirt and blouse; the male students wear a light blue shirt (white, if senior) and dark trousers. These colors reflect the uniforms worn by past Berry students when specific attire was required. Today, Berry students are invited to wear whatever color and attire they feel best represents their identity.

On the Saturday night of Mountain Day Weekend, students come together in the Clara Bowl to participate in Marthapalooza, a late-night carnival with rides, food, booths and games, music, and a bonfire.

BERRY COLLEGE CODE OF STUDENT CONDUCT

Berry College is a residential academic community whose mission is to educate the head, heart and hands. Berry College was founded on the principles of Good Neighbor Culture by our founder, Martha Berry. This culture emphasizes how we value, treat, and serve one another, rooted in mutual respect, service, and a commitment to community. It is about creating an environment where the heart is nurtured as much as the head and hands, reflecting the values that have guided Berry College from the beginning.

Student education is at the heart of the Berry Code. Students are expected to learn and practice self-discipline and community responsibility and to participate actively in both upholding and encouraging others to uphold the highest standards of behavior. The code of conduct is a guide to the expectations of this community to provide the best environment possible for the academic and personal success of students. The code articulates standards and a process and sanctions for situations where responsibilities are not met.

The purpose of our system is to promote and protect Berry's mission by holding students accountable for community expectations and help students correct and learn from unacceptable behavior. The college's conduct system does not replace nor replicate the legal system. As such, it is limited to the student and his/her relationship with the college. Students are expected to follow local, state and federal laws at all times and the college will not shield students from their responsibilities to follow the law nor the consequences of violations.

Administrative and conduct authority rests with the college's Board of Trustees. This authority has been delegated to the President who has subsequently delegated this responsibility to the vice president for student affairs and dean of students.

Code establishment Updated July 6, 2017

The originating document was established in June 1979 by the president of Berry College to exercise functions assigned to him into a student conduct process. The Code will be reviewed periodically by the vice president for student affairs and dean of students, in consultation with the Student Conduct Board and the Student Government Association, for changes to improve its role in setting appropriate expectations and insuring fair and appropriate adjudication processes. Recommendations for change are made to the president of the college who has final authority. The Berry College Code of Student Conduct was revised in August of 2005.

Purpose of the Campus Conduct System

The code of student conduct and the campus conduct system exist to educate students about their personal and community responsibilities at Berry College. The purposes of the campus conduct system are:

1. To uphold Berry standards of conduct.
2. To hold students accountable for violations of community standards.
3. To provide students an opportunity to learn from mistakes by taking responsibility for their behavior.
4. To protect the community when a student's behavior calls for action by the community.

The campus conduct system includes all members of the Berry community with students, faculty and staff participating on hearing and appeal boards and on committees that create and revise the code of conduct.

Expectations of Student Conduct

Students are expected to embody Good Neighbor Culture by treating others with respect, contributing positively to the community, and fostering inclusivity and belonging. This approach ensures that our campus remains a place of mutual care, shared responsibility, and positive engagement.

Berry students are expected to behave responsibly at all times, both on and off-campus. The college reserves the right to hold students accountable for their off-campus behavior. Discretion rests with the Vice President for Student Affairs and Dean of Students to use the student conduct process for off-campus incidents when the behavior or pattern of behaviors affects the reputation of the college or the safety or well-being of an individual or others in the community.

As a Berry student, you are expected to:

1. **Show respect for yourself and others.**
2. **Maintain integrity in personal and academic affairs.**
3. **Respect property, neighbors, and the environment.**
4. **Be responsible citizens.**

Community Standard I. Respect Self and Others

Community members show lack of respect for themselves and others by engaging in the following behavior:

- a. Inappropriate physical or verbal contact: assault; verbal abuse; intimidation; harassment, sexting; cyber-bullying, understood as the deliberate use of communication methods (i.e. blogs, emails, social networking sites, texting) to communicate harassing language.
- b. Endangerment: tampering with safety alarms or equipment; making false alarms or inducing panic; possession or use of explosives or fireworks; possession or use of a weapon, including but not limited to knives with more than a 3" blade (except non-spring pocket knives), no switchblade knives, or knives designed for the purpose of offense or defense, and devices that fire projectiles (for e.g., bb guns, pellet guns, paint guns, sling shots).
- c. Use, possession, provision or sale of alcohol or being in the presence of someone using, possessing, providing or selling, alcohol.
- d. Use and possession of drugs, which are either illegal or not prescribed to the individual in possession, or possession of drug paraphernalia or being in the presence of someone using, possessing, providing, or selling drugs.
- e. Tobacco use and/or possession, including cigarettes, cigars, chewing tobacco, e-cigarettes, vapors.
- f. Failure to comply with the request of any college official, staff member, authorized contract agent, or student employee acting in performance of their duties, including refusal to identify oneself when requested to do so.
- g. Disregard for the privacy of others.
- h. Berry College expects its students to live up to community standards of decency in all areas of life including sexual behavior. Because Berry students living on campus share intimately close and public quarters with one another, on-campus sexual behavior by students that draws attention to itself, disrupts the routines of others, or disregards the normal expectation of other people's privacy from such behavior is a violation of this standard.

Community Standard II. Maintain Integrity in Personal and Academic Affairs

Community members jeopardize personal and academic integrity by engaging in the following behavior:

- a. Disruption of academic activities including teaching and learning, research, programs, or classrooms.
- b. Interference with the free speech and participation of community members.

- c. Dishonesty, including provision of false information or testimony to a college official or conduct board, alteration or misuse of documents or electronic technology as defined in the Berry College Policy on the Acceptable Use of Information Technology Resources and Data, impersonation, misrepresentation.
- d. Academic dishonesty: misrepresentation or falsification of data; complicity with others engaged in academic dishonesty.
- e. Inappropriate use of technology.

Community Standard III. Respect Property, Neighbors, and the Environment

Community members demonstrate lack of respect for the property of others and for the environment by engaging in the following behavior:

- a. Theft, destruction or defacement, unauthorized use or possession of college or personal property.
- b. Unauthorized entrance into college facilities or private residences.
- c. Littering.
- d. Disruptive or inconsiderate behavior.
- e. Disruptive or damaging behavior towards animals.
- f. Violation of contractual or policy statements such as residence hall or other facility policies, library policies.

Community Standard IV. Be responsible citizens

Community members show a lack of responsible citizenship by engaging in the following behavior:

- a. Failure to comply with, and to ensure that your guests, including Berry students or guests from the community, are in compliance with regulations governing campus facilities, programs, activities, and services, as well as federal, state, and local laws.
- b. Deliberate incitement of others to engage in prohibited acts, or involvement as an accessory.
- c. Failure to separate from a group in which others are engaged in prohibited acts.
- d. Gambling, personally or at organized student events.
- e. Violation of local, state or federal laws.
- f. Other behavior that is detrimental to the health, well-being and purposes of Berry College and the community.
- g. Failure to notify relevant campus authority when there is a reasonable expectation that the health or well-being of a student is endangered.

■ MEDICAL ASSISTANCE POLICY

Berry College promotes responsibility and expects students to offer assistance to other students in need. There are times when students are reluctant to offer assistance to their fellow students for fear that they themselves may be charged with policy violations. For example, a student who has been drinking underage might hesitate to get help from Campus Police or a Resident Assistant for someone suffering from overconsumption of alcohol.

At the conclusion of an investigation, a student who has provided emergency assistance will not receive charges under the student code of conduct if a) he or she is the first person to provide assistance and/or contact Campus Police or Residence Life staff, b) he or she has not contributed to the endangerment of the student needing emergency assistance, c) the assisting student has not moved or transported the student, d) remains with the endangered student until Campus Police or Residence Life Staff arrives, and e) cooperates with the responding staff.

■ COMPLAINTS AND THEIR RESOLUTION

Complaint process

A complaint may be received from a variety of sources including but not limited to student/faculty or staff members who witness inappropriate behavior, a resident assistant incident report, a police incident report (either on or off campus). The

associate dean of students serves as the college's chief conduct officer and is responsible for investigating all complaints. Residence hall violations may be referred to the residence life community coordinators for investigation.

Resolution of complaints

The Berry conduct system provides three avenues for the resolution of behavioral complaints: by summary disposition, through a hearing with a conduct board or with an administrative hearing officer. Factors that may determine which avenue will be used for resolution of complaints are as follows:

Summary Disposition

When a respondent student agrees to the basic facts of a matter, he or she may choose to forego a hearing, and accept a decision by the administrative hearing officer.

■ STUDENT CONDUCT BOARD AND ADMINISTRATIVE HEARINGS

A respondent student may also choose to resolve behavioral complaints through the conduct board or administrative hearings. While students may choose how most behavioral matters are resolved, the vice president for student affairs and dean of students or designee may refer a case to the conduct board when:

- The seriousness of the behavior warrants a formal conduct process (e.g. sexual assault; drug possession, sale or abuse; violations of state, local or federal law);
- The significant facts of the matter are in dispute;
- It is believed that the matter is best resolved through broader community involvement; or there is a conflict of interest.

Beginning the last week of classes and between semesters (including summer), a student will be automatically referred to an administrative hearing process.

Administrative hearing officers include the vice president for student affairs and dean of students, the associate dean of students, and the residence life area coordinators. The vice president for student affairs and dean of students may appoint additional hearing officers as needed.

Generally, complaints should be filed within two weeks of an incident. For reports received after two weeks, the vice president for student affairs and dean of students will review the timeliness of the complaint and determine the appropriate response.

■ HEARING PROCEDURES

The following procedures are normally used for board and administrative hearings. The goal of a hearing is to determine whether a student is responsible for violating the code of expected conduct. Formal rules of evidence are not applicable, nor do small deviations from prescribed procedures necessarily invalidate a decision or hearing unless significant prejudice to the student or College resulted. A student's failure to appear at a hearing does not preclude the hearing officer or hearing board from reaching a decision regarding responsibility and/or sanction.

There are two types of hearings: administrative and board hearings.

Administrative hearings are generally reserved for minor infractions, or when the student and investigator agree on administrative adjudication. Procedures include the respondent's right to:

- written notification of charges
- an opportunity for the respondent student, hereafter referred to as respondent, and the hearing officer to review documentation and discuss the alleged behavior
- a fair and impartial consideration of the charges by the hearing officer

- the right to present a defense including information about potential witnesses to be interviewed by the investigative or hearing officer
- the right to a written notification of finding
- the right to appeal the decision

Administrative hearings are informal in nature and involve the hearing officer and the respondent. Information from witnesses is received either in written form or interviews by the investigating officer. Administrative hearings are not taped.

Board hearings are generally reserved for major infractions or cases where there is disagreement on the facts supporting the charge. Procedures for board hearings include the respondent's right to:

- written notification of charges
- fair notice of the time and date of adjudication
- a fair and impartial hearing before a conduct board comprised of members of the community
- the right to present information including witnesses
- the right to question testimony
- the right to a written notification of finding
- the right to appeal the decision

Board hearings include the respondent, witnesses for the respondent, the respondent's support person, and the student conduct board. The associate dean of students is also present as a hearing and deliberation resource for the board. He/she does not participate in the hearing. In Title IX cases, the college's Title IX Coordinator will appoint a Title IX officer who was not one of the investigators in the case to serve in this capacity. Support persons may be Berry faculty, staff, or students. In cases involving charges of sexual misconduct, the support person may be any person of the student's choosing. Additional witnesses may appear as requested by the conduct board. The hearing is closed to all others. A respondent's failure to appear for a hearing or failure to respond to either the charges or requests for meetings in the investigatory process will not prohibit an administrative hearing officer or the student conduct board from acting on a charge.

The respondent has the right to know the nature of the charge and enter one of two responses: "responsible" or "not responsible" for a violation of College policy. Charges shall be made in writing and provide at least 4 days' notice of a hearing (under extenuating circumstances, a student may request an extension from the dean of students).

A support person may attend a hearing with a witness. In a sexual assault or harassment case, the student or students who brought the initial complaint may also have a support person present. Support persons may not speak at either administrative or conduct board hearings.

Conduct board hearings are audio taped. The purposes of the tape are to assist the hearing panel in their deliberations (i.e. listening to portions of testimony for a second time if clarification is needed in the decision phase) and for review by the appellate board in the event of an appeal. Upon completion of the appeal or the date by which an appeal may be made, the tape will be destroyed. Only the hearing is recorded; deliberations of the hearing panel are not recorded.

■ USE OF LEGAL COUNSEL

Campus disciplinary proceedings are not a court of law, and licensed attorneys are not permitted to be present in any investigatory meetings, fact-finding or appeals hearings. Because of the nature of some incidents, students may choose to be assisted by legal counsel outside of the college's conduct process. Any expense associated with retaining legal counsel for Berry College internal proceedings is solely the responsibility of the person engaging such counsel.

Conduct cases that fall under the Sexual Misconduct Policy are exceptions. The reporter or respondent in sexual misconduct cases may choose to have an attorney serve as their support person. The attorney serves in a support and advisory role to the student and may not participate verbally in the investigation or the hearing.

■ SANCTIONS

Hearing officers and boards may use the following sanctions or a combination of sanctions for violations of Community Standards:

Written warning—written notice that further policy violations may result in more severe conduct action

Fine—a monetary sanction (students may choose to work off the amount of a fine by making arrangements to do so with the chief conduct officer)

Restitution—monetary compensation for damage to persons or property; generally, restitution will comprise of 150% of the cost of the damage

Educational task—activity, reflection paper, letter of apology, work that benefits the student and the community

Alcohol or other drug assessment or referral to counseling or behavior modification program

Residence Hall Transfer—a move from one residence hall to another

Probation—a period of time during which another violation of policy will result in added restrictions or consideration for suspension or dismissal.

Housing Relocation—students may be reassigned from non-traditional housing to a traditional residence hall following the conclusion of a case and any appeals. This relocation may be temporary or for the remainder of the academic year.

Restrictions—additional sanctions imposed that are appropriate for the offense. The imposition of a restriction(s) carries a time frame for its duration and may take the form of revocation of campus privileges or co-curricular participation in the life of the community. Restrictions are at the discretion of the Dean of Students upon recommendation of the hearing officer or the conduct board.

Suspension—exclusion from the College campus, classes, and other privileges or activities for a finite period of time, typically a year

Dismissal—permanent termination of your status as a student

Parental Notification -- a letter written by the student and sent to parents or legal guardians informing them of disciplinary action. This letter is reviewed and forwarded by the associate dean of students. A copy of the finding and sanction letter accompanies the student letter.

■ INTERIM SUSPENSION

The vice president for student affairs and dean of students may impose an interim suspension if there is reason to believe that a student presents a threat to persons (including self) or property. During this suspension, a student will be denied access to any or all campus facilities, activities, or privileges granted to students, unless permission is received by the Dean of Students Office.

Occasionally a student may face criminal charges in addition to college charges resulting from their behavior. The vice president for student affairs and dean of students may choose to impose an interim suspension and hold the college's

conduct process until the criminal charges are resolved. Imposition of criminal charges does not automatically defer the college's conduct process which will proceed as they normally would unless the vice president determines otherwise.

■ GUIDE FOR CONDUCT DECISIONS

The following guide serves in deciding what type of action is appropriate, given the nature of the infraction. It should be emphasized that when sanctioning, decisions reflect the attitude and situation of the respondent student, as well as prior behavioral records. Therefore, while the following are recommended sanctions, final action may be more or less severe, as deemed appropriate by the administrative hearing officer or the Student Conduct Board.

Level I

- Minor alcohol policy violation
- Residence hall policies including those covered in the Expectations of Student Conduct and the residence hall policy section of the Viking Code
- Minor incidents that affect the health and safety of others
- Failure to identify or comply
- Possible sanctions: warning, fine, educational task, restitution, parental notification, a fine in the range of \$40-\$250

Level II

- Second "Level I" infraction
- Disorderly conduct
- Non-malicious damage
- Fire safety
- Major alcohol policy violation
- Possible sanctions: warning, probation, restrictions, educational task, probation, restitution, parental notification, a fine in the range of \$100-\$300

Level III

- Minor theft
- Harassment
- Disorderly conduct
- Physical or emotional abuse
- Inappropriate physical contact, intimidation
- Sexual misconduct
- Use, possession of drugs
- Minor vandalism and criminal damage
- Menacing (physical, verbal, or written threat)
- Fire safety (fireworks, unauthorized or inappropriate use of fire extinguisher, false fire alarm)
- Exhibiting a pattern of behavior that demonstrates a flagrant disregard for college policies, including multiple infractions
- Possible sanctions: probation, fine, educational task, restrictions, residence hall transfer, restitution, parental notification, and a fine in the range of \$160-\$400

Level IV

- Major theft
- Harassment
- Disorderly conduct
- Physical or emotional abuse
- Major vandalism and criminal damage
- Possession of a weapon
- Sexual misconduct
- Fire safety (false fire alarm, tampering with firefighting or safety equipment)

Exhibiting a pattern of behavior that demonstrates a flagrant disregard for college policies, including multiple infractions

Possible sanctions: suspension, educational task, restitution, parental notification, and a fine in the range of \$200-\$600

Level V

Any offense or series of infractions that indicate that the student is a threat to the College community and/or him/herself

Possession of a weapon

Sale or distribution of illegal drugs

Sexual misconduct

Exhibiting a pattern of behavior that demonstrates a flagrant disregard for college policies, including multiple infractions

Possible sanctions: disciplinary dismissal, suspension, parental notification

■ STUDENT CONDUCT BOARD

The Student Conduct Board provides a hearing board made up of members of the Berry community, including faculty, staff and students with a majority being students, to adjudicate student or student organization violations of college standards.

Composition

The Student Conduct Board shall consist of a faculty or staff chair and 13 voting members. Four faculty and/or staff members are appointed by the president of the college and nine full-time students are appointed by the vice president for student affairs and dean of students upon recommendation of the president of the student government association. The selection of members will provide a gender balance and equal class representation from the sophomore, junior and senior classes whenever possible. Faculty and staff serve at the discretion of the president. Students are selected for the Board for the entirety of their student experience, unless the student chooses to resign or is recommended for removal. Students are eligible to serve if they are full-time students with a minimum of a 2.5 grade point average and may not be one of the five selected officers of the SGA or a resident assistant. A student's disciplinary history will be taken into account in the selection process and a disciplinary record once on the board may be grounds for removal from the board. The vice president for student affairs and dean of students may remove a student upon recommendation of the board.

The president will appoint a chair from the faculty and staff members of the board. The chair does not vote except in the event of a tie. A secretary shall be elected from the student members of the board. The associate dean of students is responsible for overseeing the work of the Board.

Board procedures

Quorum consists of five members of the conduct board, of which three must be students, and the chair or chair pro tem. The respondent has the right to object to a maximum of two student and one faculty or staff member of the conduct board. All objections must be put in writing to the chair of the board at least 24 hours prior to the hearing. The Board chair will determine the members of the hearing panel.

The Board makes decisions based on the evidence introduced at the hearing and uses the standard of preponderance of evidence. The Board will make a determination of responsibility prior to a review of the records of the respondent. The review of records is used to determine appropriate sanctions. Deliberations of the Board are private and will not be taped.

Appeals of Conduct Decisions

An appeal must be made in writing within five business days following written notification of the action taken. When an appeal is submitted, any action taken by the student conduct board or hearing officer is deferred until the appeal is resolved. At least one of the following three conditions must exist for an appeal to be considered:

1. New and significant information can be introduced that was unavailable at the time of the hearing and could have affected the outcome of the case.
2. There is reason to believe the sanction is not consistent with the seriousness of the behavior.
3. The respondent's right to a fair hearing was violated. Procedural or process errors must be significant enough to have affected the outcome of the case in order for the fair hearing standard to have been violated.

It is the student's responsibility to communicate specifically how a case may have been resolved differently in light of the new information provided in the appeal.

The right to appeal does not entitle a student or student organization to a full rehearing of the entire case. The appellate board reviews the appeal only if sufficient and appropriate grounds for appeal exist.

■ APPEALS BOARD

Composition

The Student Appeals Board is comprised of three administrators, three faculty members and three students appointed by the president upon recommendation of the provost and the vice president for student affairs. Students selected for the appeals panel must meet the same eligibility requirements as those selected for the conduct board. A panel of three members, including one administrator, one faculty member and one student, will be convened to hear individual appeals. The panel will be chaired by one of the faculty or administrator and a majority vote of the panel is necessary to change a decision by a hearing officer or conduct board.

Jurisdiction

The Student Appeals Board hears appeals of decisions of the Student Conduct Board or of administrative hearing officers. If in the opinion of the appeals board an appeal lacks merit, the board may refuse to accept it. If the appeals board believes an appeal has merit, it shall review the record of the hearing and meet with the respondent and the hearing officer or the chair of the Student Conduct Board. The board may also call other witnesses as necessary.

Decisions

After hearing an appeal, the Student Appeals Board may decide to:

1. Accept the report and decisions of the Student Conduct Board or administrative hearing officer;
2. Refer the case back to the original hearing officer or board to hear new evidence;
3. Reverse the decision of the Student Conduct Board or hearing officer and dismiss the case; or
4. Accept the decision of the Student Conduct Board or hearing officer but reduce the sanction. The Student Appeals Board may not increase a sanction.

Conduct Records

Conduct records are maintained in a student's personal file in the Dean of Students Office. Conduct action is not recorded on an academic transcript. Hearing files are destroyed upon completion of the appeal process. Outcomes regarding substantiated charges and sanctions are kept in the student's electronic record.

Notification

Parents or guardians and College officials may receive notice of disciplinary action depending on the level of severity of behavior or by sanction. College officials may also receive notice of disciplinary action when it is deemed to be in the best interest of the student and the College to do so. No others shall have access to, nor will the College disclose, any information from a student's educational record without written consent except as required or allowed under federal or state laws.

GENERAL COLLEGE POLICIES

■ ASSEMBLIES

On certain occasions, special assemblies may be called. All students are encouraged to attend. Examples of these special assemblies are Opening Convocation and Honors Night near the end of the academic year.

■ ATTIRE

It is expected that shoes and clothes be worn in all campus buildings.

■ CATALOG AND STUDENT HANDBOOK

Berry produces a college catalog every year that is available online at <http://catalog.berry.edu>. The student handbook, *The Viking Code*, is available online at <https://www.berry.edu/viking-code>. These documents communicate important information for students. Students are responsible for reading and following.

■ FINANCIAL OBLIGATION TO THE COLLEGE

It is important to remain in good financial standing in regards to your tuition account. A student who is delinquent in payment of any financial obligation to Berry College may be removed from classes; may not be allowed to register at the college for another semester until such delinquency is satisfied; may not be issued grades, transcripts, or a diploma; and may be subject to further action. In addition, in the event that an unpaid obligation is submitted to a collection agency or an attorney at law, all costs of collection, including reasonable attorney's fees, will be paid by the student.

Payment due dates for the upcoming semester may be found at:

<https://www.berry.edu/admission/scholarships-and-aid/tuition-and-fees-breakdown>

■ REFUND POLICY

All students who withdraw during fall or spring semester will be charged tuition, and room and board if applicable, at the rate of 10 percent of the semester charge for each week or fraction thereof of enrollment. If a recipient of financial aid withdraws and is scheduled to receive a refund, all or part of this refund will be used to reimburse the financial-aid programs from which the student received funds. All students who withdraw from a summer block on or before the add/drop day for the summer block will receive a full refund for their courses. All other fees are not refundable.

Students with Title IV Federal Financial Aid (Stafford, Plus, Pell Grant, SEOG, Etc.) who withdraw during a semester will be subject to the refunding of all or a portion of their financial aid to the respective loan or grant, according to Federal Regulations. Students should consult with the Student Financial Services Office before they withdraw if they have questions about how their withdrawal may impact their account. Information on these withdrawal procedures and the Federal Regulations that apply are available in the Student Financial Services Office.

Example of Withdrawal Credit and Return of Federal Funds

A student withdraws during the eighth week of the semester and is eligible for a 20% withdrawal credit:

Total charges \$25,925 x 20% = \$5,185.00 credit.

The student was enrolled 59 days of the 110-day semester; a Federal Pell Grant of \$2,865.00 and a Stafford Loan of \$1,750.00 have been applied to the student's account. Using the days enrolled, 59, and dividing by the total number of days in the semester, 110, the percentage rate of 54% was determined to arrive at the amount of Title IV Federal Funds the student earned for the semester. ($\$2,865.00 + \$1,750.00 = \$4,615.00 \times 54\% = \$2,492.10$, the portion of the Title IV

Federal Funds the student would be allowed to retain.) The total, \$4,615.00, minus \$2,492.10 (or \$2,122.90) would be the amount of Title IV Federal Funds to be returned.

If the student's tuition account had a zero balance at the time of withdrawal, the account would be:

Tuition Account Balance	\$ 0.00
Withdrawal Credit	(5,185.00)
Funds to be Returned	<u>2,122.90</u>
Balance Due to Student	\$(3,062.10)

■ MEAL PLAN POLICIES

Meal plan options are as follows:

First-year students living on campus in a traditional residence hall must purchase the Unlimited Plan. Second-year students living on campus in a traditional residence hall must purchase at least the Any 14 Plan. All other traditional residence hall occupants must purchase at least the Any 10 Plan. All other suite residents and all full-time commuter students must purchase at least the Flex Bucks Plan. Meals not included in a plan may be purchased on a casual basis. In addition, a la carte service is available in the Viking Court dining area.

Meal plan charges cover only those meals and Flex Bucks that are made available within an academic semester. **Unused meals and Flex Bucks do not carry over from semester to semester.**

Meal plans cannot be shared. Meal plans can only be used by the student who owns the plan.

We provide a variety of foods to satisfy the needs of students with special diets. We can accommodate most special diets if recommended by the student's physician. If, after receiving documentation and having conversations with the student's physician, it is determined by our dietician, the Academic Success Center, and the Director of Dining Services that we are unable to meet the dietary need, the Academic Success Center can exempt an individual from the meal plan rules above. Once meal plans are set (approximately one week into a semester) no changes will be allowed.

Locations and hours of operation are found at <https://berry.campusdish.com/LocationsAndMenus>.

■ CASHIER'S OFFICE

A student may deposit funds to his or her student bank account at the Cashier's Window, located in the Krannert Center. This is not an interest-bearing account and is strictly a cash deposit/cash withdrawal account. The maximum withdrawal amount at one time is \$300.00. Deposited funds become a part of the student's official account and may be withdrawn whenever the Cashier's Office is open. The Cashier's Office is open from 10 a.m. to 2p.m., Monday through Friday. *Any charges made to a student are deducted from this account, if there are no funds available in the account and a student is working on campus those charges will be deducted from their earnings.* Students are urged not to keep large sums of money on their person or in their rooms.

■ MARKETING & COMMUNICATION

Berry College students are frequently featured in stories, news releases, photographs, audio clips and video clips that may be distributed to the media, used in Berry publications or published to digital channels including social media and websites. Students may be photographed or videoed on campus or at college-related functions. The college has exclusive rights to these photographs/videos and may use them to promote the institution. Accomplishments of students may also be used to promote Berry College.

■ SUBSTANCE FREE POLICY

Berry College has historically chosen to be alcohol-free and has since chosen to be a substance-free campus. We continually strive to be a college that teaches respect and care for each other as a core value of the campus community. We believe that a commitment to be free of alcohol, tobacco, and the non-medical use of drugs provides an environment where students can thrive academically and socially. We also believe this policy promotes healthy living and healthy relationships and reduces the individual and secondhand consequences of substance use and abuse.

Use of tobacco products including cigarettes, cigars, chewing tobacco, e-cigarettes, and vaping devices are not permitted anywhere, indoors or out, on Berry's campus.

- **Possession or Use of Alcoholic Beverages**

Any student on the campus who is in possession of or under the influence of alcohol will be charged with a violation of college policy and/or state law. The minimum legal drinking age in Georgia is 21 years old.

- **Possession, Sale and/or Use of Narcotics, Depressants, Stimulants, Hallucinogens, or Solvents**

The college does not permit the possession, sale and/or use, consumption, ingestion, injection, or inhalation (without prescription or medical authorization) of substances that have the capacity to change a person's mood, behavior, or mind, or modify and relieve pain, such as, but not limited to marijuana, opiates, amphetamines, barbiturates, hallucinogens, psychedelics, or solvents. Any student or students found to be in conflict with the above will be referred to the Dean of Students office where the process defined in the Berry College Code of Student Conduct will be followed. The sanction may result in suspension or expulsion from Berry and/or referral to the criminal process. **Any student or students found to be in violation of local, state, and federal narcotics laws will be subject to arrest and prosecution through the proper criminal process.**

- **Parental Notification for Drug and Alcohol Violations**

In accordance with the Higher Education Amendments of 1998 to the Family Educational Rights and Privacy Act (FERPA) of 1974, Berry College may notify a parent or legal guardian of a student under 21 years of age when the student has been found guilty through disciplinary channels of violating any Berry College rule regarding alcohol or illegal drugs. Notification decisions will be based on the severity of the incident and any prior incidents involving alcohol or drugs.

■ IDENTIFICATION CARDS (ID CARD)

All students are required to have a Berry issued ID card. Campus Police, whose ID Card office is located at the Welcome Center, is responsible for making new and replacement cards. ID cards are used for identification, meal plan, discounts in the local community, and access at residence halls. The ID card remains the property of Berry College and must be returned on request. Replacement ID cards cost \$30.00. Students will produce their ID on request of any college official. Students are only permitted one active credential at a time.

■ RESIDENCY REQUIREMENTS

Berry College is a residential college and students are expected to live on campus unless given permission to do otherwise.

Eligibility requirements

- Any person who has been admitted to the college and is enrolled as a full-time, undergraduate student may enter into a housing contract with the college.

- Students who are 25 years or older, married, or have already earned a degree are not eligible for campus housing.
- Any resident wishing to remain in housing while not maintaining a full load (12 credit hours) of academic classes in the same term must notify the Office of Residence Life in advance and/or may be required to vacate the premises within 48 hours of notification.
- If a resident fails to enroll or to pay fees this results in a loss of status as an enrolled student, the resident agrees to vacate the premises within 48 hours of notification.

A resident may not sublet or rent a room or permit another person to share a room assignment. A resident may not use any facilities or areas of the residence halls, including the room assigned to the resident, for any commercial purpose or activity.

Off Campus Application

Berry College is a residential college, and undergraduate students are expected to live on campus unless given permission to do otherwise.

Students who meet any of the following criteria may request permission to live off campus:

- Students 25 years of age or older
- Students who are married
- Residing with their parent(s) or legal guardian(s) within a 40-mile drive of Berry College;
- Students who are in their 5th year (or beyond)
- Part-time (less than 12 hours)

If you feel you meet one of these criteria, you must complete an Off Campus Application to request permission and be granted permission to move off-campus. Permission must be granted before any lease arrangements are made. Students enrolled in classes and not approved to live off-campus will be assigned an on-campus space by the Office of Residence Life.

STUDENTS SHOULD RECEIVE WRITTEN APPROVAL FROM THE OFFICE OF RESIDENCE LIFE PRIOR TO SIGNING ANY OFF-CAMPUS RENTAL OR LEASE AGREEMENT.

Married Student Housing

Berry College does not offer married student housing. It is assumed that once students marry, they will move off campus with their spouse.

BERRY COLLEGE SEXUAL MISCONDUCT POLICY
EFFECTIVE AUGUST 14, 2020

I. Opening Statement and Purpose

Berry College is a residential academic community that is grounded in relationships built on trust and respect. The College seeks to provide a learning and working environment conducive to thought, creativity, and growth, where individuals are free to realize their full potential. Sexual harassment, assault and other forms of sexual misconduct are fundamentally at odds with these goals and an affront to human dignity. In both obvious and subtle ways, sexual misconduct harms students, faculty, and staff, as well as the academic community as a whole.

Berry College will not tolerate sexual misconduct and will work diligently to prevent and eliminate sexual misconduct at the College.

Berry prohibits sexual misconduct by faculty, staff, students and those who use Berry facilities. The prohibition applies regardless of the gender of the reporter or of the respondent and includes sexual relationships involving a status differential and those between peers, colleagues, and co-workers. This policy applies to all members of the Berry community as they interact with one another in both on- and off-campus settings. Acts of sexual assault by or against students, employees, visitors to the campus, or other persons who use Berry facilities will not be tolerated and will be pursued under Berry's sexual misconduct policy without regard to whether they are pursued separately by law enforcement.

This Sexual Misconduct Policy serves as Berry's overarching policy against sexual misconduct and gender- or sex-based discrimination in all of its forms. The accompanying Formal Grievance Policy, which is linked [here](#) and is found below as Appendix A to this Sexual Misconduct Policy, covers a narrower sub-set of sexual harassment that must be addressed pursuant to a defined formal grievance process as required by the U.S. Department of Education under new Title IX Regulations, effective August 14, 2020. When sexual misconduct meets the criteria specified in the Title IX Regulations, it must be addressed under the Formal Grievance Policy, and not this overarching Sexual Misconduct Policy, to the extent the processes differ between the two policies. See 34 C.F.R. § 106.44-.45; see Sections I-II of each policy. Otherwise, this overarching Sexual Misconduct Policy will apply (e.g., the definitions in this Policy apply to the Formal Grievance Policy). Combined, Berry's policies and procedures are intended to ensure that all students impacted by an incident or complaint of sexual misconduct receive appropriate support and fair treatment, and that allegations of sexual misconduct are handled in a prompt, thorough and equitable manner.

Relevant terms are defined in **Sections II** below and **XIII** at the end of this Policy.

Nothing in this policy is to be construed to limit academic freedom and appropriately exercised free expression within the College (see statement on Academic Freedom in the Faculty/Staff Handbook located on VikingWeb (Employee Tab, Employee Handbook))

Written, auditory, or visual course materials which are used for educational purposes or which are part of academic or cultural programs, do not necessarily constitute sexual misconduct, regardless of their sexual, erotic, suggestive, or vulgar content and regardless of whether they may be offensive to some individuals.

Berry will review, evaluate, and make any revisions or amendments to its policies on an ongoing and as-needed basis. This Policy and the accompanying Formal Grievance Policy shall apply to all Reports and Complaints of sexual misconduct received by Berry's Title IX Coordinator on or after August 14, 2020, regardless of the date of the alleged incident. These policies will not be applied retroactively. The prior iteration of this policy shall apply to Reports and Complaints received by the Title IX Coordinator prior to August 14, 2020.

Inquiries about the application of this policy should be directed to Berry's Title IX Coordinator:

*Lindsay Norman
Hermann Hall 208*

II. Scope of Policy

A. Scope

This Policy, its supplemental procedural guidance, and the Formal Grievance Policy are intended to protect and guide individuals who have been affected by sex/gender discrimination and sexual misconduct, whether as a Complainant, a Respondent, or as a witness, and to provide fair and equitable procedures for investigation and resolution of Reports and Complaints.

As noted above, when sexual misconduct meets the criteria specified in new Title IX Regulations, effective August 14, 2020, it must be addressed under the Formal Grievance Policy, and not this overarching Sexual Misconduct Policy, to the extent the processes differ between the two policies. The Formal Grievance Policy applies to “sexual harassment” in a Berry “education program or activity” against a person in the United States. 34 C.F.R. § 106.44(a). “Sexual harassment” is defined in the Regulations (§ 106.30) to be conduct on the basis of sex that satisfies one or more of the following:

1. A Berry employee conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct (“quid pro quo”);
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Berry’s education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking. (These terms are defined in the Definitions section below, Section XIII.)

“Sexual misconduct,” which is addressed in this overarching Sexual Misconduct Policy, is a broader term that covers sex-based conduct beyond the Title IX Regulations’ “sexual harassment” definition. Examples may include sexual exploitation and many forms of verbal harassment that may not meet the Regulations’ definition of “sexual harassment.”

Additionally, the Title IX Regulations’ jurisdictional criteria is narrower than this overarching Sexual Misconduct Policy. The Formal Grievance Policy applies to a Berry “education program or activity,” which is defined by the Regulations to include locations, events or circumstances over which Berry exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by Berry. Pursuant to the Regulations, it excludes any “education program or activity” that does not occur in the United States. (§ 106.44(a).)

If sexual misconduct is alleged to have occurred that does not satisfy the Title IX Regulations’ jurisdictional criteria, such as off-campus sexual misconduct (including sexual harassment) alleged to have an on-campus effect or occurring during a study abroad program, then it may be addressed pursuant to this overarching Sexual Misconduct Policy.

Berry retains the right to utilize different processes for certain Title IX cases. For example, cases meeting the criteria of the new Title IX Regulations will be governed by the accompanying Formal Grievance Policy. Cases that are reported during the non-academic year or that extend into the non-academic year may proceed under different processes in the discretion of the Title IX Coordinator as long as they do not conflict with Berry’s policies. While the Formal Grievance Policy applies to alleged employee sexual harassment per the Title IX Regulations, this overarching Sexual Misconduct Policy does not apply to alleged employee sexual misconduct or discrimination that falls outside of the new Title IX Regulations; such alleged misconduct between employees or between an employee and a non-student are governed by

the *Employee Handbook*, and Berry retains the right to apply modified processes for cases involving such alleged misconduct in which a student is a party if an employee or faculty member is also a party to the case.

B. Overview of Policy and Certain Key Definitions

Berry will investigate all reports received by the Title IX Coordinator of sex/gender discrimination and sexual misconduct (“Reports”). Berry is authorized under this Sexual Misconduct Policy and its accompanying Formal Grievance Policy to take certain actions to address or remedy sex/gender discrimination and sexual misconduct after receiving a Report, during an investigation, and after an investigation even if the matter does not proceed to a hearing or an informal resolution.

Anyone can report an incident of sex/gender discrimination and sexual misconduct to Berry under the procedure described in **Section VIII** of this Policy. For example, a “Reporter” can be any individual who reports to Berry that they are a victim or survivor of sex/gender discrimination or sexual misconduct or that they have been affected by sex/gender discrimination or sexual misconduct (sometimes referred to as a “First-Party Reporter”) or that they have knowledge of sex/gender discrimination or sexual misconduct happening to or affecting someone else (sometimes referred to as a “Third-Party Reporter”).

A Report will become a “Complaint” if a First-Party Reporter files a written document with the Title IX Coordinator describing an incident of sex/gender discrimination or sexual misconduct and indicating that they want Berry to take further steps, such as a full investigation and possibly holding an adjudication to resolve the alleged issue. Berry can also convert a Report to a “Complaint” if Berry determines that, in order to meet its Title IX obligations to provide a safe and nondiscriminatory environment for the broader Berry Community, it must take further steps to address and resolve the matter. A Formal Complaint under the Formal Grievance Policy is a type of Complaint. See Formal Grievance Policy, Section IV.A., regarding Formal Complaints.

A “Complainant” refers to an individual who is alleged to have been subjected to an incident of sex/gender discrimination or sexual misconduct (i.e., a First-Party Reporter or a victim or person who has otherwise been affected by sex/gender discrimination or sexual misconduct, or under the Formal Grievance Policy governing sexual harassment, an individual who is alleged to be the victim of conduct that could constitute sexual harassment). A Complainant has certain rights under this Policy, as discussed below. A Reporter who reports witnessing sex/gender discrimination or sexual misconduct happening to or affecting *someone else* (i.e., a Third-Party Reporter) can file a Report and request that it be treated as a Complaint, but that does not make them a Complainant. Similarly, the fact that the Title IX Coordinator may elevate a Report to a Complaint does not make the Title IX Coordinator a Complainant.

A “Respondent” refers to an individual who has been accused of conduct that could constitute sexual misconduct prohibited under this Policy (or, under the Formal Grievance Policy governing sexual harassment, an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment). A student Respondent has certain rights under this Policy, as discussed below, and under the Formal Grievance Policy when that policy is applicable.

A “third party” refers to any other participant in the process, including a witness to the incident or an individual who makes a Report on behalf of someone else.

As used throughout this Policy, references to the “Title IX Coordinator” shall include any Deputy Title IX Coordinator and any other person expressly designated by the Title IX Coordinator to act on their behalf. Additional definitions are contained in **Section XIII** at the end of this Policy.

III. Title IX and Nondiscrimination

Title IX is a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Title IX prohibits use of federal money to support sex discrimination in education programs and provides individuals effective protection against such practices. Title IX applies, with a few specific exceptions, to all aspects of federally funded education programs and activities. In addition to traditional education institutions such as

colleges, universities, and elementary and secondary schools, Title IX also applies to any education or training program operated by a recipient of federal financial assistance.

Consistent with Title IX, as well as Title VII of the Civil Rights Act of 1964 and any related federal, state, and local laws, Berry prohibits all unlawful discrimination, harassment and retaliation on the basis of sex, gender, gender identity, gender expression, or sexual orientation in any employment decision, education program or educational activity. This policy applies to all members of the Berry Community. *As required by Title IX of the Education Amendments of 1972, Berry does not discriminate on the basis of sex or gender in its educational, extracurricular, athletic or other programs and activities, or in the context of admissions or employment at the College.*

As part of its commitment to maintaining a community free of discrimination, and in compliance with Title IX's mandate, Berry will address allegations of sexual misconduct or harassment in a timely and effective way, provide resources as needed for affected persons (Reporters, Complainants, Respondents and third parties within the Berry Community), and not tolerate retaliation against any person who reports sex/gender discrimination or sexual misconduct.

Any individual designated by Berry to have the duty to report alleged sex/gender-based discrimination, sexual harassment and/or retaliation (known as a "Mandatory Reporter") and who fails to report such conduct may be subjected to sanctions by Berry.

Inquiries about the application of Title IX should be directed to Berry's Title IX Coordinator. Additional information can be found on Berry's website: <https://berry.edu/student-life/dean-of-students/title-ix/>.

Inquiries about the application of Title IX also can be directed to the U.S. Department of Education's Office for Civil Rights.

IV. Retaliation, Misuse of Confidential Information, and False Accusations

Berry expressly prohibits retaliation against anyone who: 1) in good faith, reports what they believe is discrimination or sexual misconduct, 2) participates in any investigation or proceeding under this Policy, or 3) opposes conduct that they believe to violate this Policy. Retaliation includes intimidation, harassment, threats, or other adverse action or speech against the person who reported the misconduct, the parties, and their witnesses.

Consistent with FERPA's prohibition on re-disclosure of confidential information, any person who receives another person's confidential information solely as a result of participation in any investigation or proceeding under this Policy, is prohibited from using or disclosing such confidential information outside of such forums without express consent or for any improper purpose. This provision only applies to other people's confidential information, as a party is never restricted from discussing their own experience. This provision does not apply to any information learned outside of an investigation or proceeding under this Policy.

Berry will not only take steps to prevent retaliation, but it will also take strong corrective action if it occurs. Anyone who believes they have been the victim of retaliation should immediately report it to the Title IX Coordinator, who shall treat it as a Report. Any individual found to have retaliated against another individual will be in violation of this Policy and will be subject to disciplinary action, up to and potentially including termination for employees and expulsion for students.

Anyone who knowingly makes a false accusation of unlawful discrimination, harassment, or retaliation of any form will be subject to an investigation for a potential violation of this Policy and may be subject to disciplinary action, up to and potentially including termination for employees and expulsion for students.

V. Time Considerations for Reporting and Filing Title IX Complaints of Sex/Gender Discrimination and Sexual Misconduct

There is no time limit for reporting incidents of Sex/Gender Discrimination or Sexual Misconduct under this Policy, although Berry encourages reports to be made as soon as possible. Any individual who has been subjected to, or who knows of or has witnessed, an incident of Sex/Gender Discrimination or Sexual Misconduct is encouraged to report the incident or file a Complaint immediately in order to maximize Berry's ability to obtain information and conduct an adequate, thorough, prompt, and impartial investigation into the incident. A delayed Report of alleged Sex/Gender

Discrimination or Sexual Misconduct may result in the loss of relevant information, evidence, and reliable witness testimony, and may impair Berry's ability to fully investigate the incident.

VI. Medical Assistance Policy for Alcohol and Illegal Drug Use Violations for Individuals Who Report Incidents of Sexual Misconduct

Berry strongly encourages individuals who have been involved in, or who know of, or have witnessed, incidents of Sex/Gender Discrimination or Sexual Misconduct to report such incidents as soon as possible. Berry recognizes that students involved (e.g. as witnesses, bystanders, third parties, or Complainants) who may have violated drug and alcohol laws or policies may be hesitant to report out of fear of sanction. Therefore, in order to encourage reporting in all situations, anyone who reports or experiences Sex/Gender Discrimination or Sexual Misconduct may be granted reprieve for any violation of Berry's drug and alcohol policies that occurred in connection with the reported incident. Berry intends to grant such amnesty for all but the most egregious violations of its drug and alcohol policies; however, individuals may be provided with resources on drug and alcohol counseling and/or education, as appropriate.

Other Viking Code policy violations discovered during a Title IX process may be referred to the appropriate Berry office(s).

VII. Available Resources and Recommended Immediate Steps Following An Incident of Sex/Gender Discrimination and/or Sexual Misconduct

LAW ENFORCEMENT	LOCAL HOSPITALS
<i>Berry College Police Department</i> 706-236-2262	Emergency Assistance: 706-236-2262
<i>City of Rome Police Department:</i> 706-238-5111	<i>Atrium Health Floyd Medical Center</i> 304 Turner McCall Blvd. 706-509-5000
<i>Floyd County Police Department</i> 706-235-7766	<i>AdventHealth Redmond Hospital</i> 501 Redmond Rd. 706-291-0291

For additional off-campus support services, contact the Sexual Assault Center of Northwest Georgia at (706) 292-9024. For 24-hour hotline: (706) 802-0580.

Berry is aware that an individual who has been subjected to, or who knows of or who has witnessed a sex offense may experience physical, mental and emotional trauma as a result of the incident. A victim of sexual violence (e.g., sexual assault, dating violence, domestic violence, stalking) is encouraged to follow these procedures immediately following the occurrence, when possible:

1. Get to a safe place immediately and call someone you trust.
2. If sexual contact and/or penetration occurred, do not wash, shower, bathe, use the toilet or change clothing or bedding. Preserve any evidence. Examples of such evidence include:
 - Clothing worn during the incident, including but not limited to undergarments;
 - Sheets, bedding, and condoms, if used;
 - A list of witnesses with contact information;
 - Text messages, emails, call history, and social media posts; and
 - Pictures of any injuries.
3. You are encouraged, but not required, to call the appropriate law enforcement agency. To contact the City of Rome Police Department, call (706) 2238-5111. Berry College Police Department, (706) 236-2262, can assist any student with reporting a crime to the City of Rome Police Department. Even if you do not intend

to pursue a criminal investigation immediately, you may wish to speak with law enforcement resources or sex assault counsellors about preserving evidence. This may allow you to proceed at a later time with a criminal complaint, if you later decide to do so.

4. Get medical attention. Berry College Police will assist you in calling Emergency Medical Services (911) if you ask them to. Berry also encourages you to go, or have someone else take you, directly to a medical facility or medical provider of your choice. Any medical provider should be instructed to collect and preserve relevant evidence, or if they are not experienced in doing so themselves, to contact the Sexual Assault Center of Northwest Georgia at (706) 292-9024. For additional off-campus support services, contact the Sexual Assault Center of Northwest Georgia at (706) 292-9024. The Center has individuals who will provide support and, if desired, will accompany victims of sexual assault to Floyd Medical Center or Redmond Regional Hospital and will stay with them while they receive medical treatment.

5. Berry will assist an individual who has been subjected to, who knows of, or who has witnessed an incident of sexual misconduct in obtaining the services of counseling professionals, if requested. Berry encourages you to seek support services. For on-campus student counseling services, contact the Counseling Center at (706) 236-2259. For off-campus counseling and advocacy services, contact the Sexual Assault Center of Northwest Georgia at (706) 292-9024. Berry will provide as much assistance as possible but cannot assume financial responsibility for such services.

6. All members of the campus community are encouraged to seek resources and support related to sex/gender discrimination and sexual misconduct proceedings, including Respondents, witnesses and bystanders. For more information, see Berry's Title IX website at <https://berry.edu/student-life/dean-of-students/title-ix/>

VIII. Options and Procedures for Reporting or Disclosing Title IX Incidents of Sex/Gender Discrimination or Sexual Misconduct

A. Options for Reporting to Berry Under This Policy

Anyone can report an incident of sex/gender discrimination or sexual misconduct to Berry (a "Report"). A Report can be made by any individual who is a victim or survivor of sex/gender discrimination or sexual misconduct, who has been affected by sex/gender discrimination or sexual misconduct, or who has knowledge of sex/gender discrimination or sexual misconduct happening to or affecting someone else. A Report may be made anonymously.

Berry strongly encourages all individuals to report incidents of sexual misconduct and sex/gender discrimination even if the individual does not intend to pursue a Complaint. Even if Berry does not have jurisdiction over the Respondent, Berry may take prompt action to provide supportive measures for the safety and well-being of any affected person and the broader Berry community. No person should assume that an incident has already been reported by someone else or that Berry already knows about a particular situation.

In order to make a Report to Berry, a reporting individual may do **one or more** of the following:

Report the incident to the Title IX Coordinator via email to lnorman@berry.edu, in person, by mail, or by phone. See Section I for the Title IX Coordinator's contact information. Reporters are encouraged, but not required, to direct their Reports to the Title IX Coordinator. Reports may also be made to the Deputy Title IX officers listed below:

Michael McElveen, Assistant Vice President for Student Affairs, mmcelveen@berry.edu

Lindsey Taylor, Assistant Vice President for Human Resources, ltaylor@berry.edu

Report the incident to any faculty or staff member. It is important to know that, with the exception of the "confidential resources" staff listed below in **Section VIII.B.**, all Berry faculty and staff are Mandatory Reporters and are required by Berry to report any knowledge they receive of possible violations of this Policy to the Title IX Coordinator. Mandatory

Reporters must relay all known information about any reported policy violation, including but not limited to: the names of involved individuals, the nature of the incident, and the time and location of the incident.

All Resident Assistants are Campus Security Authorities under the Clery Act and are required to report any knowledge of possible violations of the policy for Clery purposes. No other students are obligated to report knowledge they may have of sexual misconduct, including student employees of Berry who are considered students and not staff for purposes of this Policy and are not Mandatory Reporters.

Once the Title IX Coordinator learns of any Report of alleged sex/gender discrimination or sexual misconduct, whether from a direct Report or from a Mandatory Reporter, they will implement supportive measures as needed and initiate an investigation into the alleged incident. The form of the investigation may vary, particularly if the conduct alleged is governed by the U.S. Department of Education's Title IX Regulations, in which case Berry's Formal Grievance Policy at Appendix A will apply. Following an investigation, the Title IX Coordinator has authority to resolve a Report, including the implementation of any supportive measures, and close the case if the Report does not constitute or become a Complaint.

After making a Report, an individual may choose to file or request a Complaint and pursue resolution (under this policy or the Formal Grievance Policy, as applicable) or, if applicable, an Informal Resolution involving the Respondent; may choose to be involved or not be involved in Berry's investigation and any related proceedings; or may choose to end involvement in the process.

B. Options Utilizing Confidential Resources

Rather than making a Report, individuals can confidentially discuss incidents of sex/gender discrimination and sexual misconduct with one of the following Berry "confidential resources":

- *Health Center staff – Ladd Center – (706) 236-2267*
- *Counseling Center staff – Ladd Center – (706) 236-2259*
- *College Chaplain – Krannert Center – (706) 236-2217*
- *Ashley Demonbreun-Chapman – Ladd Center – (706) 238-7957*

Disclosures made to these confidential resources will be held in strict confidence, and will not constitute a Report to Berry under this Policy. These confidential resources may assist individuals with making Reports or filing Complaints if, and only if, the Complainant requests that they do so or if there is an emergency in which the Complainant cannot report the alleged sexual misconduct.

Additionally, in order to assist Berry in collecting data and identifying potential patterns or systemic problems related to sexual violence on and off campus, the "confidential resources" staff will convey general and non-personally-identifiable information about the incident (i.e. nature, time and location of the incident) to the Title IX Coordinator. Because such communications will necessarily lack any personally-identifying information, they will not constitute Reports and generally will not be investigated unless a pattern or systemic problem is discovered. Again, Berry strongly encourages all individuals to report incidents of sexual misconduct to the Title IX office, including with the assistance of confidential resources, if they wish for the incident to be investigated; otherwise, Berry fully respects the confidential resources' strict confidence when the Reporter chooses not to report.

C. Options for Notifying Off-Campus Law Enforcement Authorities

Individuals can, but are not required to, notify off-campus law enforcement authorities about any incident of alleged sex/gender discrimination and sexual misconduct, including by dialing (911), calling the City of Rome Police Department at (706) 238-5111, and/or calling the Sexual Assault Center of Northwest Georgia at (706) 292-9024. Individuals can also contact other law enforcement agencies, depending on the location of the incident. Notifying off-campus law

enforcement authorities will not constitute a Report to Berry under this Policy, but it may or may not result in such authorities reporting relevant information back to Berry which Berry will investigate.

Individuals can request assistance from Berry faculty and staff in notifying appropriate law enforcement authorities, which Berry will encourage them to provide. Requesting such assistance from a Mandatory Reporter will constitute a Report as described above.

D. Option to Not Report

Individuals can choose not to notify Berry or any law enforcement authorities about an alleged incident of sex/gender discrimination or sexual misconduct.

IX. Filing a Complaint of Title IX Sex/Gender Discrimination or Sexual Misconduct

If an individual wishes to pursue an incident of Title IX sexual misconduct or sex/gender discrimination beyond simply reporting it, they may file a Complaint. The filing of a Complaint means that the individual is asking Berry to take further steps, such as a full investigation and possibly holding an adjudication to resolve the alleged issue. Any Complainant (i.e., an alleged victim or survivor or someone who has otherwise been directly affected by sex/gender discrimination or sexual misconduct) may file a Complaint, and Berry will treat it as such. Any Third-Party Reporter may request that Berry treat their Report as a Complaint, but that would not make the Third-Party Reporter into a Complainant, and Berry shall have discretion on whether to treat the Third-Party Report as a Complaint.

In order to meet its Title IX obligations to provide a safe and nondiscriminatory environment for the broader Berry Community, Berry may convert a Report into a Complaint if Berry determines that it must take additional steps to protect the Berry Community.

Depending on the conduct alleged and the location of the incident, a Complaint will be governed by either this Policy or the accompanying Formal Grievance Policy. A Formal Complaint under the Formal Grievance Policy is a type of Complaint. (See Formal Grievance Policy, Section IV.A., regarding Formal Complaints, and Sections I-II of each policy for descriptions of the scope of each respective policy.)

A. Filing a Complaint

Anyone seeking to file a Complaint of individual or institutional Sex/Gender Discrimination or Sexual Misconduct may do so with the Title IX Coordinator. Complaints must be in writing and include all information that the filer believes to be relevant (e.g., time, location and nature of incident, names of individuals involved in or witnesses to the incident, names of other persons affected by the incident, etc.). Alternatively, an individual can also file a Complaint by meeting with the Title IX Coordinator and providing a verbal description of the Sex/Gender Discrimination or Sexual Misconduct, which the Title IX Coordinator will use to draft a written document that the individual will review, verify and sign to constitute a Complaint.

B. Action Following the Filing of a Complaint

Berry will investigate all Complaints of Sex/Gender Discrimination or Sexual Misconduct. A Complaint meeting the criteria of the Formal Grievance Policy (a "Formal" Complaint) will proceed according to that Policy instead of the provisions below.

For a Complaint that does not meet the criteria of the Formal Grievance Policy, Berry's process will typically involve an investigation phase and then proceed to a Resolution Hearing before a Sexual Misconduct Hearing Board to determine whether the Respondent is responsible or not responsible for having violated this Policy, *except* in the circumstances described below. In some instances, an Informal Resolution also may be an option for resolving a Complaint.

C. The Title IX Coordinator shall have discretion to resolve a Complaint without a Resolution Hearing in the following circumstances:

1. if Berry lacks jurisdiction;
2. if a case involves a Berry employee (faculty, staff member or contract services employee), the Title IX Coordinator shall coordinate with the Chief Human Resources Officer about appropriate processes and/or resolution;
3. if the allegations could not constitute a Policy violation under any alleged circumstances;
4. if the Complaint is eligible for the Informal Resolution process;
5. if the Complaint was requested by a Third-Party Reporter who reported witnessing sex/gender discrimination or sexual misconduct happening to or affecting someone else, the Title IX Coordinator shall have discretion to resolve the Complaint or to provide modified hearing procedures, particularly to account for the alleged victim's wishes (e.g., if they do not wish to pursue the Complaint as a first-party Complainant);
6. if the Complainant and Respondent both consent to an alternative resolution, with such consent obtained independently from each person by the Title IX Coordinator to avoid a risk of coercion;
7. for matters that do not involve Berry employees (faculty, staff member or contract services employee), if either Complainant or Respondent, or both, are not Berry students, or cease to be Berry students prior to final resolution of the Complaint (e.g., a student withdrawal), the Title IX Coordinator shall have discretion to resolve the Complaint or to provide modified hearing procedures;
8. or, if the Respondent admits responsibility for a violation, the Title IX Coordinator shall have discretion to resolve the Complaint or to provide modified hearing procedures to help the Hearing Board decide appropriate sanctions.

In all circumstances, the Title IX Coordinator shall have authority to impose supportive measures and make accommodations consistent with **Section XI** below and take other measures consistent the Berry Student Handbook; and for employee matters, the Director of Human Resources shall have authority to take action consistent with the Berry Employee Handbook.

D. A person may withdraw a Complaint. If a Complaint is withdrawn, Berry will treat the withdrawn Complaint as a Report and proceed accordingly.

X. Confidential and Anonymous Reporting

As discussed above in **Section VIII.B.**, individuals can confidentially discuss incidents of sex/gender discrimination and sexual misconduct with Berry's "confidential resources" staff. Those discussions will remain confidential and not be considered a Report to Berry.

Anonymous reports may also be made to the Title IX Coordinator. Berry will attempt to investigate anonymous reports but often will be inhibited without being able to collect evidence from and ask follow up questions to a complainant; thus, supportive measures and the potential for resolution may be diminished.

A Reporter can make a Report disclosing their name but requesting confidentiality. An affected person who is the subject of a Third-Party Report can also request confidentiality. In such instances, if they also request that no investigation or disciplinary action be pursued, the Title IX Coordinator will respect the request for confidentiality as long as only personal supportive measures are requested and grounds do not exist to convert the Report into a Complaint. A request for confidentiality cannot be fulfilled in the case of a Complaint. Further, in some instances, Berry may deny or modify a request for confidentiality when weighed against Berry's obligation to provide a safe, non-discriminatory environment for all students, considering many factors, including:

- The seriousness of the alleged misconduct;
- Whether there have been other reports of Sex/Gender Discrimination or Sexual Misconduct against the Respondent known by Berry;
- Whether the Respondent has allegedly threatened further misconduct or violence;
- Whether the alleged misconduct was committed by multiple perpetrators;

- Whether the alleged misconduct involved use of a weapon;
- The age of the individual subjected to the alleged misconduct;
- Whether Berry possesses other means to obtain relevant evidence of the alleged misconduct;
- Whether the Report reveals a pattern of misconduct at a particular location or by a particular individual or group of individuals; and
- The accused individual's right to receive information about the allegations if the information is maintained by Berry as an "education record" under the Family Educational Rights and Privacy Act (FERPA), if applicable.

In an instance where Berry determines it must deny or modify a request for confidentiality, the Title IX Coordinator will inform the requesting individual prior to making the disclosure to anyone beyond necessary school officials. Any such disclosure will be limited to only individuals with a need to know such information. Consistent with FERPA's prohibition on re-disclosure of confidential information, any recipient is prohibited from using or disclosing other people's confidential information, learned as a result of participation in any investigation or proceeding under this Policy, outside of such forums without express consent or for any improper purpose. In all instances, members of the Berry Community should understand that Title IX prohibits retaliation against anyone reporting a potential Title IX incident, and that Berry officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

In all cases of alleged gender/sex discrimination or misconduct under this Policy reported to the Title IX Coordinator, Berry will investigate and implement supportive measures. *Please note that Berry's ability to investigate and respond fully to an incident may be limited because of requests for confidentiality or to not proceed with disciplinary action.*

XI. Supportive Measures

In cases of reported alleged Sex/Gender Discrimination or Sexual Misconduct involving students, Berry may implement supportive measures immediately or at any time that Berry determines such measures are necessary. The Title IX Coordinator shall have responsibility for determining such supportive measures. Some of these supportive measures also may continue in effect after an investigation is closed or as post-hearing sanctions or accommodations, depending on the outcome of the investigation and hearing. Examples of supportive measures that Berry may consider and elect to implement include, but are not limited to:

- facilitating leaves of absence for impacted parties, to the extent practicable;
- implementing a mutual "no contact" order to govern, and attempt to avoid, interaction between affected individuals;
- providing a campus safety escort to ensure a Complainant can move safely between buildings, classes, dining halls, and activities on campus;
- ensuring that the Complainant and the Respondent do not attend the same classes, seminars, functions, meetings, etc.;
- offering to provide or facilitate the provision of medical, counseling and mental health services, but not necessarily covering the cost of such services;
- providing education regarding gender discrimination, sexual misconduct, alcohol and drug use, incapacitation and consent, etc.;
- reviewing any academic challenges or any disciplinary actions taken against the Complainant to see if there is a causal connection between the events that may have impacted the Complainant;
- changing on-campus living arrangements, when reasonable;
- providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred;
- limiting the access of the individual accused of the misconduct to certain Berry facilities until the matter is resolved, including the possibility of an interim suspension if warranted;
- Berry may also, upon request, arrange for the re-taking, changing, or withdrawing from classes, and in such instances, Berry will make every reasonable effort to mitigate any academic or financial penalty for providing such arrangements; and

- Berry may also request for the extension of deadlines or other course-related adjustments through the Provost's Office.

Supportive measures shall be balanced based on the facts collected, seriousness of the allegations, and the potential safety risks posed to the Berry Community. Supportive measures are designed to restore or preserve equal access to Berry's education program and activities without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Berry's educational environment, or deter sexual misconduct. Berry will maintain as confidential any personal supportive measures provided to only the Complainant or only to the Respondent, to the extent that maintaining such confidentiality would not impair its ability to provide the supportive measures (e.g., not applicable to mutual no contact orders).

Berry may also consider and take supportive measures that affect the broader Berry Community and which are aimed to eliminate occurrences of Sex/Gender Discrimination or Sexual Misconduct and to promote academic and employment environments free of such conduct.

If a Respondent student withdraws from Berry while a Complaint is pending, supportive measures may be continued. The Respondent may be required to notify the Title IX Coordinator if they intend to visit any building owned or controlled by Berry or a student organization that is officially recognized by Berry, or if they otherwise seek to attend any Berry education program or activity or event, so that the Complainant may be given an opportunity to receive supportive measures if needed. The Respondent's student records also may be marked to indicate their departure during a disciplinary process (which may resume if they return to Berry), but shall not indicate that such Respondent was found or assumed responsible for any alleged misconduct pending at the time of departure.

XII. Investigation and Resolution Processes For Cases In Which Both Parties Are Students

This Section describes Berry's investigation and resolution processes for cases in which both parties are students and in which the conduct alleged does not trigger the Berry Formal Grievance Policy.

A. Investigation

Berry will investigate all Reports of sex/gender discrimination and sexual misconduct reported to the Title IX Coordinator regardless of whether the Report becomes a Complaint. The investigation and adjudication procedures (if needed) shall be prompt, fair, and impartial. The process typically will begin with intake meetings conducted by the Title IX Coordinator. The investigation phase may include interviewing the Complainant/ First-Party Reporter, the Respondent, and any witnesses; reviewing law enforcement investigation documents if applicable; reviewing relevant student files; and gathering and examining other relevant documents and evidence.

For Reports, the Title IX Coordinator or their designee will conduct an initial investigation. If that initial investigation demonstrates that the case may implicate Berry's Title IX obligations to provide a safe and nondiscriminatory environment for the broader Berry Community, the Title IX Coordinator will/may treat the Report as a Complaint and follow the Complaint processes outlined. If the Title IX Coordinator determines that the Report does not implicate Berry's Title IX obligations, then after the Title IX Coordinator's investigation, implementation of any supportive measures, and finalization of any investigation memo, the Title IX Coordinator will be authorized to close the matter.

For Complaints, the Title IX Coordinator will appoint an investigator to handle the investigation. This Investigator will be a different person than the Title IX Coordinator. Following the investigation, the Investigator will draft an investigation report succinctly describing all collected information. The report will be delivered to the Title IX Coordinator, who will analyze the report to ensure that the investigation was prompt, fair, impartial, thorough, and consistent with this policy. The Investigator will not make any recommendation as to whether a policy violation has occurred or potential sanctions. Depending on how the Complaint proceeds, the investigation report and other materials related to the investigation may be presented at a Resolution Hearing and/or may be presented during an Informal Resolution process.

Berry will make reasonable efforts to balance and protect the rights of the parties during any investigation commenced under this Policy. Berry will respect the privacy of the parties and any witnesses in a manner consistent with Berry's obligations to investigate the alleged incident, and take appropriate interim and/or corrective action. The Title IX Coordinator will keep the parties reasonably informed of the status of the investigation.

Both Complainants and Respondents may utilize Advisors and Supporters throughout the investigation process, including to accompany them to any hearing, meetings, or related disciplinary proceeding. Neither Advisors nor Supporters are permitted to directly participate in Resolution Hearings or Informal Resolution meetings; they may be present solely to advise or support the party and are prohibited from speaking directly to the Investigator, the Hearing Board, other parties, or witnesses.

B. Informal Resolution

For Complaints with a student Respondent, at the discretion of the Title IX Coordinator, the parties may opt to pursue an Informal Resolution as an alternative to a Resolution Hearing. An Informal Resolution involves a remedies-based, non-judicial process designed to eliminate or address potential sexual misconduct. This process aims to assure fairness, to facilitate communication, and to maintain an equitable balance of power between the parties. Berry will not compel face-to-face confrontation between the parties or participation in any particular form of Informal Resolution.

The Title IX Coordinator will make an initial decision about whether a case qualifies for an Informal Resolution, and if both parties then agree to pursue that path, Berry will halt any investigation or scheduled Resolution Hearing so that the parties can explore the possibility of informal resolution. Participation in an Informal Resolution is voluntary, and either party can request to end the Informal Resolution process at any time and return the investigation or proceeding to a resolution hearing. Agreements reached in an Informal Resolution are final and not subject to appeal.

C. Resolution Hearing

A Resolution Hearing is Berry's disciplinary proceeding through which a Sexual Misconduct Hearing Board evaluates evidence related to a Complaint to determine whether a student Respondent is responsible or not responsible for a violation of this Policy, based on the criteria of "a preponderance of evidence." Under this standard, the burden of proof is met and a Respondent may be found responsible for a Policy violation if the Sexual Misconduct Hearing Board determines that it is more likely than not that the Respondent committed the violation. If the Respondent is found in violation of the Policy, the Respondent may be subjected to disciplinary action.

The Sexual Misconduct Hearing Board will consist of three trained faculty and/or staff members. None of the members of the Sexual Misconduct Hearing Board will be the same as either the Title IX Coordinator or the Investigator.

The parties will be provided notice of the date, time and location of the hearing. At least ten (10) business days prior to a hearing, both parties and the Sexual Misconduct Hearing Board will be provided access to a hearing packet containing the investigation report and other information pertinent to the hearing. The hearing may consist of testimony by the parties, witnesses and the Investigator, and may include the presentation of other evidence. Hearings, including those that occur during the non-academic year, may be conducted via video conference and/or teleconference, as needed. The Sexual Misconduct Hearing Board will be allowed to question each witness who appears, and the parties will be allowed to ask questions through the Sexual Misconduct Hearing Board. Live, verbal, and direct cross-examination of a party or witness is not permitted under this Policy by a party or that party's Advisor (unlike in the Formal Grievance Process required for addressing defined sexual harassment). The parties will be provided notice of the outcome of the Board's deliberations, including the determination of whether the Respondent was found responsible or not responsible for the alleged violation(s) and applicable sanction(s). Decisions made in a Resolution Hearing may be appealed. The Title IX Coordinator will be authorized to delay sanctions pending appeal and/or make further accommodations that are consistent with the Sexual Misconduct Hearing Board's decision.

D. Appeals

Either Complainant or Respondent may appeal any Sexual Misconduct Hearing Board decision within five (5) business days of delivery of the Hearing Board's determination. Appeals can only be raised on one or more of the following

grounds: (1) a procedural irregularity that affected the outcome of the matter; (2) to consider new facts or information that were not known or knowable to the appealing party before or during the time of the hearing and that were sufficient to alter the decision; (3) the Title IX Coordinator, Investigator, or adjudicator(s) had a conflict of interest or bias based on gender or against the appealing party that affected the outcome of the matter; (4) that the decision reached was not supported by a preponderance of evidence; or (5) the sanctions were disproportionate to the findings. The appeal will be reviewed and determined by an Appeals Board, based on the grounds contained in the appeal statement. Appeals decisions are final and not subject to further review.

XIII. Definitions

Please also refer to Section II.B. for more information about certain key definitions.

Advisor: Refers to an attorney or a non-attorney advisor who can provide assistance to the Complainant or the Respondent during Resolution Hearings, Informal Resolution conferences, and any other stage of the processes covered by this Policy, although they are not permitted to directly participate. Berry will provide a list of faculty and staff who have received training to serve as Advisors, but parties retain the right to select their own Advisor if they so choose.

Affirmative Consent: Means an affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity. The presence or absence of consent is determined by evaluating the relevant facts and circumstances. All five of the following elements are essential in order to have affirmative consent. If one or more of the following is absent, there is no affirmative consent.

1. *Consists of Mutually Understandable Communication:* Communication regarding consent consists of mutually understandable words and/or actions that indicate an unambiguous willingness to engage in sexual activity. In the absence of clear communication or outward demonstration, there is no consent. Consent may not be inferred from silence, passivity, lack of resistance or lack of active response. An individual who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. Relying solely upon non-verbal communication can lead to an erroneous conclusion as to whether consent was sought or given. Verbal communication is the best way to ensure all individuals are willing and consenting to the sexual activity.
2. *Informed and Reciprocal:* All parties must demonstrate a clear and mutual understanding of the nature and scope of the act to which they are consenting and a willingness to do the same thing, at the same time, in the same way.
3. *Freely and Actively Given:* Consent cannot be obtained through the use of force, coercion, threats, or intimidation, or by taking advantage of the incapacitation of another individual.
4. *Not Unlimited:* Consent to one form of sexual contact does not constitute consent to all forms of sexual contact, nor does consent to sexual activity with one person constitute consent to activity with any other person. Each participant in a sexual encounter must consent to each form of sexual contact with each participant. Even in the context of a current or previous intimate relationship, each party must consent to each instance of sexual contact each time. The consent must be based on mutually understandable communication that clearly indicates a willingness to engage in sexual activity. The mere fact that there has been prior intimacy or sexual activity does not, by itself, imply consent to future acts.
5. *Not Indefinite:* Consent may be withdrawn by any party at any time. Recognizing the dynamic nature of sexual activity, individuals choosing to engage in sexual activity must evaluate consent in an ongoing manner and communicate clearly throughout all stages of sexual activity. Withdrawal of consent can be an expressed “no” or can be based on an outward demonstration that conveys that an individual is confused, uncertain or is no longer a mutual participant. Once consent is withdrawn, the sexual activity must cease immediately and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity.

Berry prohibits romantic, sexual, and exploitative relationships between college employees and students. (See *Berry Handbook - Fraternization Policy For Faculty and Staff.*)

Appeals Board: Refers to a group of trained Berry faculty and staff members that hears and decides appeals of findings and sanctions imposed by the Sexual Misconduct Hearing Board (defined below). The Appeals Board will consist of three members (one of whom will be designated as the board's chairperson), selected from a pool of trained faculty and staff who have had no prior involvement in the case. This Appeals Board is authorized to affirm, alter, or reverse the original findings and/or sanctions recommended by the Sexual Misconduct Hearing Board. Once issued, the Appeals Board's decision is final.

Coercion: Means the use of pressure to compel another individual to initiate or continue activity against their will, including psychological or emotional pressure, physical or emotional threats, intimidation, manipulation, or blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include, but are not limited to threatening to "out" someone based on sexual orientation, gender identity, or gender expression; threatening to harm oneself if the other party does not engage in the sexual activity; and threatening to expose someone's prior sexual activity to another person and/or through digital media.

Complaint: Refers to a written complaint filed with the Title IX Coordinator alleging any action, policy, procedure or practice that would be prohibited by Title IX, such as Sex/Gender Discrimination or Sexual Misconduct, and indicating that they want Berry to take further steps, such as a full investigation and possibly holding an adjudication to resolve the alleged issue. A Complaint may be filed by a Complainant. A third-party who knows of or witnessed an incident of Sex/Gender Discrimination or Sexual Misconduct but who did not suffer such misconduct themselves may request that Berry treat their third-party Report as a Complaint. Berry can convert a Report to a Complaint if Berry determines that, in order to meet its Title IX obligations to provide a safe and nondiscriminatory environment for the broader Berry Community, it must take further steps to address and resolve the matter. A Formal Complaint under the Formal Grievance Policy is a type of Complaint. See Formal Grievance Policy, Section IV.A., regarding Formal Complaints.

Complainant: Refers to an individual who is alleged to have been subjected to an incident of Sex/Gender Discrimination or Sexual Misconduct (i.e., a First-Party Reporter or a victim or person who has otherwise been affected by sex/gender discrimination or sexual misconduct, or under the Formal Grievance Policy governing sexual harassment, an individual who is alleged to be the victim of conduct that could constitute sexual harassment). A Reporter who reports witnessing sex/gender discrimination or sexual misconduct happening to or affecting *someone else* (i.e., a Third-Party Reporter) can file a Report and request that it be treated as a Complaint, but that does not make them a Complainant. Similarly, the fact that the Title IX Coordinator may elevate a Report to a Complaint does not make the Title IX Coordinator a Complainant.

Consent: See **Affirmative Consent** above.

Dating Violence: See **Sexual Harassment** below, Subsection B.

Domestic Violence: See **Sexual Harassment** below, Subsection C.

Formal Complaint: See **Complaint** above. See also Formal Grievance Policy, Section IV.A.

Formal Grievance Process: The process described in the Formal Grievance Policy for addressing and resolving a Formal Complaint, as required by the new Title IX Regulations, effective August 14, 2020.

Incapacitation: Means the lack of ability to make rational, reasonable judgments as a result of alcohol consumption, other drug use, sleep, the taking of any so-called "date-rape" drug, unconsciousness, or blackout. An incapacitated person cannot make rational, reasonable decisions because that person lacks the ability to fully understand the who, what, where, or how of their sexual interaction. Incapacitation is a state beyond drunkenness or intoxication, in which alcohol, drugs, or other factors render one unable to make fully informed judgments or have an awareness of consequences. While incapacitation may be caused by drugs or alcohol, it also includes the state of being asleep, during which time a person is unable to provide affirmative consent.

Informal Resolution: A process intended to allow the Complainant and the Respondent to provide information about the alleged incident(s) of discrimination or harassment, and to reach a mutually agreeable resolution. An Informal Resolution process may take many forms upon the agreement of the parties and the Title IX Coordinator. This process aims to assure fairness, to facilitate communication, and to maintain an equitable balance of power between the parties.

Investigator: Refers to an official(s) designated by the Title IX Coordinator to conduct an investigation of alleged Sex/Gender Discrimination or Sexual Misconduct. The Investigator will be a trained individual who objectively collects and examines the facts and circumstances of potential violations of this Policy and documents them for review. The Investigator will be neutral and will not have a conflict of interest or bias based on gender or against the Complainant or Respondent. The Investigator may act as a witness in the event of a Resolution Hearing.

Mandatory Reporter: Refers to an individual who is obligated to report any knowledge they may have of Sex/Gender Discrimination and Sexual Misconduct. If a Mandatory Reporter observes, is informed of, or otherwise learns of an act of sexual misconduct, they must report it to the Title IX Coordinator. Berry defines all faculty and staff as mandatory reporters except certain “confidential resources” staff. (See **Section VIII** above.)

Non-Consensual Sexual Contact: See **Sexual Misconduct** below, Subsection A.

Non-Consensual Sexual Penetration: See **Sexual Misconduct** below, Subsection B.

Preponderance of Evidence: Refers to the standard by which it is determined at a hearing whether or not a violation of this Policy has occurred, and means that an act of sex discrimination is “more likely than not” to have occurred. This standard applies for all claims of sex discrimination, including sexual harassment and other sexual misconduct.

Report: Refers to any communication that puts Berry on notice of an allegation that sex/gender discrimination or sexual misconduct occurred or may have occurred. Anyone can report an incident of sex/gender discrimination and sexual misconduct to Berry under the procedure described in **Section VIII** of this Policy. Notice may be given directly to the Title IX Coordinator (“actual notice”) or to any Mandatory Reporter who has a duty to report such information to the Title IX Coordinator. Once the Title IX Coordinator learns of any Report of alleged sex/gender discrimination or sexual misconduct, whether from a direct Report or from a Mandatory Reporter, they will implement supportive measures as needed and initiate an investigation into the alleged incident. The form of the investigation may vary, particularly if the conduct alleged is governed by the U.S. Department of Education’s Title IX Regulations, in which case Berry’s Formal Grievance Policy at Appendix A will apply. Following an investigation, the Title IX Coordinator has authority to resolve a Report, including the implementation of any supportive measures, and close the case if the Report does not constitute or become a Complaint.

After making a Report, an individual may choose to end their involvement in the process; may choose to be involved or not be involved in Berry’s investigation and related proceedings; or may choose to file or request a Complaint and pursue resolution (under this policy or the Formal Grievance Policy, as applicable) or, if applicable, an Informal Resolution involving the Respondent.

Berry strongly encourages all individuals to report incidents of sexual misconduct and sex/gender discrimination even if the individual does not intend to pursue a Complaint.

Reporter: Refers to an individual who notifies the Title IX Coordinator or a Mandatory Reporter of an alleged violation of this Policy. A Reporter can be any individual who reports to Berry that they are a victim or survivor of sex/gender discrimination or sexual misconduct; that they have been affected by sex/gender discrimination or sexual misconduct; or that they have knowledge of sex/gender discrimination and sexual misconduct happening to or affecting someone else.

Resolution Hearing: Refers to Berry’s disciplinary proceeding through which the Sexual Misconduct Hearing Board evaluates evidence related to a Complaint to determine whether a Respondent is in violation of this Policy, based on the criteria of a preponderance of evidence. This process differs from the Formal Grievance Process for sexual harassment required by the new Title IX Regulations, effective August 14, 2020.

Respondent: Refers to an individual who has been accused in a Report or Complaint of conduct that could constitute sexual misconduct prohibited under this Policy (or, under the Formal Grievance Policy governing sexual harassment, an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment).

Sex/Gender Discrimination: Refers to the unequal treatment of an individual based on their sex, gender or sexual orientation in any employment decision, education program or educational activity receiving Federal financial assistance. Such programs or activities include, but are not limited to, admission, hiring and recruitment, financial aid, academic programs, student treatment and services, counseling and guidance, discipline, classroom assignment, grading, vocational education, recreation, physical education, athletics, housing and employment. The prohibition on sex discrimination also covers unlawful discrimination based on gender identity, sexual orientation, pregnancy, termination of pregnancy, childbirth or related conditions. Also prohibited as sex discrimination is any act which is based on parental, family, or marital status and which is applied differently based on sex.

Sexual Assault: See **Sexual Harassment** below, Subsection A.

Sexual Exploitation: See **Sexual Misconduct** below, Subsection C.

Sexual Harassment: “Sexual harassment” is defined in the new Title IX Regulations (34 C.F.R. § 106.30), effective August 14, 2020, to be conduct on the basis of sex that satisfies one or more of the following:

1. A Berry employee conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct (“quid pro quo”);
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Berry’s education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking.
 - a. **Sexual Assault:** An act of sexually-motivated physical contact directed towards another person when the other person does not consent or is incapable of giving consent. This includes but is not limited to rape, sodomy, sexual battery, fondling, incest, and statutory rape. See Title IX Regulations, which cite to 20 U.S.C. § 1092(f)(6)(A)(v).
 - b. **Dating Violence:** The term “dating violence” is defined in the new Title IX Regulations by reference to federal statute 34 U.S.C. § 12291(a)(10), which defines the term as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and 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, and (iii) the frequency of interaction between the persons involved in the relationship.
 - c. **Domestic Violence:** The term “domestic violence” is defined in the new Title IX Regulations by reference to federal statute 34 U.S.C. § 12291(a)(8), which defines the term as felony or misdemeanor crimes of violence committed between:
 - i. individuals who are current or former spouses or intimate partners,
 - ii. persons who share a child in common,
 - iii. persons who currently live together or have formerly lived together as spouses or intimate partners,

- iv. a person similarly situated to a spouse of the victim under the domestic or family violence laws of the school's jurisdiction, or
- v. 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 school's jurisdiction.

4. **Stalking:** The term "stalking" is defined in the new Title IX Regulations by reference to federal statute 34 U.S.C. § 12291(a)(30), which defines the term as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or suffer substantial emotional distress.

Types of stalking could include, but are not limited to:

- Following the targeted person;
- Approaching or confronting that person in a public place or on private property;
- Persistent and unwelcome attempts to contact the person by phone, electronic communication (including via the internet and cellphones), or regular mail, either anonymously or non-anonymously;
- Vandalizing the person's property or leaving unwanted items for the person;
- Persistently appearing at the person's classroom, residence, or workplace without that person's permission or other lawful purpose;
- Cyber-stalking, in which a person follows, observes, monitors, or surveils another person through the use of electronic media such as the Internet, digital media networks, blogs, cell phones, texts or other similar devices; and
- Using visual or audio recording devices or hidden or remote cameras used without the subject's consent.

It is important to note that the Title IX Regulations' use of federal definitions of sexual assault, dating violence, domestic violence, and stalking may differ from state law. Accordingly, any criminal proceeding brought by state or local law enforcement authorities may use different definitions.

Sexual Misconduct: Is a broad term that includes "sexual harassment" defined by the Title IX Regulations and also encompasses other sexually-motivated or gender-biased misconduct beyond sexual harassment. Examples may include sexual exploitation and many forms of verbal harassment that may not meet the Regulations' definition of "sexual harassment."

Additionally, if sexual misconduct is alleged to have occurred that does not satisfy the Title IX Regulations' jurisdictional criteria, such as off-campus sexual misconduct (including sexual harassment) alleged to have an on-campus effect or occurring during a study abroad program, then it may be addressed pursuant to this overarching Sexual Misconduct Policy. Such off-campus sexual harassment may be referred to as Non-Consensual Sexual Contact ("NCSC") or Non-Consensual Sexual Penetration ("NCSP") (defined below) to avoid confusion between charges brought under this Policy and its procedures as compared to the Title IX Regulations' "sexual harassment" definitions and requirements, which are governed by Berry's Formal Grievance Policy (following this policy).

Sexual misconduct is conduct that is unwanted or unwelcome and is sexual in nature. Experiencing sexual misconduct may interfere with a Berry community member's ability to perform a job, participate in activities, and/or participate fully in Berry's education programs. Sexual misconduct is demeaning to others and undermines the integrity of the employment relationship and/or learning environment by creating an intimidating, hostile or offensive working or academic environment through verbal or physical conduct of a sexual nature. Sexual misconduct is prohibited regardless of whether it occurs between or among members of any sex. Sexual misconduct may also consist of inappropriate gender-based comments and gender stereotyping, even if the acts do not involve conduct of an overtly sexual nature.

1. **Non-Consensual Sexual Contact:** “Sexual contact” includes the intentional touching of another person's intimate parts, or the intentional touching of the clothing covering the other person's intimate parts, for the purpose of sexual arousal or gratification. Such contact is non-consensual if done without the other person's affirmative consent (see definition above).

2. **Non-Consensual Sexual Penetration:** “Sexual penetration” includes sexual intercourse, oral-genital contact, anal intercourse, or any other intrusion, however slight, of any part of a person's body or of any object into the genital or anal openings of any other person's body. Such contact is non-consensual if done without the other person's affirmative consent (see definition above).

3. **Sexual Exploitation:** Occurs when a person takes non-consensual or abusive sexual advantage of another for their own advantage or benefit, or the benefit of anyone other than the one being exploited. Examples of sexual exploitation include, but are not limited to:

- Non-consensual video or audio-taping of sexual activity or other private activity, even if that activity occurs in a public or semi-public place;
- Non-consensual dissemination of video, photographs, or audio of sexual activity or other private activity, including dissemination by a third party or a person not involved in the original conduct;
- Exceeding the boundaries of consent (such as, permitting others to hide in a closet and observe consensual sexual activity, videotaping of a person using a bathroom or engaging in other private activities);
- Engaging in voyeurism, exposing one's breasts, buttocks, or genitals in a non-consensual circumstance or inducing another to expose their breasts, buttocks, or genitals without affirmative consent;
- Prostituting another person;
- Engaging in consensual sexual activity with another person while knowingly infected with human immunodeficiency virus (HIV) or other sexually transmitted disease or infection (STD or STI) and without informing the other person of such disease or infection; and
- Sexually-based stalking and/or bullying.

Sexual Misconduct Hearing Board: Refers to the three-member decision-making body, composed of trained Berry faculty and/or staff, which considers cases brought under this Policy. One of the three Board members will be designated as the chairperson. The Hearing Board hears the facts and circumstances of an alleged policy violation as presented by the Investigator, a Complainant, a Respondent and/or witnesses at a Resolution Hearing. This body is responsible for determining if a policy violation has occurred and whether/what sanctions are appropriate.

Stalking: See **Sexual Harassment** above, Subsection D.

Supporter: Refers to any person, regardless of their association with Berry, who a Reporter, Complainant, or Respondent may want to support them through a portion of or the entire process. A Supporter is not required, but is encouraged to help the party with emotional and personal support. When present during interviews, hearings, and appeals, the Supporter cannot take an active role. A supporter can be a friend, family member, or any trusted person who can provide needed care to a party.

Title IX: Refers to a comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity. Title IX prohibits the use of federal money to support sex discrimination in education programs and provides individual citizens effective protection against those practices. Title IX applies, with a few specific exceptions, to all aspects of federally funded education programs or activities. In addition to traditional educational institutions such as colleges, universities, and elementary and secondary schools, Title IX also applies to any education or training program operated by a recipient of federal financial assistance.

Formal Grievance Policy
As Required by the U.S. Department of Education, 34 C.F.R. § 106.45,
Effective August 14, 2020

1. INTRODUCTION

This Policy addresses certain types of sexual misconduct via a process required by the U.S. Department of Education's new Title IX Regulations, effective August 14, 2020. The scope of this Policy is set forth in Section II, below. This Policy follows the requirements of the Regulations, and contains citations to the applicable Title IX Regulations throughout. Many of the citations are "links" which will take you directly to the actual text of the Regulations. See 34 C.F.R. Part 106.

The Formal Grievance Policy, along with the comprehensive Berry Sexual Misconduct Policy, are intended to define, address and remedy sexual misconduct for Berry students and employees.

Berry prohibits sexual misconduct by faculty, staff, students and those who use Berry facilities. The prohibition applies regardless of the gender of the individuals involved and includes sexual relationships involving a status differential and those between peers, colleagues, and co-workers. This Policy applies to all members of the Berry community, including students, faculty and staff.

This Formal Grievance Policy proceeds in four additional sections, summarized here. If you have questions regarding how the comprehensive Policy and this Formal Grievance Policy work, or need assistance regarding any of the defined terms or processes, please contact the Title IX Coordinator.

Section II defines what is covered by this Formal Grievance Policy. Under the new Title IX Regulations, sexual harassment (a subset of sexual misconduct) must be investigated and addressed according to the procedures set forth in this policy. Although the Regulations narrowly define sexual harassment, Berry remains committed to providing a higher education environment that is free from sexual discrimination, sexual misconduct, and gendered violence. Sexual misconduct that does not rise to the level of sexual harassment as defined by the U.S. Department of Education, or that does not meet Title IX's jurisdictional requirements, will still be investigated and addressed under the Berry Sexual Misconduct Policy.

Section III contains Berry's Formal Grievance Process. This section contains information on filing a Formal Complaint of sexual harassment, the investigation process, the role of the Title IX Coordinator, the live hearing requirements, the appeals process, and other topics. Students, faculty, and staff should consult this section to learn about the process Berry will use to investigate and address allegations of sexual harassment.

Section IV contains the U.S. Department of Education's statements regarding equitable treatment under the Title IX Regulations, which are required to appear in this Formal Policy. The concepts of equitable treatment include the provision of supportive measures and waiting until the grievance process concludes to make conclusions.

Section V explains that Berry does not allow or condone retaliation against any person based on that person's involvement in the Title IX process.

Berry has designated a Title IX Coordinator to oversee the investigation and resolution of reports of sexual misconduct and Berry's compliance with Title IX. Any questions about this policy, Berry's processes under Title IX, or reports of alleged sexual misconduct should be directed to the Title IX Coordinator:

Lindsay Norman
Hermann Hall 208
P.O. Box 495009
Mount Berry, Georgia 30149-5009
lnorman@berry.edu
(706) 236-2207

The Title IX Coordinator, in conjunction with the Assistant Vice President for Human Resources, Deputy Title IX Coordinator for faculty and staff matters, will oversee all Berry matters relating to sex discrimination (including sexual harassment), including distribution of policies, investigations, educational programs, policy enforcement, and follow-up with complainants and respondents in investigations.

2. SCOPE OF POLICY

This Formal Grievance Policy will apply to “sexual harassment” alleged to have occurred in a Berry “education program or activity” against a person in the United States, per USDOE Regulations, effective August 14, 2020. 34 C.F.R. § 106.44(a).

A. Definitions

“Sexual harassment” is defined by USDOE to be conduct on the basis of sex that satisfies one or more of the following:

1. A Berry employee conditioning the provision of an aid, benefit, or service on an individual’s participation in unwelcome sexual conduct (“quid pro quo”);
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Berry’s education program or activity; or
3. Sexual assault, dating violence, domestic violence, or stalking. (These terms are defined in the Berry Sexual Misconduct Policy.)

“Sexual misconduct” is a broader term that covers other sex-based conduct beyond the USDOE’s “sexual harassment” definition. If alleged sexual misconduct does not satisfy the USDOE’s definitional requirement, then it may be addressed under the Berry Sexual Misconduct Policy instead of this Policy.

The terms “Complainant” and “Respondent” are used throughout this Policy and the comprehensive Berry Sexual Misconduct Policy.

Complainant: an individual who is alleged to be the victim of conduct that could constitute sexual harassment for purposes of this Formal Grievance Policy.

Respondent: an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment for purposes of this Policy. (§ 106.30.)

Other terms, like Supportive Measures and Formal Complaint, are defined below.

All relevant terms, including Consent and Incapacitation, are defined in a separate attachment to the comprehensive Berry Sexual Misconduct Policy.

B. Reports to Which This Formal Policy Applies

For any allegation of sexual harassment to come within the scope of this Formal Grievance Policy, it must fall within the scope of USDOE’s rules, as stated above.

An “education program or activity” includes locations, events, or circumstances that Berry exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by Berry. USDOE’s Regulations exclude any “education program or activity” that does not occur in the United States. (§ 106.44(a).)

If a reported sexual misconduct does not satisfy the jurisdiction requirement, such as off-campus behavior alleged to have an on-campus effect, then it may be addressed under the comprehensive Berry Sexual Misconduct Policy instead of this Policy

3. FORMAL GRIEVANCE PROCEDURE

This portion of the Policy outlines the steps taken to initiate a grievance, as well as USDOE's procedural requirements for investigation and adjudication of Formal Complaints.

A. Formal Complaint

The submission of a Formal Complaint triggers the Formal Grievance Process described in this section when received by the Title IX Coordinator.

A Formal Complaint is defined as "a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment [as defined by the Title IX Regulations] against a respondent and requesting that [Berry] investigate the allegation of sexual harassment."

At the time a Formal Complaint is filed, "a complainant must be participating in or attempting to participate in the education program or activity." A Formal Complaint must be in writing and may be filed with the Title IX Coordinator in person, by mail, or by email. The Formal Complaint must contain the complainant's physical or digital signature, or some other indication that the complainant is the person filing it. (106.30.)

Berry strongly encourages complainants to file Formal Complaints to initiate the required Formal Grievance Process described in this Policy. If the alleged conduct meets the Regulations' definitional and jurisdictional requirements, the law now requires a Formal Complaint before Berry can pursue a full investigation or explore the possibility of an informal or early resolution, which occur before holding a disciplinary hearing or issuing sanctions.

If Berry receives a report of sexual misconduct that falls within this Formal Grievance Policy's scope (see Section II) but no Formal Complaint is filed, then the new Title IX Regulations prevent Berry from administering a formal grievance process that may impose disciplinary sanctions or other actions against a respondent. Supportive measures, however, may still be given. According to USDOE, the purpose of the Formal Complaint is to clarify that the complainant (or the Title IX Coordinator) believes that the school should investigate the allegations of sexual harassment against the respondent. 34 C.F.R. § 106.44(a); 34 C.F.R. § 106.45(b)(1)(i); see also 34 C.F.R. § 106.8(c).

1. After filing a Formal Complaint, a complainant may withdraw their Formal Complaint at any time by providing written notice to the Title IX Coordinator. That withdrawal will result in dismissal of the Formal Grievance Process unless the Title IX Coordinator elects to continue the process by signing a Formal Complaint.
2. A Title IX Coordinator may sign a Formal Complaint to initiate or continue the Formal Grievance Process if necessary to fulfill the school's responsibility to not be deliberately indifferent to actual knowledge of sexual misconduct. Signing a Formal Complaint does not make a Title IX Coordinator a complainant or otherwise a party.
3. Berry may, but is not required to, consolidate Formal Complaints arising out of the same factual circumstances:
 - a) Where there is more than one complainant or respondent;
 - b) Where a complaint has also been filed by the respondent against the complainant. In such cases, the Formal Grievance Process for a later-filed complaint may be consolidated into an earlier-

filed process rather than re-start from the beginning (e.g., the new charges may be considered in the course of a pre-existing investigation).
(106.45(b)(4).)

4. Mandatory Dismissal (106.45(b)(3)(i, iii).)

If a Formal Complaint is filed, Berry will investigate its allegations. If the conduct reported does not meet the Formal Grievance Policy scope requirements for “sexual harassment”, Berry MUST dismiss the Formal Complaint under this Policy. In such circumstance, the complaint will be transferred into the Berry Sexual Misconduct Policy for review and possible investigation and resolution. In such circumstance, Berry will promptly and simultaneously send written notice to each party of the dismissal of the Formal Complaint, the reasoning, and the transfer.

B. Responsibility of the Title IX Coordinator (106.44(a).)

Upon receipt of any report of alleged sexual misconduct, the Title IX Coordinator will promptly contact the complainant to discuss the availability of supportive measures and explain the process involved in filing a Formal Complaint. The Title IX Coordinator will inform the complainant of the availability of supportive measures with or without the filing of a Formal Complaint, and will consider the complainant’s wishes with respect to supportive measures.

Supportive measures will be assessed and may be offered as needed to complainants, respondents and other members of the Berry community who may have been affected by the alleged conduct. Supportive measures are discussed in Section XI of the comprehensive policy.

The Title IX Coordinator may conduct a limited, threshold investigation prior to the Formal process:

1. to determine if the alleged conduct meets the Formal Grievance Policy scope requirements;
2. to determine whether the college’s Title IX obligations require the Title IX Coordinator to “sign” a Formal Complaint if the Complainant does not file one; and
3. for other limited purposes provided that if a Formal Complaint is filed or signed, the Title IX Coordinator will fulfill the terms of this Formal Grievance Process, including the notice provisions immediately below and the more thorough investigation process described below even if it is somewhat duplicative of the threshold investigation.

The Title IX Coordinator may remove a respondent from the education program or activity on an emergency basis if the Title IX Coordinator conducts an individualized safety and risk analysis and determines that there is an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifying removal. The respondent must receive notice and an opportunity to challenge the decision immediately following such removal. (106.44(c).)

The Title IX Coordinator, or the Assistant Vice President for Human Resources for faculty and staff matters, may place a non-student employee respondent on administrative leave during the pendency of a Formal Grievance Process. (106.44(d).)

C. Communication of Complaint (106.45(b)(2))

Upon receipt of a Formal Complaint, Berry will provide written notice to known parties of Berry’s Formal Grievance Process by providing access to this policy. The notice must be given as soon as practicable and with sufficient time to prepare a response before any initial investigation interview. The notice will also include the allegations potentially constituting sexual harassment, including sufficient details known at the time.

Sufficient details are defined in the Title IX Regulations to include:

- The identities of the parties involved in the incident, if known;
- The conduct allegedly constituting sexual harassment; and
- The date and location of the alleged incident, if known.

The following statements are also required to be included in the written notice:

- The respondent is presumed not responsible for the alleged conduct.
- A determination regarding responsibility is made at the conclusion of the grievance process.
- The parties may have an advisor of their choice who may be, but is not required to be, an attorney.
- The parties may inspect and review evidence.
- The parties are prohibited from knowingly making false statements or knowingly submitting false information during the grievance process.

If, at any point during the course of the investigation, Berry determines it is necessary to investigate additional conduct allegations not included in the original notice, it will provide supplemental notice of any additional allegations to the parties.

D. Investigation Procedures

The Title IX Coordinator will appoint an Investigator, who will promptly investigate the allegations subject to the Formal Grievance Process. The investigation may include, among other steps, interviewing the complainant, the respondent, and any witnesses; reviewing law enforcement investigation documents if applicable; reviewing relevant student or employment files; and gathering and examining other relevant documents, social media and evidence.

The Investigator will attempt to collect all information and evidence relevant to the allegations. While the Investigator will have the burden of gathering evidence, it is crucial that the parties present evidence and identify witnesses to the Investigator so that they may be considered during the investigation. As described below in Section H.III., while all evidence presented at a hearing by the parties will be considered, the hearing panel may, in their discretion, grant lesser weight to last-minute information or evidence introduced at the hearing that was not previously presented for investigation by the Investigator.

The investigation file should contain all information gathered during the investigation that is potentially relevant to the alleged misconduct; the Investigator should not filter or exclude evidence or decide the weight or credibility of evidence, unless the evidence is clearly irrelevant.

When investigating a Formal Complaint and throughout the grievance process, Berry will:

1. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the college and not on the parties. This means that the college's decision-makers will use the preponderance standard. See also Subsection E below.
2. Provide an equal opportunity for the parties to present witnesses and relevant evidence.

3. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.

- a) Berry expects the parties to respect the sensitive nature of allegations of sexual misconduct and to respect other parties' sense of confidentiality.
- b) While Berry cannot prevent a party from discussing the allegations under investigation, the Title IX Regulations and this Policy prohibit retaliation against any person because they participate or refuse to participate in any part of the school's sexual misconduct processes.
- c) FERPA is a federal law that protects the confidentiality of student educational records. Records generated under this Policy, including those shared with the parties, are educational records covered by FERPA. Consistent with FERPA's prohibition on re-disclosure of confidential information, any person who receives another person's confidential information solely as a result of participation in any investigation or proceeding under this Policy, is prohibited from using or disclosing such information outside of such forums without express consent or for any improper purpose. This provision only applies to other people's confidential information, as a party is never restricted from discussing their own experience. This provision does not apply to any information learned outside of an investigation or proceeding under this Policy.

4. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to bring an advisor of choice (who may be, but is not required to be, an attorney) to any related meeting or proceeding. Berry will not limit the choice or presence of an advisor for either the complainant or respondent in any meeting or grievance proceeding; however, Berry will restrict the extent to which the advisor may actively participate in the proceedings, which will apply equally to both parties' advisors.

Advisors are not permitted to directly participate in any proceeding, except as specified in Section III.E.iii. below related to hearings. Advisors may be present solely to advise or support the party and are prohibited from speaking directly to the investigator, hearing panel members, other parties, or witnesses in such proceedings.

5. Provide written notice to each party of the date, time, location, participants, and purposes of each Formal Grievance Process meeting at which they are invited to participate, with sufficient time for the party to prepare to participate:

- a) For all hearings, Berry will provide 10 days' notice;
- b) For all non-hearing investigative interviews or meetings to which a party is invited or expected at Berry's discretion, Berry will provide 5 days' notice.

Following the investigation, the Investigator will draft an investigation report succinctly describing all collected information. The Investigator will not make any recommendation as to whether a Policy violation has occurred or potential sanctions.

E. Evidentiary Considerations

While investigating the allegations of any Formal Complaint of sexual harassment, the Investigator will conduct an objective evaluation of all relevant evidence. Relevant evidence is any evidence that may tend to make the allegations at issue more or less likely to be true.

Standard of evidence:

1. In assessing allegations of sexual harassment and conducting its Formal Grievance Process, Berry will use a preponderance of the evidence standard. This standard means determining whether the

alleged sexual misconduct is “more likely than not” to have occurred. This standard will apply to all Formal Complaints of sexual harassment, regardless of whether the Formal Complaint is against a student or any employee, including faculty. (106.45(b)(1)(vii).)

2. Provide both parties an equal opportunity to inspect and review any evidence Berry obtained as part of the investigation, whether obtained from a party or other source that is directly related to the allegations raised in a Formal Complaint. The provision of such evidence is intended to help each party meaningfully respond to the evidence before the investigation concludes.

3. Parties may elect to submit certain records of medical examinations, treatment, or mental health services. Berry will not access, consider, disclose, or otherwise use a party’s records that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional’s or paraprofessional’s capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, *unless* the party voluntarily consents in writing to their use in a Formal Grievance Process. (106.45(b)(5)(i).)

F. Investigative Report (106.45(b)(5)(vi-vii).)

Prior to completion of the investigative report, Berry will send to each party, and the party’s advisor if any, a draft investigative report and any relevant evidence. Such evidence will be available at any hearing, to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

Berry retains discretion to elect to send such materials in an electronic format or a hard copy. The provision of such evidence may include data security safeguards that prevent it from being downloaded, printed or forwarded.

The parties will have 10 calendar days to submit a written response. The investigator will consider any such response prior to completion of the final investigative report. The investigator will then create a final investigative report that fairly summarizes the relevant evidence. The final investigative report will not make any recommendation as to whether a policy violation has occurred or potential sanctions.

At least 10 days prior to a hearing, Berry will send the final investigative report to each party, and the party’s advisor if any, for their review and written response. Any such response must be received by the Title IX Coordinator within five days of when the final investigative report was delivered to the party, so that the party’s response may be available for consideration by the hearing panel. If warranted, the investigator may choose to update the final investigative report to take a party’s response into account, in which case the hearing date may be postponed.

G. Permissive Dismissal

At any time during the investigation or hearing, Berry may dismiss the Formal Complaint or any of its allegations if:

1. A complainant notifies the Title IX Coordinator in writing that he or she would like to withdraw the Formal Complaint in whole or in part;
2. The respondent is no longer enrolled in or employed by the school; or
3. Specific circumstances prevent Berry from gathering evidence sufficient to reach a determination as to the Formal Complaint, in whole or in part.

(106.45(b)(3)(ii).)

If a Formal Complaint is withdrawn, the Title IX Coordinator may choose in his or her discretion to sign the Formal Complaint to continue the Formal Grievance Process.

If the respondent is no longer enrolled or employed at the school, Berry may take such action it deems necessary to appropriately mark student or employment records regarding the departure during a disciplinary process without a determination as to responsibility, or reasonably restrict a respondent's access to campus.

If permissive dismissal is granted under this section, the Formal Grievance Process will cease. Per the Title IX Regulations, no further investigation will occur, and no disciplinary sanctions or actions can be imposed against the respondent.

In all such circumstances, supportive measures may be continued.

H. Resolution Procedures

Berry's Formal Grievance Process will then proceed to a live hearing before one or more hearing panel members, who will consider all evidence presented (subject to the terms below) and determine whether a respondent is or is not responsible for a violation of this Policy, based on the standard of a preponderance of evidence. Under that standard, the burden of proof is met, and a respondent may be found responsible for a policy violation, if the hearing panel determine that the evidence proves it is more likely than not that the respondent committed the conduct alleged. If the respondent is found responsible for a violation of this Policy, the respondent may be subjected to disciplinary action. (106.45(b)(6)(i).)

1. The hearing panel members will be selected by the Title IX Coordinator and may vary based on the enrollment or employment status of the respondent.
 - a) Student-respondent cases typically will be adjudicated by a three-member hearing panel of trained Berry faculty and/or staff. One of the three panel members will be designated as the chairperson. A separate hearing officer who is not a member of the three-member panel is also permitted to preside as a hearing officer and make evidentiary rulings at the hearing. Any such hearing officer will not play any active role in deliberations by the hearing panel, or the determination as to whether the Respondent is responsible for the conduct alleged.
 - b) Faculty-respondent cases typically will be resolved by the Provost.
 - c) Employee-respondent cases typically will be resolved by the Vice President for Finance.

The hearing panel members will not be the same person as the Title IX Coordinator or the Investigator.

2. At the request of either party, Berry will conduct the live hearing with the parties located in separate physical locations. Technology will be used to enable the hearing panel and parties to simultaneously see and hear the party or witness answering questions.
3. Berry will transcribe or record (audio or audiovisual) any adjudicative hearing. It will be available to the parties for inspection and review in compliance with FERPA.

Pre-hearing Procedures

1. The Title IX Coordinator will identify the hearing panel to the parties ten days in advance of the hearing. Either party may recuse a named hearing panel member if believed to have a conflict of interest or bias. A recusal must be delivered in writing to the Title IX Coordinator at least seven days in advance of the hearing, specifying the reasons for such belief. The Title IX Coordinator has sole discretion to keep or replace the challenged hearing panel member, and if replaced, may postpone the hearing to allow for a replacement.

2. Five days in advance of the hearing, the parties will identify their expected attendees (including any advisor), their expected witnesses (including themselves), and the witnesses' expected sequence, via writing to the Title IX Coordinator, who will supply the disclosure to the other party so that they can be prepared. The parties will not be strictly bound to their disclosures, but they should be submitted in good faith.

3. Generally, parties will be in charge of choosing and supplying their own witnesses at the hearing. When necessary for fair resolution and to gather evidence sufficient to reach a determination, the hearing panel will have discretion to ask the Title IX Coordinator to request additional witnesses after receipt of the parties' witness lists; recognizing, however, that the school has no ability to compel any witness to attend. Any such requested witness will be disclosed to the parties.

Evidence

At the hearing, all relevant evidence will be objectively evaluated. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness. (106.45(b)(1)(ii).)

The Title IX Regulations (34 C.F.R. § 106.45(b)(6)(i)) state that questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless:

1. "offered to prove that someone other than the respondent committed the conduct alleged" or
2. "if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent."

While all relevant evidence presented at a hearing by the parties will be considered, the hearing panel have discretion to grant lesser weight to last-minute information or evidence introduced at the hearing that were not previously presented for investigation by the Investigator.

Cross-examination

Each party may be accompanied to the hearing by the advisor of their choice who may be, but is not required to be, an attorney. Advisors may be present solely to advise or support the party and are prohibited from speaking directly to the investigator, hearing panel, other parties, or witnesses during the hearing, except for conducting cross examination.

At the hearing, each party's advisor is permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Such cross examination at the live hearing must be conducted directly, verbally, and in real time by the party's advisor of choice, and **never by a party personally**. (106.45(b)(6)(i).) The hearing panel will typically ask questions before either advisor.

If a party does not have an advisor present at the live hearing, Berry will provide one without fee or charge to conduct cross-examination on behalf of that party. The advisor provided may be, but is not required to be, an attorney. (106.45(b)(6)(i).)

The hearing panel may consider and rely on, as appropriate, statements of any party or witness in reaching a decision on responsibility, even if that party or witness does not appear or submit to cross-examination. The members of the hearing panel have complete discretion in determining the credibility and reliability of such statements, and what weight to give such evidence in reaching a final determination. However, the hearing panel cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing, refusal to submit to cross-examination, or respond to any questions.

Only relevant cross-examination and other questions may be asked of a party or witness. Before a party or witness answers a cross-examination or other question, the hearing panel or hearing officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

If a party or witness does not submit to cross-examination at the live hearing, the hearing panel must not rely on any statement of that party or witness in reaching a determination regarding responsibility. However, the hearing panel cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. (106.45(b)(6)(i).)

Resolution Procedures

The hearing panel will issue a written determination following the hearing. Based on the preponderance of the evidence standard, the hearing panel will decide if the respondent is responsible for engaging in the conduct alleged, and if so, what disciplinary action may be appropriate.

The written determination will include:

1. Identification of the allegations potentially constituting 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 evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of this Policy to the facts;
5. A statement of, and rationale for, the findings for each allegation, including:
 - a) A determination regarding responsibility;
 - b) Any disciplinary sanctions the hearing panel imposes on the respondent; and
 - c) Whether remedies designed to restore or preserve equal access to Berry's education program or activity will be provided to the complainant; and
 - d) Procedures and permissible grounds upon which the parties may appeal the determination. (106.45(b)(7)(ii).)
 - e) The written determination will be provided to the parties simultaneously.

Supportive measures also may be provided to the complainant that are designed to restore or preserve equal access to Berry's education program or activity, even if they are not listed in the written determination. Remedies and supportive measures that do not impact the respondent should not be disclosed in the written determination; rather, the determination should simply indicate that "remedies will be provided to the complainant." The Title IX Coordinator is responsible for effective implementation of any remedies and supportive measures. (106.45(b)(7)(iv))

Range of Sanctions and Remedies (106.45(b)(1)(vi))

Sanctions and discipline upon a finding of responsibility may include any and all actions as outlined in the Viking Code, up to and including, disciplinary probation, suspension or expulsion. A list of those actions can be found in [here](#).

Finality

The determination regarding responsibility becomes final either:

- a) if an appeal is filed, on the date that Berry provides the parties with the written determination of the result of the appeal, or
- b) if an appeal is not filed, the date on which an appeal would no longer be considered timely. (106.45(b)(7)(iii).)

I. Appeal of Resolution

Both parties may appeal from a determination regarding responsibility, or from a dismissal of a Formal Complaint or any allegations therein, only on the following grounds: In order to be considered, appeals must meet one of four conditions:

1. The respondent's right to a fair hearing was violated. Procedural or process errors must be significant enough to have affected the outcome of the case in order for the fair hearing standard to have been violated a procedural irregularity, meaning an alleged failure to follow the process outlined in this Formal Policy, that affected the outcome of the matter;
2. New and significant information can be introduced that was not reasonably available at the time of the hearing or dismissal and could have affected the outcome of the case;
3. The Title IX Coordinator, Investigator, or hearing panel had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter. The notice of appeal must describe specifically the basis upon which such conflict of interest or bias is alleged and how it allegedly affected the outcome.
4. Berry reserves the right to offer an appeal equally to both parties on additional grounds in its discretion. (106.45(b)(8)(i-ii).)

Appeals must be submitted in writing to the Title IX Coordinator within 10 days of the date that the written adjudication determination is provided to the parties. The written appeal must state the grounds for the appeal, include the name of the appealing party, and establish that it is submitted by the appealing party. The appeal statement must contain a sufficient description supporting the grounds for appeal. If the grounds for appeal is to consider new evidence that could affect the outcome of the matter that was not reasonably available to the appealing party before or during the time of the hearing or the dismissal, then the written appeal must include such evidence and the reasons why it was not available. The Title IX Coordinator retains discretion to verify and/or waive minor procedural variations in the timing and content of the appeal submission.

Upon receipt of an appeal, Berry will

1. Notify the other party in writing when the appeal is filed and implement appeal procedures equally for both parties;
2. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the original determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
3. Ensure that the decision-maker(s) for the appeal does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent, and that the decision-maker(s) for the appeal has received the appropriate and necessary training;

4. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

Berry will provide a copy of the appeal to the non-appealing party. The non-appealing party may submit a written statement within 10 days that may seek to affirm the initial decision and/or respond to the appeal statement. The Title IX Coordinator has discretion to impose or withhold any applicable sanctions or supportive measures prior to the deadline for submitting an appeal or the resolution of any appeal.

The appeals panel will issue a written decision describing the result of the appeal and the rationale for the result within a reasonably prompt time frame following receipt of all appeals materials. The appeal will determine whether the hearing panel made an error on the grounds alleged in the appeal statement. The appeal is typically determined based on the existing record, but appeals panel will have discretion to convene a limited or full hearing if needed.

The appeal decision will be given simultaneously to both parties. (106.45(b)(8)(iii)(E-F).)

J. Informal Resolution

At any time prior to reaching a determination regarding responsibility, Berry may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication. Berry may not offer an informal resolution process unless a Formal Complaint is filed. Both parties must agree to participate in an informal resolution process, and if they do, the Formal Grievance Process stops. Either party may withdraw from the informal process and re-start the Formal Grievance Process at any time before an informal resolution is reached. Berry will not require the parties to participate in an informal resolution process, and will not require them to waive their rights to a Formal Grievance Process. (106.45(b)(9).)

Berry will not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student. (106.45)(b)(9)(iii).)

Prior to facilitating an informal resolution process, Berry will:

1. Provide written notice to the parties disclosing the following:
 1. The allegations;
 2. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a Formal Complaint arising from the same allegations;
 3. The fact that, at any time prior to agreeing to an informal resolution, any party may withdraw from the informal resolution process and resume the Formal Grievance Process; and
 4. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtain the parties' voluntary, written consent to the informal resolution process.

(106.45(b)(9)(i-ii).)

If the parties agree to a resolution during an informal resolution process, the Formal Complaint will be deemed withdrawn and the Formal Grievance Process will be terminated. However, the informal resolution will be considered final.

4. USDOE STATEMENTS OF EQUITABLE TREATMENT

As required by USDOE's Regulations, Berry's Formal Grievance Process will "treat complainants and respondents equitably by [1] offering supportive measures ... to a complainant, and [2] by following a grievance process that complies with [the new Title IX Regulations] before the imposition of any disciplinary sanctions or other actions that are not supportive measures ... against a respondent." (106.44(a); 106.45(b)(1)(i).) Supportive measures also may be offered as needed to respondents and other members of the Berry community who may be affected by sexual misconduct.

The Title IX Regulations define "supportive measures" as "non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent." These measures are offered to support Complainants and Respondents, where appropriate, as a way to assist affected persons in dealing with the conduct alleged and to continue participating in the educational program (if possible), while proceeding through the process outlined in this Policy. They may be sought or provided before or after a Formal Complaint is filed, or where no Formal Complaint has been filed. "Such measures are designed to restore or preserve equal access to the [school's] education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the [school's] educational environment, or deter sexual harassment."

Supportive measures may include: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Berry will keep any supportive measures provided to the complainant or respondent confidential, to the extent possible. However, supportive measures that impact other members of the Berry community (e.g. mutual no-contact orders, where the other party must be informed of the order and its implications) may be disclosed in order to enforce them. The Title IX Coordinator will coordinate the implementation of supportive measures.

An individual's status as a respondent will not be considered a negative factor during investigation and consideration of the grievance. Respondents are entitled to, and will receive the benefit of, a presumption that they are not responsible for the alleged conduct unless and until the grievance process concludes and a determination regarding responsibility is issued. Similarly, a person's status as a complainant, respondent, or witness will not determine whether or not they are deemed credible.

Berry's Formal Grievance Process will provide remedies to a complainant only if the grievance process described in this Policy results in a determination that the respondent is responsible for sexual harassment. Remedies are designed to restore or preserve equal access to the school's education program or activity, and they may include the same individualized services as supportive measures. Remedies may be disciplinary and punitive.

Title IX Coordinators, investigators, hearing panel members or decision-makers, and any person who facilitates an informal resolution process (Title IX administrators) will not have a conflict of interest or bias in favor of or against complainants or respondents generally, or an individual complainant or respondent in the grievance process. Berry will provide necessary and appropriate training to each administrator involved in the Title IX process. Training materials will not rely on sex stereotypes and will promote impartial investigations and adjudications of Formal Complaints of sexual harassment. (106.45(b)(1)(iii).)

5. PROHIBITION OF RETALIATION (34 C.F.R. § 106.71.)

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, its regulation, or this Policy, or 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. “Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination, or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX or this [Policy], constitutes retaliation.”

Berry will “keep confidential the identity of any individual who has made a report or complaint of sex discrimination, including any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as may be permitted” by Title IX, FERPA, or as otherwise required by law, or to carry out Berry’s Title IX procedures.

The exercise of rights protected under the First Amendment does not constitute retaliation.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a sexual misconduct grievance proceeding does not constitute retaliation. A determination regarding responsibility alone, however, is not sufficient to conclude that any party made a materially false statement in bad faith. Complaints alleging retaliation may be filed with the Title IX Coordinator and will follow grievance procedures either under this Policy or under the Berry Sexual Misconduct Policy.

In the event an individual alleges that the Title IX Coordinator retaliated against them, the individual may file a complaint with the Assistant Vice President for Human Resources, who will follow the grievance procedures either under this Policy or under the Berry Sexual Misconduct Policy. The Title IX Coordinator will not oversee the investigation or adjudication of a complaint alleging that they engaged in retaliation.

ACADEMIC POLICIES

■ ACADEMIC INTEGRITY

Academic Integrity is the foundation of college life and experience at Berry. All members of the Berry College community are responsible for working together to establish and uphold an environment conducive to honorable academic endeavor. In no case will academic dishonesty be tolerated.

In the event a faculty member suspects an instance of academic dishonesty, the faculty member will:

- Discuss the suspected infraction directly with the student(s) involved and provide to the student the materials or evidence related to the suspected infraction. At the faculty member's or student's discretion, the school dean, department chair or a faculty colleague may be present during this discussion as a witness.
- Make copies of relevant materials before showing them to the student(s) for any approved amendment or revision.
- Discuss the suspected infraction and the documented evidence with the department chair, dean or a colleague if collegial advice is desired. In all such cases, the privacy of the student(s) involved must be protected.
- Make a decision based on the evidence.

If the faculty member decides a student has violated the academic integrity policy, the faculty member will:

- Determine appropriate sanctions; sanctions may include warning the student, or reducing an assignment, exam, or course grade
- Discuss the sanctions with the student and explain the appeals process.
- Notify the Provost in writing of the incident. This document should include: information about the course, the faculty involved, and the student(s) involved; the time and date of the incident, and a description of the incident and any evidence that indicates an infraction of academic integrity; any sanctions imposed by the faculty member in response to this incident; and a confirmation that the faculty member has discussed with the student the incident, any sanctions imposed, and the student's right to appeal the faculty member's decision.

The instructor's decision and sanction will be reported to the Provost when the student is notified of the instructor's decision. Every student found in violation of the academic integrity standards will be informed by the Provost of the decision and sanction and of their right to submit a written appeal of either the finding and/or the sanction. Student appeals must be made in writing to the Provost within 10 days of the notification of the sanction by the Provost to the student.

Students appealing the finding and/or sanction(s) of an academic integrity violation will have their appeal directed by the provost to a subcommittee of Academic Council. This committee will be convened by an academic dean (who will vote on the appeal only in cases of a tie) and will consist of two faculty members and two student members. If student members of Academic Council are not available, student members of the Student Conduct Board or the Student Appeals Board may serve on the appeal committee.

Only in case of a procedural error by the Appeals Committee or when new evidence is available may students appeal the decision of the Appeals Committee. This last appeal in writing to the Provost must be received within 10 days of the notification of the decision of the Appeals Committee. The decision of the Provost in response to this appeal is final.

Students who are found to have violated the College's academic integrity policy more than once may have a sanction imposed by the Provost in addition to the sanction levied by the course instructor. The additional sanction imposed by the Provost may include (but is not limited to) academic probation, academic suspension, or academic dismissal. Should the Provost impose an additional sanction, students have the right to appeal the sanction to an appeal committee comprised of the College's Academic Deans, the Dean of Students, and the chair of the Faculty Assembly. Students will

be informed of their right to appeal a sanction imposed by the Provost. Appeals must be made in writing to the Provost within 10 days of the imposition of the sanction by the Provost.

■ GRIEVANCE POLICY

The college has established policies for dealing with grade appeals, academic standards, student conduct, residence hall policies, sexual harassment and academic integrity, and students, faculty and staff should follow the processes described in those policies. In other areas not covered by written policies, students who believe they have been denied access to the programs and services of Berry College may appeal these by contacting the Provost regarding academic grievances or the Vice President for Student Affairs regarding non-academic or athletic grievances. The administrator will investigate the complaint and respond promptly. Following this, decisions resulting from the investigation may be appealed to the President of the college.

■ STUDENT COMPLAINT POLICY

As an institution committed to students and open dialogue surrounding issues of concern to students, the college has implemented several policies to ensure student concerns are responded to quickly and fairly.

In addition to these policies, Berry College has a formal Student Complaint Policy. That policy is used in cases where there is no published policy/appeals process or in cases where a student has exhausted the published policy/appeals process. This policy is designed

- To ensure consistency in the handling of complaints,
- To provide a process for students to appeal when they believe the college did not follow a written process/policy,
- To provide a process for the resolution of complaints where no written process/policy exists,
- To track formal complaints and their resolution as required by federal regulation, and
- To help students learn how to advocate for themselves through formal processes.

Procedures for Submitting a Written Formal Student Complaint

Before filing a Student Complaint:

1. Berry College has several written appeals processes delineated in the Berry College Catalog, the Viking Code, and on the college website. In all cases, students should complete these processes prior to lodging a written complaint. Among the policies in place:
 - The Berry College Catalog contains policies to address/appeal academic integrity violations, grade appeals, and general academic/course-related concerns or appeals.
 - The Berry College Catalog contains policies regarding tuition charges and the payment of tuition, eligibility for and awarding of financial aid, and the refund of tuition and fees.
 - The Viking Code contains policies to address/appeal student conduct violations and sanctions imposed through the conduct process.
 - Berry College has a Title IX: Sexual Misconduct policy to address concerns related to sexual assault and sexual harassment. The policy is located on the Student Life website <http://berry.edu/stulife/>
2. In most cases where there is not a written policy, concerns/complaints may be resolved by first meeting with the office, faculty, staff or student directly. If that is not possible or if that meeting does not resolve the complaint, students should meet with the supervisor of the office, faculty, or staff directly. Students should speak with the appropriate person(s) to seek resolution prior to lodging a written complaint.

Filing a Student Complaint:

3. All formal written complaints must be filed using the online Student Complaint Form, which may be accessed on VikingWeb, Student tab, under Forms and Reports. The Associate Dean of Students or the Dean of Undergraduate Experiences are available to assist any student needing help submitting a complaint.

4. All Student Complaint Forms and supporting documentation submitted through the online system will be routed to the appropriate vice president for review and investigation. Complaints not designated for a specific vice president will be sent to the chief of staff who will review the complaint and respond or forward it as necessary to the appropriate vice president for review and investigation. The vice president investigating the complaint may request additional documentation and personal visits with students, faculty, staff, and administrators.
5. The appropriate vice president will respond to the complainant and strive to resolve the complaint within ten business days. The student will receive written communication of the resolution of the complaint.
6. A student may appeal the decision of a vice president or chief of staff directly to the president by letter delivered to the office. The president will respond to the student in writing, normally within ten business days of receipt of the complaint. The decision of the president is final.
7. All student complaints will be kept on file for four years.

■ INTELLECTUAL PROPERTY POLICY

Purpose

Berry College ("College") is dedicated to providing an environment that supports the creation and development of Intellectual Property by Faculty, Employees and Students. Such activities contribute to the academic and professional development of Faculty, Employees and Students; enhance the reputation of the College; and provide additional educational opportunities for participating Students. While Intellectual Property may, in some cases, be the product of a Creator and that Creator's time and resources, oftentimes, the creation and development of Intellectual Property depends not only on the Creator's ingenuity, time and resources but also on contributions (both monetary and otherwise) from the College and third parties. It is important, therefore, to stimulate the development of Intellectual Property by protecting the interests of all those involved in the creation and development of Intellectual Property at the College or using College Resources.

Accordingly, Berry College does hereby establish this IP Policy with respect to the development, protection, and transfer of rights to Intellectual Property resulting from the work of its Faculty, Employees, Students, and other third parties.

The complete Berry College policy on Intellectual Property is online at VikingWeb > Community > Group Management > Office of the Provost.

■ ACCEPTABLE USE OF INFORMATION TECHNOLOGY RESOURCES AND DATA POLICY

I. Purpose

This policy provides guidelines for the appropriate use of technology resources and data at Berry College. This includes information and data in any electronic format and any hardware or software to create, process, transmit, store or use such information/data. This may include computers, networking systems (including wireless), databases, digital information/images, electronic mail, messaging, servers, applications, storage devices, telephones, wireless devices and web sites.

II. Scope

Berry College information technology resources as defined above are owned by the college and must be used in support of the college's mission. Users of those resources on campus or off campus, include, but are not limited to, students, faculty, staff, contractors, visitors, visiting scholars, prospective students, camps and conferences attendees, and guest speakers.

III. Policy

General Guidelines

In support of the College's mission of teaching, service, and work, the Office of Information Technology provides computing, networking, and information resources to the college community. Users are responsible for using these resources in an effective, efficient, ethical and lawful manner. All existing laws (local, federal and state) and college regulations and policies apply, including not only those laws and regulations specific to computers and networks, but also those that may apply generally to personal conduct. Using Berry College's Internet access and electronic communications services means that one has read this acceptable use policy and agrees to abide by the guidelines.

Acceptable and Ethical Use

The use of Berry resources is granted to authorized users primarily for education, research, service and administration. Berry College encourages an environment in which ideas can be freely exchanged along with a commitment to academic freedom. It is the user's responsibility, however, to practice the following:

- Comply with all federal, state, and other applicable laws, college policies and procedures, and all contracts and licenses.
- Respect and honor the rights of others regarding intellectual property, privacy, freedom from harassment, academic freedom, copyright and use of IT resources.
- Properly store college data and documents only in appropriate, designated locations and on approved devices
- Make regular backups of information and files as appropriate and store those backup files in a secure location.
- Regularly delete files from one's accounts on shared computing resources (i.e., file servers or "shared drives") according to campus or departmental retention policies.
- Maintain the confidentiality, integrity and availability of computer systems and information on all devices under their control to prevent loss, theft, damage or inappropriate disclosure.
- Properly secure all mobile devices with sensitive data (FERPA, HIPPA, etc.) and encrypt all files per the guidelines in the Mobile Computing Policy.
- Never share passwords with others and use only the passwords and privileges associated with your account and for the authorized purpose(s). Users must respect the privacy of other users and their accounts, regardless of whether those accounts are properly protected.
- If unauthorized account activity is suspected, users should report it to the technical support desk and change the password immediately.
- Use college provided software in a manner that abides by licensing provisions, including installation, use, copying, number of simultaneous users, and other license terms.

Misuse of Resources

Users are accountable for their conduct under all applicable college policies and procedures. Misuse of computing, networking, or information resources may result in the loss of computing privileges and could result in prosecution under applicable statutes. Complaints alleging misuse of campus computing resources will be directed to the Provost (faculty), Vice President of Student Affairs (students) or the Vice President for Business and Finance (staff) for review. In each case, the appropriate administrator will investigate the alleged misuse and render a determination with sanctions, if appropriate. Activities will not be considered misuse when authorized by appropriate college officials for security or performance testing.

Examples of misuse include, but are not limited to, the following activities:

- Using a computer account or password other than one's own. Never share your computer account or disclose your password to anyone.
- Using the campus network to gain unauthorized access to any computer or network.
- Performing an act which interferes with the normal operation of computer systems or networks.

- Knowingly running or installing on any computer system or network, or giving to another user, a program intended to compromise, damage or place excessive load on a computer system or network. This includes but is not limited to programs known as computer viruses, remote access Trojans, worms, and malware.
- Uploading or storing confidential Berry data or documents in an unauthorized location. This includes but is not limited to personal file storing accounts like Dropbox or Google Drive, and AI services that have not been authorized.
- Attempting to circumvent data protection methods or uncover security vulnerabilities.
- Violating terms of applicable software licensing agreements or copyright laws. This includes the downloading of copyrighted material such as audio and video files for which the copyright owners have not granted rights.
- Intentionally accessing, downloading, uploading, receiving, displaying or sending materials that include content that is in violation of any existing local, state or federal restrictions or laws. Examples include sexually explicit content and vulgar, sexist, racist, threatening, violent or defamatory language.
- Masking or tampering with the identity of an account or machine.
- Attempting to monitor or tamper with another user's electronic communications, or reading, copying, changing, or deleting another user's files or software without the explicit agreement of the owner.
- Using the college's electronic mail and/or equipment for solicitation, political communication, advertising, or for any commercial purpose unrelated to official college business.
- Connecting and operating unauthorized wireless access points, switches and/or routers on the campus network.

Email Use

Berry email is an official means of college correspondence. All students, faculty and staff should check their email on a regular basis, preferably at least once per day. It is the responsibility of all faculty, staff and students to properly maintain their email account. Email accounts may remain active for students for life. Employee accounts will be deactivated on the last day of employment or at a later date if the employee has made arrangements with the Office for Information Technology. Retirees may request to keep email accounts.

Personal Use

Berry College permits occasional and reasonable personal use of its Internet and email services provided this does not interfere with work or educational performance. These services may be used outside of normal work and academic scheduled hours, as long as such use is consistent with professional conduct.

Preservation of Electronic Data

Federal and state laws exist which mandate the preservation of data, including communications and documents stored or transmitted in electronic format, in certain circumstances. The college may be legally obligated to preserve data when it is directly or indirectly related to a subpoena, a request for production, or it is relevant to any possible issues where litigation or court process may be involved. This may include electronic communications and any other documents stored or transmitted in electronic format. All users are required to comply with requests from the Office of General Counsel, outside counsel, and/or the Office of Information Technology, by cooperatively assisting in the identification and preservation of such data to the greatest extent possible. Failure to comply and cooperate with such notices and requests, and/or willfully or knowingly obstructing or hindering the gathering and preservation of such data in any fashion, may subject the College to sanctions and increased liability. This will be considered a violation of this policy and subject the user or users to disciplinary action.

Privacy

Berry College affirms that the mutual trust and freedom of thought and expression essential to the academic mission of a college rests on an expectation of privacy, and that the privacy of those who work, study, teach, and conduct research in a college setting be respected. The college respects the

privacy of all electronic communications, but users should have limited expectations of privacy regarding metadata while using Berry College owned or leased equipment and services. The normal operation and maintenance of the college's technology resources require backup and caching of data and communications, logging of activity, monitoring of general use patterns, and other such activities necessary to provide and protect service. Therefore, information technology administrators collect metadata—such as file storage/space allocation, bandwidth usage, and data and email statistics—on an ongoing basis to ensure the integrity and reliability of the college's electronic network.

As is the case for information in non-electronic form stored in college facilities, the college's need for information will be met in most situations by simply asking the author or custodian for it. Consistent with this policy, the college reserves the right to access, review and release electronic information transmitted over or stored on college systems or facilities. Properly authorized college officials, following the guidelines below, may access relevant e-mail, voice mail, or electronic files without the consent of the assigned user upon a good faith belief that such action:

- Is necessary to comply with legal requirements or process, or
- May yield information necessary for the investigation of a suspected violation of law or regulations, or of a suspected serious infraction of college policy (for example alleged research misconduct, plagiarism or harassment), or
- May yield information needed to deal with an emergency, or
- Will yield information required for the ordinary business of the college to proceed.

If a need arises to review or access electronic files of employees or students, requests must receive approval from the Provost (faculty requests), the Vice President of Student Affairs (student requests), or the Vice President of Business and Finance (staff requests). Procedure:

1. Requests should be directed to the Chief Information Officer (CIO).
2. The CIO will seek approval from the Provost or appropriate Vice President as designated above and will advise the requestor as to the approval or denial.
3. If approved, the CIO will forward the request to the appropriate Office of Information Technology staff for fulfillment.
4. When appropriate, an attempt will be made to notify the user of this access in advance.
5. The CIO will report the findings back to the requesting party. A summary of the findings and any pertinent notes will be sent to the requesting party, the approving official, and the CIO.

Except as may otherwise be dictated by legal requirements, individuals will be notified of access to, or disclosure of, the contents of their e-mail, voice mail or their computer accounts as soon as practicable. In cases where such notification might jeopardize an ongoing investigation of suspected wrongdoing, it may be delayed until the conclusion of the investigation.

Defining Copyright

Copyright grants authors and creators exclusive rights that protect their work, including writings, music, and images. These protections include the right to control who can reproduce, distribute, prepare derivative works, perform, and display the work publicly. Copyright also ensures that creators receive recognition and potential financial benefits for their original works and contributions. It is a matter of legal and ethical responsibility to respect these rights.

Appropriate Use and Fair Use

"Fair use" is a principle of copyright law that allows for limited use of copyrighted materials for educational purposes without the permission of the author/creator. Under this exception, copyrighted works can be used in criticism, comment, news reporting, teaching (including multiple copies for classroom use), scholarship, and/or research.

The following four factors should be considered when determining "fair use":

- The purpose and character of the use: How is the source being used? Is it for commercial purposes (are you making money off it) or is it for nonprofit, educational purposes? Courts may also consider whether the use can be considered "transformative," adding something new to the work with a different purpose or character.
- The nature of the copyrighted work: Is the work more creative or factual? Works that are factual are generally more likely to qualify for fair use, whereas creative works more often require permission to avoid copyright infringement.
- The amount and substantiality of the portion used: What percentage of the entire work is being used? Is the portion used considered the "heart of the work?" Using a smaller portion is more likely to be considered fair use.
- The effect upon the potential market for or value of the copyrighted work: This factor is often considered to be the most critical. Uses that supersede the intended use of the original work within its market are less likely to be considered fair use. If there is a way to purchase permission to use a work, unpaid use may weigh against fair use.

Educational use does not automatically qualify as fair use as all four factors must be weighed together. For more detailed guidance on applying these principles to specific types of sources, including exceptions, please refer to Memorial Library's Copyright Guide [<https://libguides.berry.edu/copyright>]. Generally, copying should be limited to only what is necessary for the educational purpose and should not negatively impact the market for the original work.

Requesting Permission

When your intended use of copyrighted material goes beyond what is considered fair use, you must obtain permission from the copyright holder. To request permission, you should:

- Identify the title, author, edition, and copyright date of the work.
- Clearly specify the exact pages, chapters, images, or other portions you wish to use.
- State the number of copies you intend to make and the specific purpose of your use, including the course name and number if applicable.
- Provide your full name and contact information, including your affiliation with the institution.

Common ways to seek permission include contacting the publisher's permissions desk or utilizing the Copyright Clearance Center (CCC) (www.copyright.com). Be sure to request permission well in advance (recommendation is six weeks) of when you need the material, as the process can take time. If you do not receive a response to your request, you cannot assume that permission has been granted.

Inappropriate Use

Examples of activities that generally constitute inappropriate use and are likely to be copyright infringement include:

- Using copyrighted materials for commercial purposes, promotional purposes or personal profit without obtaining prior written authorization.
- Providing copyrighted materials publicly online and without access restrictions in a manner that could harm the market for the original work.
- Using entire copyrighted works or substantial portions when a smaller portion would suffice for educational purposes.
- Violating the terms of license agreements for databases, electronic periodicals, software or applications.
- Creating, replacing, or substituting for anthologies, compilations, or collective works through unauthorized copying.

- Making copies of copyrighted materials for which students are charged beyond the actual cost of photocopying.
- Making unauthorized copies of "consumable" works such as workbooks, exercises, standardized tests, and answer sheets.
- Copying materials and media as a substitute for the purchase of books, publisher reprints, periodicals, music, video, images and graphic design.
- Digitizing, downloading, or screen capturing copyrighted music, audio, video, images, and graphic design elements for use within creative works and communications that are published, posted or distributed.

Penalties

Violations of copyright law can have serious legal and institutional consequences. Copyright holders can pursue legal action for infringement, which may result in significant monetary damages. Statutory damages can be up to \$30,000 per act of infringement for negligent or unintentional infringement and increased to as high as \$150,000 per act if the infringement is found to be willful. The infringing party may also be held responsible for the copyright holder's attorney's fees.

In addition to legal penalties, Berry College also has policies regarding copyright compliance within its Acceptable Use Policy. Failure to comply with this Copyright Policy may result in sanctions including, but are not limited to, written warnings, loss of access, rights to information technology resources, suspension of privileges, and for faculty and staff, potential suspension or termination of employment. It is the responsibility of all members of the Berry College community to understand and adhere to copyright law and this policy.

If you have any doubts about whether a particular use of copyrighted material is permissible, please seek guidance from Memorial Library or Danny Price, General Counsel.

Copyright Infringement Notification

Agent to Receive Notification of Claimed Infringement: This is to notify copyright owners that the agent to receive infringement statutory notices under the Digital Millennium Copyright Act is Dan Boyd, Director of Information Security.

A copyright owner needing to send such notice to Berry College should submit the notice in writing to:

Dan Boyd, Berry College
P.O. Box 495035
Mount Berry, GA 30149
E-mail: infosec@berry.edu
Phone: 706-236-1750

Date Issued: 9/25/2025

Revisions:

IV. Compliance/Sanctions

Any user of Berry College technology resources who violates the acceptable use or other college policies or applicable local, state, or federal laws may be subject to appropriate disciplinary actions up to and including termination of access, disciplinary review, expulsion, termination of employment, legal action or other appropriate disciplinary action. Schools and departments shall not adopt rules that reduce full compliance with applicable local, state, or federal laws or the policies and procedures of the college.

V. Approval and Review

This policy is periodically reviewed by Information Technology staff and the Information Technology Committee. Recommendations for major changes or additions to this policy will be referred to academic council and administrative council for approval. Information technology resources and systems are changing rapidly and the college reserves the right to amend this policy at any time.

Date issued: April 17, 2014

Review Dates: September 25, 2025

October 7, 2021

August 15, 2019

August 31, 2017

■ FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

Access to Student Information

Under provisions of the Family Educational Rights and Privacy Act of 1974, as amended, students have the right of access to official records maintained on them by Berry College. A student may inspect and review her or his educational records by filing a written request with the registrar. Although access may be normally obtained without undue delay, officials are permitted a 45-day period within which to respond to any request.

Directory Information

The Family Educational Rights and Privacy Act of 1974, as amended, also provides that the following categories of information may be released by the college as public unless the student chooses to have the information withheld. Such information may be released routinely to certain inquirers and the news media **unless the student requests in writing the fall semester of each year that this list be withheld**. Directory information includes name, address (including home, residence hall and room number, and local off-campus address), current telephone listing, place of birth, major field of study, participation in officially recognized activities and sports, weight and height (if a member of an athletic team), dates of attendance (including current classification and year, matriculation and withdrawal dates), degrees, awards and honors received, including dates granted, the most recent previous educational agency or institution attended, Berry e-mail address, status (full-time/part-time), and identification photograph.

Release of Information

Without the student's written consent, Berry College does not release confidential information to anyone other than Berry College personnel requiring information for the proper performance of their duties; organizations conducting studies for educational and governmental agencies; accrediting agencies; appropriate persons in case of health or safety emergencies; agencies or offices in connection with the student's application for or receipt of financial aid; governmental officials, as identified in Public Law 93-380; parents of dependent children, as defined in the Internal Revenue Code of 1954; and an appropriate official in response to a court order. Students who wish to release to parents routine grade reports or other official correspondence must complete a signed authorization form with the Office of the Registrar.

ACADEMICS

Berry College admits students of any race, creed, color, sex, national and ethnic origin or qualified handicap to all the rights, privileges, programs, and activities generally accorded or made available to students at the college. Berry does not discriminate on the basis of race, creed, color, sex, national and ethnic origin or handicap in administration of its educational policies, admissions policies, scholarship and loan programs, and athletic and other college-administered programs. Under the provision of the Family Educational Rights and Privacy Act of 1974, as amended, Berry College permits the student access to educational information maintained on him or her by the institution. These policies pertain to all students – both undergraduate and graduate – except where noted.

■ ACADEMIC RESOURCES

Division of Student Success

The Division of Student Success' missions is to enhance the academic success of all Berry College students through services including peer tutoring (called ASC Sessions), academic consultations, writing consultations, workshops, and coordination of accommodations for students with differences and disabilities. The Division of Student Success' administrative offices are located in Evans Hall, Suite 232 and are open during normal business hours. However, many resources, including ASC Sessions and Individual Academic Consultations, can be accessed until 10:00 pm and are located in The Commons on the first floor of the library.

The Commons

Located in Memorial Library, The Commons (Library 105) houses the Academic Success Center and Writing Center. Two services are housed within the Academic Success Center. These include ASC Sessions and Individual Academic Consultations.

ASC Sessions (Berry's model for easy-to-access tutoring) are available Sunday through Thursday in The Commons, completely free, in a casual, small group setting. Students can stop by work on assignments, meet fellow students, and work with a peer tutor as much or as little as they like. Additional information about ASC Sessions, including the days and times sessions are available for this course, can be found at <http://berry.edu/asc/>.

Individual Academic Consultations are an opportunity for students to meet one-on-one with an Academic Consultant to build academic skills and strategies. The goal of these meetings is to help students study smarter, not harder. Students can sign up for an individual academic consultation at <http://berry.edu/asc/>; just click the Individual Academic Consultation button at the top of the page. Topics discussed in an Individual Academic Consultation include time management, effective notetaking, reading efficiently, study strategies, test-taking strategies, etc.

Questions about these resources can be directed to Kinsey Farmer, Associate Director for Academic Transitions, at kgfarmer@berry.edu.

The Writing Center is also housed within the Commons. Writing consultants are available to assist students with all stages in the writing process. The Writing Center strives to enable and empower students to build their paper planning, writing, and revision skills by teaching strategies aimed at improving the writing assignment at hand as well as future writing assignments. Students are welcome to drop-in or schedule an appointment. More information about the Berry College Writing Center can be found at <https://berry.edu/academics/student-academic-resources/writing-center/>. Questions about these resources can be directed to Melissa King, meking@berry.edu.

Office of Academic Transitions

The office of Academic Transitions, which includes support for first year and transfer students, is in Evans 232. It offers a variety of support services to help new students adjust to the academic and social demands of college life. In addition to supporting the transition to college for first-year students – including leadership of BCC 100: First-Year Seminar – the office supports transfer students' transition to Berry. The office provides support to any first-year or transfer student at Berry College.

Questions about this office can be directed to Kinsey Farmer, Associate Director for Academic Transitions, at kgfarmer@berry.edu.

■ ACCESSIBILITY RESOURCES

Federal law guarantees all students with disabilities a learning environment that provides reasonable accommodation of their ability. Section 504 of the Rehabilitation Act of 1973 states:

No otherwise qualified individual...shall by reason of...handicap, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Section 504, as well as the Americans with Disabilities Act (ADA) of 1990 and the Americans with Disabilities Act Amendments of 2008 (ADAAA), prohibits discrimination in recruitment, admission or treatment of students. Students with documented disabilities may request accommodations that will enable them to participate in and benefit from all educational programs and activities. The ADA requires each academic accommodation to be made on an individual or case-by-case basis. Under ADA, the College must ensure that its programs and facilities are accessible to all qualified students.

Accommodations

The law states that some students with disabilities have a right to academic accommodations, changes to how things are normally done, that provide an equal opportunity to participate in and enjoy the benefits of an education.

Student Responsibilities

- Students must self-identify to the Office of Accessibility Resources by submitting an online intake form requesting accommodations.
- Students must provide recent professional documentation of the disability from a doctor or other licensed professional.
- Accommodations do not automatically carry over to the next semester. Students must make a written request to renew accommodations each semester and submit it to Associate Director, Katrina Meehan
- Students must meet academic and conduct standards.
- The laws do not require schools to lower academic standards.
- Accommodations do not mean giving students easier work or changing the rules to make it easier for them.

Students must continually meet relevant academic and conduct standards to receive the protection of the law.

Accommodations do not automatically carry over from semester to semester, nor are they retroactive; therefore, each semester, the student must submit a request to have accommodations activated for the upcoming semester by completing the form sent to students each semester. The accommodation letter serves as a tool to assist students in communicating with faculty about their accommodations. The letter verifies that the student is registered with the office and outlines the approved accommodations.

Please refer to the Division of Student Success Website at <http://berry.edu/asc/> for more complete information about accessibility resources. **Questions about Accessibility Resources can be directed to Katrina Meehan, Associate Director for Accessibility Resources, at kmeehan@berry.edu or accessibility@berry.edu.**

Berry College Student Disability Grievance Procedure

In the event that specific complaints arise regarding the College's compliance with particular provisions of the Americans with Disabilities Act of 1990, a student with a grievance is encouraged to work with the Berry College personnel most closely involved to resolve the matter informally. If the complaint(s) cannot be resolved informally, the following procedure has been developed for use by students and prospective students to resolve the grievance pursuant to the Americans with Disabilities Act of 1990:

"Grievance" as used in this procedure means a written complaint by any student who believes he or she is a qualified individual with a disability who has been adversely affected by an improper application of one or more College rules, regulations, or policies, or by specified improper actions of any individual affiliated with the College in the capacity of academic personnel, administrative or professional staff, or clerical or service staff.

"Student" as used in this procedure includes persons (1) who are registered for classes at Berry College at the time a grievance pursuant to this policy is initiated; (2) who were registered for classes at Berry College at the time the adverse occurrence that gave rise to the grievance occurred; (3) who have an offer of admission to Berry College; and (4) who have sought admission to Berry College. "Student" includes undergraduate and graduate students at Berry College.

Step One

1. If informal discussion with appropriate College personnel does not resolve the complaint, the student will submit a written grievance to the Dean for Student Success within thirty (30) working days of the event(s) that triggered the grievance. The written grievance must include:
 - a. A clear and unequivocal statement of the College rules(s), regulation(s), policy(ies), and/or actions(s) of which the student complains;
 - b. The date of any action of which the student complains;
 - c. The names of all the College employees involved; and
 - d. A summary of the action(s) the student has taken to resolve the matter informally.
2. The Dean for Student Success, which term for the purposes of this procedure includes an individual designated in writing by the Dean for Student Success, will meet with the student within ten (10) working days of the receipt of the grievance.
3. If this meeting does not resolve the grievance, the Dean for Student Success will conduct an informal investigation of the subject of grievance with the objective of resolving the grievance. In those cases where the grievance involves a dispute regarding the conduct or requirements of a course or of an academic program, the Dean for Student Success will, in addition to consulting with the faculty member responsible for the affected course or academic program, meet with and seek faculty advice from the Associate Director for Accessibility Resources, two faculty representatives and one student. One of the faculty participants must be the representative from the school responsible for the course or academic program from which the grievance originated.
4. The Dean for Student Success will furnish the student with a written response to the grievance within thirty (30) working days of meeting with the student. The written response will be mailed to the student by certified mail, return receipt requested. If the grievance involves a dispute regarding the conduct or the requirements of a course, or of an academic program, a copy of the written response issued by the Dean for Student Success will be provided to the Associate Director for Accessibility Resources, to the dean and the department head in the school responsible for the affected course or academic program, and, when applicable, to the professor responsible for the course.

Step Two

1. If the student is not satisfied with the written response of the Dean for Student Success, the student may present his/her grievance in written form to the Provost within ten (10) working days after receipt of the response of the Dean for Student Success. The grievance presented to the Provost will be limited to those matters raised in the student's grievance to the Dean for Student Success pursuant to step one of this procedure.
2. The Provost, which term for the purposes of this procedure includes an individual designated in writing by the Provost, will meet with the student and any other person involved with the grievance within fifteen (15) working days after the receipt of the grievance schedule.

When the subject of grievance is the responsibility of another vice president, academic dean, or senior administrator, the Provost will invite the participation of that administrator in the meeting.

3. After discussing the facts and issues involved in the grievance with those appearing at the grievance hearing, the Provost will issue to the complainant a written answer to the grievance within ten (10) working days from the completion of the hearing. The answer or decision by the Provost will be final.
4. If the grievance involves a dispute regarding the conduct or the requirements of a course, or of an academic program, a copy of the written decision issued by the Provost will be provided to the Associate Director for Accessibility Resources, to the dean and the department head in the school responsible for the affected course or academic program, and, when applicable, to the professor responsible for the course.

Advising Program

Each student is assigned an academic advisor with whom to consult in selecting a schedule of classes each semester, in planning a program of study leading to the chosen degree, and for guidance in their career paths. Questions and concerns related to the student's academic program and progress should be discussed with the advisor, who is available for consultation on other matters as well. *The advisor provides advice and will help the student understand the ramifications of their choices, but the final responsibility of completing all requirements for a degree rests with the student.*

■ STUDENTS WITH DISABILITIES

Federal law guarantees all students with disabilities a learning environment that provides reasonable accommodation of their ability. Section 504 of the Rehabilitation Act of 1973 states:

No otherwise qualified individual...shall by reason of...handicap, be excluded from participation in, be denied benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Section 504, as well as the Americans with Disabilities Act (ADA) of 1990 and the Americans with Disabilities Act Amendments of 2008 (ADAAA), prohibits discrimination in recruitment, admission or treatment of students. Students with documented disabilities may request accommodations that will enable them to participate in and benefit from all educational programs and activities. The ADA requires each academic accommodation to be made on an individual or case-by-case basis. Under ADA, the College must ensure that its programs and facilities are accessible to all qualified students.

Students are responsible for self-identifying their need for accommodations to the Academic Success Center and providing adequate documentation of their disability. Students must submit a letter from their physician that verifies the disability.

Students with learning differences and/or disabilities must submit a full psycho-educational report. The assessment must be administered by a trained and qualified (i.e., certified and/or licensed) professional (e.g. psychologist, school psychologist, neuropsychologist, educational diagnostician) and have been completed, ideally, within the last three years. The diagnostic report must include:

- Relevant historical information, past and current academic achievement, instructional foundation, past performance in areas of difficulty, age at initial diagnosis, and history of accommodations used in past educational settings and their effectiveness.
- A diagnostic summary statement with the following information:
 - i. A clear and direct statement that a learning disability does or does not exist.
 - ii. A clear statement specifying the substantial limitations to one or more major life activities.
 - iii. Recommendations and a rationale for accommodations.

- The signature, location, and license number of the diagnosing professional

A diagnosis of specific learning differences and/or disabilities without psychoeducational measures **may not** be used for determining eligibility for academic accommodations. For example, school plans such as Individualized Education Plans (IEPs) or 504 Plans often do not provide adequate information. However, they may be included with the required evaluation, as they can prove helpful. Please read the complete Berry College Documentation Criteria at <http://www.berry.edu/asc/>. Accommodations do not automatically carry over from semester to semester, nor are they retroactive; therefore, each semester, the student must submit a request to have accommodations activated for the upcoming semester. Requests should include a class schedule and be emailed to Katrina Meehan, Associate Director for Accessibility Resources, at kmeehan@berry.edu. Students can also come to the Office of Accessibility Resources located in Evans 106. The accommodation letter serves as a tool to assist students in communicating with faculty about their accommodations. The letter verifies that the student is registered with the office and outlines the approved accommodations.

Please refer to the Division of Student Success Website at <http://www.berry.edu/asc/> for more complete information about accessibility resources.

■ LIBRARY RESOURCES

Balancing functional convenience with a comfortable working environment, Memorial Library offers various spaces and tools for research and study. Further enriching the library-experience are the Commons, the Writing Center, Java City Café, and the Berry College Archives, which retain the Martha Berry Papers, the official college records, and a host of bygone publications and photographs. More information about the Memorial Library is available at <https://www.berry.edu/academics/library/>.

Library Privacy Policy

Librarians' professional ethics require that personally identifiable information about library users be kept confidential. This confidentiality applies to information sought or received; materials consulted, borrowed or acquired; and borrower-registration information.

Confidential records shall not be made available to any agency of state, federal or local government or any other person unless a court order requiring disclosure has been entered by a court of competent jurisdiction.

Academic Policies and Requirements

The Berry College catalog provides details about academic policies, degree requirements, major and minor requirements, and information about specific programs and course descriptions. The catalog is available online at <http://catalog.berry.edu/>; students should consult the catalog for details about their chosen degrees and programs of study.

Several academic policies are summarized below for convenience. In the cases of any discrepancies between the academic policies published below and those in the official online Berry College catalog, the catalog shall supersede the academic policies summarized below.

■ CLASS ATTENDANCE POLICIES

Class attendance is vital to a student's ability to succeed in any course. In all cases, attendance policies will be detailed on course syllabi provided at the beginning of each course.

Students are expected to attend classes regularly. Each student is responsible to the instructor in matters pertaining to class attendance. The student should explain the cause of each absence. If the absence is deemed justifiable, the instructor may grant the student an opportunity to make up the work. Because the college is concerned about the academic success of the student, instructors are encouraged to keep records of class attendance. Instructors should explain to each of their classes at the beginning of every semester what constitutes "excessive absences." A student with

excessive absences may be withdrawn from the class at the request of the professor, in accordance with the policies explained on the course syllabus. Students who fail to attend all courses regularly may be withdrawn from the college.

■ DROPPING/ADDING COURSES

Returning students may make changes to their schedules online during the Add/Drop period- typically the first four class days of each term. Withdrawals, which are different from dropped courses in that the course appears on the transcript as withdrawn, may continue after the fourth day until the end of the twelfth week of the term. Any class for which you are registered after the end of the add/drop period will count as hours attempted for financial aid purposes.

■ LEAVE OF ABSENCE

There are situations such as medical or family emergencies when a student must withdraw from classes for a semester with every intention of returning the next semester. The student may, in these cases, request approval of a Leave of Absence that, if granted, would mean that he or she would not have to complete the withdrawal (from the institution) process and then reapply for admission. In applying, the student will be asked to indicate the term of absence, the reason for the absence and to provide documentation of the reason stated so that the Provost and/or Dean of Undergraduate Experiences may consider the request.

While students are encouraged to apply for the Leave of Absence prior to the beginning of a term or during the drop/add period, students must complete the Leave of Absence form and turn it in to the Dean of Academic Service's office no later than the last day to withdraw from a class, for approval to be considered for the current term. Students who have begun coursework during the term and who receive permission for the leave after the drop/add period would be granted a W for all courses for which they are registered; these hours would count, however, as hours attempted.

In cases where a student needs to withdraw from classes for medical reasons but anticipates returning in the next semester, the student may be granted a Medical Leave of Absence. The leave must be requested no later than the last day of the semester to withdraw. In rare circumstances, students can request a medical Leave of Absence beyond the last date to withdraw from a class, with sufficient documentation. Upon receipt of appropriate medical documentation, students will be granted a WS for all courses for which they are registered; these hours would count, however, as hours attempted. Students who withdraw from classes for medical reasons will be asked to provide documentation from the appropriate medical professionals regarding the student's readiness to return to a residential academic community.

A student approved for a Leave of Absence or Medical Leave of Absence will be eligible to preregister at the same time he or she would if enrolled at Berry and will, upon returning to the college, be coded as a current student. The student is responsible for meeting all fee deadlines, housing-application deadlines, etc., as is a student in residence.

A Leave of Absence will be granted for no more than one term in duration. If students must be gone from the institution longer than one term, they must formally withdraw and then apply for re-admission. Students should be advised that an approved Leave of Absence may affect the student's eligibility for financial aid and grants; students seeking approval of a Leave should consult with financial aid.

■ WITHDRAWAL FROM A COURSE

To withdraw from a course, a student submit a One-Stop Registration form, with the student's advisor's signature of approval, and submit it to the Registrar's Office before the final day to withdraw from a course, as published in the Academic Calendar.

*Failure to withdraw properly will result in a grade of F. Applicable dates by which class withdrawals must be accomplished are printed in the College Catalog, the college calendar, and **The Viking Code**.*

■ WITHDRAWAL FROM COLLEGE

To withdraw from Berry College as a degree-seeking student (undergraduate and graduate), a student must complete the withdrawal form from the Office of the Provost, Dean of Undergraduate Experiences. The Dean of Undergraduate Experiences is responsible for undergraduate and graduate degree-seeking Berry College students. Students are encouraged to schedule an exit interview with the Dean of Undergraduate Experiences. Refunds for which the student is entitled will be processed according to the Refund of Charges section of the Berry College Catalog.

Students who will be absent from campus for at least one full semester but are not classified as full-time transient students or who have not been granted a leave of absence will be considered withdrawn and must complete the withdrawal form.

■ INVOLUNTARY WITHDRAWAL FROM COLLEGE

Berry College may require at any time the withdrawal of any student whose conduct or academic standing it regards as undesirable, either for the student's sake or for the college's.

If the undesirable conduct is unintentional but suggests that the student may be harmful to self or others or is incompatible with the good order and operation of the college, the matter will be referred to the Dean of Students. The Dean of Students will consult with health-care providers, professors, counselors, and other individuals as appropriate. The Dean of Students may require interim, temporary, or permanent withdrawal of such student.

If the undesirable conduct is deliberate, the student will be subject to the rules and procedures provided in the **Code of Student Conduct**.

Students who leave the campus under the above conditions, either voluntarily or involuntarily, may be readmitted to the college only after being cleared by the Dean of Students. Permission for readmission may take into account the student's demonstrating a period of stable behavior outside the college and may require a statement from a physician, psychologist, or other qualified professionals that the student is ready to return and cope successfully with college life. Follow-up services or special conditions may be required as part of the readmission decision. In most cases, a letter from your doctor may be required before your readmission may be considered.

■ GRADE-POINT AVERAGE

The grade-point average (GPA) is determined by dividing the total number of grade points earned by the total number of hours attempted, including any on which the student earned a grade of F. All attempts in a course will be counted. The student will earn credit hours for a course only once, unless otherwise noted. The following example illustrates a grade-point average of 2.85 obtained by dividing 39.9 by 14:

Course	Semester Hours Attempted	Grade Received	Quality Points Earned	Grade Points
BIO 111	4	B-	2.7	10.8
RHW 102	3	B-	2.7	8.1
KIN 101	1	B	3.0	3.0
HIS 154	3	A-	3.7	11.1
PSY 101	<u>3</u>	C+	2.3	<u>6.9</u>
	14			39.9

■ STUDY AT ANOTHER INSTITUTION

A student who wishes to take courses at another institution must request permission to do so *in advance* from the Registrar. This is done by taking a signed transient-student permission form to one's advisor, the relevant department chair and Dean for each course for approval, and then to the Registrar, with a list of the desired courses and the institution the student will be attending. Each department sets policies for transient coursework equivalencies. Please be aware that deadlines at the host school may vary; students should apply for transient permission well in advance of the host school's deadlines. Students must request that official transcripts be sent to the Registrar when the courses have been completed. Students must earn a C or better on any course to be transferred to Berry. **Students who have completed 60 hours or more may not be transient students at two-year (lower division) institutions.**

■ GRADE APPEALS

A grade appeal will only be considered if at least one of the following conditions applies:

1. Evidence that the final grade was affected by the student's opinion or conduct in matters unrelated to academic standards,
2. Evidence of discrimination based upon matters unrelated to academic standards,
3. Or the failure of the instructor to follow their own stated policies or College policies.

Note: Perceived or actual differences in grading policies or standards between instructors, which are not a violation of College policies, are not a basis for further appeal.

■ ACADEMIC APPEAL PROCESS

1. Students wishing to appeal a grade will first consult with the instructor to determine whether an error has been made or if the instructor wishes to reconsider the grade. If this is the case, the instructor submits a grade change request to the School Dean as per normal protocol.
2. If the student is dissatisfied with the results of that consultation and wishes to pursue the matter further, they will meet with the chair of the department. The department chair acts as a mediator to attempt to resolve any disagreements and consults with the instructor about the grading process. Only the course instructor has the authority to change the grade at this point. (Should the instructor be the chair of the department, a tenured member of the department will be selected by the School Dean to serve as mediator. If this is not possible, the school Dean will appoint a tenured faculty member from the school to mediate.)
3. If there is not a resolution at the level of the department chair and the student wishes to continue, the appeal moves to the next stage.
 - a. The student appealing the grade decision must write a formal appeal letter to the Dean of Academic Services stating their grounds for appeal.
 - b. The Dean of Academic Services will convene a meeting of the Council of Deans and provide the materials related to the appeal. In order for the appeal to continue on to Academic Council, a majority of the deans of the three schools not involved in the appeal must agree that it can be plausibly argued that there is sufficient evidence that meets one of the conditions listed above. If a majority of deans from the other three schools do not think there may be plausible evidence that the appeal meets the conditions listed above, the appeal process ends here. The Dean of the school from which the appeal comes forward does not participate at this stage since they will serve as the final arbiter of the appeal should it continue to its final stage.
4. The final stage of the appeal is consideration by a grade appeal subcommittee of Academic Council, convened by the School Dean. The subcommittee shall be comprised of three faculty members of Academic Council.

- a. The Dean gathers all appropriate documentation pertinent to the appeal and provides it to the grade appeal subcommittee. The subcommittee will seek input from the faculty member involved.
- b. The grade appeal subcommittee recommends a resolution to the Dean.
- c. The Dean reviews the recommendation made by the grade appeal subcommittee and makes additional inquiries, if necessary, before reaching a decision on the appeal, either denying the appeal or overriding the original grade assigned by the instructor. After such review, the decision of the Dean is final and cannot be appealed further.

This appeal must be made prior to the end of the semester following the conclusion of the course. Grade appeals for fall semester grades must be submitted by the end of the subsequent spring semester, while spring and summer grade appeals must be submitted by the end of the subsequent fall semester.

■ ACADEMIC FREEDOM

Faculty and students are free to examine all pertinent data, question assumptions, be guided by the evidence of scholarly research, and teach and study the substance of a given discipline.

■ CLASSIFICATION

Students are classified according to the number of hours of credit *earned*. The undergraduate student with fewer than 30 hours is classified as a freshman. One with as many as 30 hours but fewer than 60 is a sophomore. A junior is a student with at least 60 hours but fewer than 90, and a senior has 90 or more hours. **While these hours mark student progress toward graduation, there is no implied requirement that a student earn 30 hours each year to make satisfactory progress toward graduation.**

■ ACADEMIC STANDARDS

To earn a bachelor's degree, a student must complete a minimum of 120 (starting in the Fall of 2020; 124 hours for students in previous catalog years) semester hours with at least a cumulative grade-point average of 2.00, at least a grade-point average of 2.00 for all hours undertaken at Berry College, and a minimum 2.00 grade-point average within the major field(s). For determining the cumulative grade-point average, all attempts in a course will be counted except as described in the Class Repeat Policy.

■ GOOD ACADEMIC STANDING

A student is in good Academic Standing at Berry College if his or her Berry cumulative grade point average is at or above 2.00.

■ ACADEMIC PROBATION AND SUSPENSION

Academic probation results when a student's record calls into question his or her long-range chances for academic success and eventual graduation. At the end of any semester in which his or her Berry cumulative grade-point average is below 2.00, a student is placed on academic probation for the succeeding semester. Policies for academic suspension take into account the total number of hours that a student has attempted. See the Berry College Catalog for a complete description of the benchmarks for possible academic suspension. Multiple infractions of the Academic Integrity Policy may also result in a student being placed on academic probation or suspension.

■ APPLICATIONS FOR GRADUATION

Students who wish to be eligible as candidates for graduation must complete an online Application for Graduation two semesters prior to graduation (typically the second semester of the junior year). Before the beginning of the next term, the Registrar will provide a degree audit to the student and advisor indicating all requirements remaining to earn the

degree. Students who fail to complete an application for graduation by the deadline may be withheld from graduation until the next term.

■ STUDY ABROAD

To enrich the education of students and the life of the college as a whole, Berry offers a variety of study abroad options. Eligible students may attend semester and/or summer college-approved study abroad programs offered at a variety of institutions. Each year Berry faculty lead Summer International Programs (SIPs) to various countries. Students may participate in service learning, internships, volunteering and/or teaching abroad. Institutional financial aid may be used toward studying abroad on affiliated programs, and additional scholarships are available to eligible students. Berry College does not support travel to countries with a level 4 travel advisory, according to the U.S. State Department. Students requesting to study abroad in a level 3 country will have additional review. Students may not use any institutional aid to cover any costs, including tuition, associated with activities taking place in a level 4 country.

All semester and summer participants on affiliated programs are required to hold a minimum grade point average of 2.50 and must have completed at least 2 semesters in residence at Berry College before studying abroad. Petitions for exceptions to these requirements are submitted to the Director of International Experiences and the Dean of Undergraduate Experiences. Many programs have higher GPA requirements, which students must meet. Berry does not specify a minimum GPA for its Summer International Programs, although other pre-requisites may apply. Eligible students may participate in a summer program at any point during their college career. Students not in good disciplinary standing at the time of application to any program may reapply when they are no longer in this status.

For program and scholarship information, see <https://www.berry.edu/academics/international-experiences> or contact International Experiences Office at 706-368-6753 or internationalexperiences@berry.edu or stop by the office in Krannert 302.

■ CULTURAL EVENTS REQUIREMENT STATEMENT OF PURPOSE

Full-time students must attend a minimum of 24 events (an average of 3 events for each semester of full-time enrollment) from a list of officially approved cultural events to qualify for graduation. The program is designed to expose students to events that faculty and administration believe best represent the literary, philosophical, scientific and performing-arts traditions for which Berry as an institution is responsible; to provide students an opportunity to make contact with the issues and personalities of contemporary America as well as cross-cultural public discussion; and to enable students to participate as fully as possible in the intellectual and spiritual tradition of Berry College. To be cleared for graduation, students must complete all of their required cultural events before the twelfth week of the semester in which they will graduate.

■ DIVERSITY AT BERRY COLLEGE

At Berry College, diversity is not an initiative—it is a reflection of our belief in the dignity and worth of every person. We strive to shape a campus culture where all students, faculty, and staff are reflected, respected, and included. As a community grounded in the Good Neighbor Framework, we welcome those who support Berry's mission and who are committed to cultivating connection, compassion and character. Together, we build an environment that values difference as a source of learning, community strength, and belonging.

■ FREEDOM OF EXPRESSION – LIMITS/ABUSE

Freedom of expression does not include the right to intentionally and maliciously aggravate, intimidate, ridicule, or humiliate another person. The Berry College community embraces both the goal of protecting its members from harassment and the principle of free speech in a place of learning. In attempting to balance the two sometimes conflicting values, Berry College expects community members to hold themselves to high standards that are needed for a healthy community.

Harassment includes hostile or intimidating verbal or written statements or symbols, physical threats or intimidating conduct that adversely affect the mental or emotional health of the individual or that interfere with a person's ability to function successfully in his or her academic work or social life at Berry College. It also includes acts which are intended to insult or stigmatize an individual or group of individuals on the basis of perceived or actual personal characteristics.

■ GRADUATE STUDENT ACCESS TO PROGRAMS

The policies and services described in the Viking Code generally pertain to both undergraduate and graduate students. Services such as Academic Support Services, Counseling Services, Computer Labs, Food Services, and Career Services, and Student Involvement are available to graduate students. Residence Life and cultural event requirements are limited to undergraduates only.

■ HAZING

Berry College does not tolerate hazing in any form. The college's position on hazing complies with all applicable state and federal laws on hazing activities. Berry College does not permit the hazing of a student as a requirement for membership, participation, or obtaining a leadership position in any student organization, athletic team, LifeWorks position, club, or group. All acts of hazing by any organization, member, or alumnus are specifically forbidden.

Federal Law on Hazing – Stop Campus Hazing Act (SCHA)

The Stop Campus Hazing Act (SCHA) introduces definitions of hazing and student organizations, ensuring that higher education institutions report hazing incidents in their Clery Reports. In complying with SCHA, Berry is also required to comply with any state laws to the extent they do not conflict with, or counteract, the SCHA.

Definition of Hazing

SCHA defines hazing as “any intentional, knowing, or reckless act committed by a person [whether individually or in concert with other persons] against another person or persons regardless of the willingness of such other person or persons to participate, that [I] is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in a student organization, [e.g., a club, student government, athletic team]; and [II] causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization [such as the physical preparation necessary for participation in an athletic team], of physical or psychological injury, including (a) whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity; (b) causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity; (c) causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances; (d) causing, coercing, or otherwise inducing another person to perform sexual acts; (e) any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct; (f) any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and (g) any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.”

“Student organization” is defined as “an organization at an institution of higher education [such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government] in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.”

Hazing Prevention and Education

Berry College provides mandatory training for all students and employees.

Reporting Hazing

If you witness or experience hazing, report it immediately to ensure a safe and inclusive student environment. Call Campus Police (706.236.2622) or 911 if you or someone else is in danger.

Any Berry College employee who becomes aware of hazing activity or a suspected incident of hazing activity on or off-campus is required to report to the Dean of Students Office (706.236.2207) or complete the Campus Complaint Form. <https://feith.berry.edu/publicformsig/form.do?pt=sEUcvuM-Kow-2zES-sc4-v4FS-ljj3JIY-eRcspQQh>
[\[www.berry.edu/campuscomplaintform\]](http://www.berry.edu/campuscomplaintform)

All students who become aware of hazing activity or suspected hazing activity on or off-campus should report to the Dean of Students Office (706.236.2207) or complete the Campus Complaint Form: <https://feith.berry.edu/publicformsig/form.do?pt=sEUcvuM-Kow-2zES-sc4-v4FS-ljj3JIY-eRcspQQh>
[\[www.berry.edu/campuscomplaintform\]](http://www.berry.edu/campuscomplaintform)

Reports of hazing will be reviewed and followed by Berry College's formal conduct process.

In compliance with the Georgia SB 85 "Max Gruver Act", Berry College will publicly disclose administrative adjudication of hazing or hazing-related findings.

■ HUNTING, FISHING, AND CAMPING

- Hunting by students is prohibited on Berry property except in public hunting areas in accordance with hunting laws and State Game and Fish Division regulations.
- Weapons, firearms, and ammunition are prohibited in Berry's residence halls and in automobiles on campus.
- A valid Georgia state fishing license is required of all persons fishing in any of the lakes owned by the college. No fishing is allowed in the Old Mill Pond, Swan Lake, Mirror Lake, or Eagle Lake. All fishermen are subject to state fishing laws.
- Fishing at the Reservoir is prohibited by regulations issued by the Georgia Department of Natural Resources, Environmental Protection Division (EPD). Limited exceptions may be made by the EPD. Students desiring to fish at the Reservoir may contact the director of Facilities Services to determine if a special permit is possible.
- No swimming at any time by any person will be permitted in any of the lakes owned by the college. This includes the Berry College Reservoir.
- Students may camp overnight at designated campus campsites by contacting the Director of Recreation. Specific guidelines and procedures must be followed as outlined in the rental agreement, and the appropriate campus personnel will be notified to ensure the safety of the campers.

■ OFF-CAMPUS GUEST SPEAKERS

Berry College has the responsibility to provide for the rights of all sectors of its academic community with regard to the matter of off-campus guest speakers, lest the rights of the sector transgress those of another, by guaranteeing procedure for securing guest speakers as outlined below:

All speakers invited to the campus of Berry College must be sponsored by one of the following:

1. a student group officially recognized by Berry College;
2. a department or administrative office of Berry College;
3. an officially recognized non-student group at Berry College;
4. a faculty member for his or her class taught at Berry College;
5. the chaplain for the religious life program at Berry College;
6. a non-Berry group permitted the use of facilities at Berry College.

In regard to a speaker sponsored by an officially recognized student group, before any invitation is given, the student organization must consult the organization's membership, consult the organization's advisors, and together with the advisors consult the dean of students or, when applicable, consult the appropriate department head and the provost.

In addition to the above procedure, the following must be observed in regard to political speakers on campus:

During an active political campaign, Berry College's standing policy is to have bona fide candidates speak on campus to students, faculty, and staff at an assembly only if all other bona fide candidates for the same office receive an invitation to speak. However, when a candidate is sponsored or invited by a specifically partisan Berry student organization, all candidates do not need to be invited to the event as long as an officer of the sponsoring organization notifies the officers of the other partisan student organization through campus mail or personal contact to give them an opportunity to sponsor an opposing candidate. Candidates are expected to agree in advance on certain procedures. An exception to this policy will be made for the presidential nominees of the major political parties.

CAMPUS POLICE

Berry College takes the responsibility of providing life safety and property protection very seriously. To meet these important responsibilities, the college maintains a force of state-certified police officers whose duties are integrated to provide law enforcement, crime prevention and parking control/enforcement. The department strives to contribute to the academic environment by performing professional law enforcement tasks with a positive, service oriented and educational approach.

Our police officers receive their law enforcement authority through the *Official Code of Georgia Annotated*, Title 20.

The Georgia Peace Officer Standards and Training Council certify all police officers after they successfully complete the 809-hour basic mandate training course. The officers are then required to complete a minimum of 20 hours of annual training to maintain their peace officer certification and arrest powers. As of January 1, 2017, all peace officers have to complete a specified minimum of 7 hours for designated topics within the 20-hour annual training requirement. The designated topics to be completed each year within the 20 hours are:

- Firearms Requalification – 1 Hour
- Use of Deadly Force – 1 Hour
- De-escalation training – 1 Hour
- Community Policing – 2 Hours
- Gang Investigations – 1 Hour
- Human Trafficking – 1 Hour

Our officers typically receive a minimum of 40 hours of annual training in a wide range of topics that better equip our personnel to serve the Berry community

Berry's police officers are authorized full police powers, including the power of arrest, on all college property.

Officers patrol the campus, **24 hours a day**, via marked patrol units, bicycles and by foot to deter acts of crime and to detect and intervene when criminal activity occurs. **They respond and follow-up on all reported crimes.** In addition to patrol duties, officers investigate traffic accidents and alleged crimes, assist in medical emergencies, provide limited motorist assistance, enforce campus parking/traffic regulations, and provide support to numerous campus activities and events.

The department maintains a twenty-four hour communications and dispatch office located in Berry College's Welcome Center. **Call 706-236-2262 for emergencies (or dial 2262 from campus telephones).** The communications office and all Berry College Police officers have radio links with local emergency response agencies.

The central fire and security alarm receiver is located in the communications office allowing constant monitoring of these systems. Security cameras located throughout campus, campus emergency phones, panic alarm buttons and the card access system are also monitored by the BCPD communications office. The communications office is open and accessible for walk-in assistance year-round, twenty-four hours per day.

The department maintains a close working and professional relationship with local emergency agencies and their members. Local agencies come together through meetings, training and investigative follow-ups and information is freely shared between these agencies.

Officers work closely with our Campus Residence Life partners in assigned buildings to provide training and information to promote crime prevention awareness and to develop healthy relationships with the residents of the buildings.

The Berry College Police Department strives to foster and encourage community-Campus Police partnerships, both to aid in the prevention of crime, and to develop and maintain positive communication and mutual understanding and trust between students, staff, faculty, and Campus Police personnel. Partnerships between the community and the police are always stronger when the community understands and supports the role of the police and when the community is confident the actions of the police are fair and just. Students who fully understand the role of BCPD and our efforts to enhance the quality of community life will be better prepared to provide advice to Campus Police to help shape policies and initiatives. Personal safety and security must be a cooperative venture, and no police department can be effective unless individuals exercise reasonable care and prudence. The officers and staff of BCPD need your help in continuing to make Berry College a safer campus. The department welcomes the opportunity to discuss safety issues and prevention methods. The police department and command staff are located in Oak Grove Cottage. Due to the nature of our work, we encourage you to call ahead and schedule an appointment if you would like to meet with an officer or member of the command staff. The police department's dispatch center and community support staff are located at the Welcome Center which is staffed 24 hours, 7 days a week. Parking and ID services are available Monday through Friday, 9:00 a.m. to 4:00 p.m., excluding college holidays.

■ EMERGENCY NUMBERS/CONTACT INFORMATION

Berry College Police Dispatch Berry College Police Administrative Line
706-236-2262 or Ext. 2262 or 2507 706-368-6999 or Ext. 6999
policedispatch@berry.edu (M-F, 9 a.m.-4 p.m. excluding college holidays)

Chief's Office	Parking Services
706-368-6906	706-368-6999
rchesley@berry.edu	ndobbs@berry.edu

Annual Security and Fire Safety Report

The Clery Act requires all institutions of higher education to publish an annual report of institutional security policies and crime statistics. The Higher Education Opportunity Act of 2008 also requires an annual report containing information on campus emergency response and evacuation procedures, emergency notification, additional hate crime reporting and fire safety policies and statistics. This report is made available to all current and prospective students and employees. Berry College sends an e-mail to every enrolled student and current employee on an annual basis to notify that the report is available to be viewed which includes a .PDF file containing the report's direct link. Printed copies are available, at no charge, upon request and are available in person at the Berry College Police Department (located at Oak Grove Cottage) during regular open hours or by contacting the Berry College Police Department (Campus Extension 6999 or 706-368-6999). This report is also linked to the Berry College Police website and may be accessed there.

The purpose of this publication is to:

- Provide the Berry College community with an overview of Berry College Police Department services
- Share crime statistics required by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act
- Inform current and prospective students, staff, faculty, and visitors about the College's policies and programs designed to help keep them safe
- Share information regarding emergency preparedness and planning
- Share information regarding fire safety, fire statistics, and fire-related information

Comprehensive crime statistics for Berry College are also available online at the U.S. Department of Education (<http://ope.ed.gov/security/>).

Rome, Georgia/ Floyd County area statistics are also available by accessing the Federal Bureau of Investigation Uniform Crime Reports (UCR) (<https://ucr.fbi.gov/ucr-publications>).

The report is due by October 1 of each year and must contain certain crime statistics for the most recent three-year reporting period. Students and parents are encouraged to contact Chief Ryan Chesley to discuss specific concerns.

■ MISSING STUDENT POLICY

The purpose of this policy is to establish procedures for Berry College, to respond to and assist with reports of a missing student, as required under the Higher Education Opportunity Act of 2008. This policy applies to students who reside on campus and are determined to be missing or absent from the college for 24 hours without any known reason or which may be contrary to usual patterns of behavior.

Procedure for designation of confidential emergency contact information

All residential students have the opportunity to identify an individual to be contacted no later than 24 hours after the time that the student is determined to be missing, hereafter referred to as an emergency contact. The emergency contact designation will remain in effect until changed or revoked by the student. This emergency contact information is confidential and will be available only to the officials at the Berry College Police Department and Dean of Students leadership team.

Designation of Emergency Contact Information

- **Students age 18 and above and emancipated minors:** Students will be given an opportunity during the registration process to designate a required emergency contact, which is verified on an annual basis. The individual designated as the emergency contact will be contacted for the purpose of locating the student no more than 24 hours after the time the student is determined to be missing. The individual designated as the emergency contact will remain in effect until changed or revoked by the student.
- **Students under the age of 18:** If a student under the age of 18 is determined to be missing, the college is required to notify a custodial parent or guardian no more than 24 hours after the student is determined to be missing.

Procedure

A student is determined to be missing when a report comes to the attention of the college and the college determines the report to be credible. Circumstances may include, but are not limited to establishing that:

- A student is out of contact after reasonable efforts to reach that student by phone calls, emails, text messages and/or in-person attempts to establish contact
- Circumstances indicate an act of criminality is involved, even lacking twenty-four (24) hours in time;
- Circumstances indicate that physical safety is in danger, even lacking twenty-four (24) hours in time;
- Circumstances become known that medicine dependence may threaten life or health, even lacking twenty-four (24) hours in time;
- Existence of a physical/mental disability indicates that the student's physical safety is in danger, even lacking the twenty-four (24) hours in time.

Any report of a missing student should be immediately directed to the Berry College Campus Police Department, telephone number (706) 236-2262. An investigation will be initiated to determine the validity and credibility of the missing person report.

Cooperative efforts may include

1. The Berry College Police Department with assistance of the Residence Life staff will investigate and gather information about the missing student from the reporting person and other individuals who may provide information that will assist with the investigation. These cooperative efforts may include:

- Conducting a health and wellness check on the student,
- Attempt to make contact via cellular phone, email, or other means to the student
- Determine activity of card access (if applicable), meal plan usage, class attendance
- Identify other students who may be aware of the missing student's whereabouts (i.e. roommate(s), friends, classmates, etc.).

2. No later than 24 hours after determining that a Berry College student is missing, the Dean of Students, or designee, will notify the individual identified by the missing students as the emergency contact (for students 18 and above and emancipated minors) or the parent/guardian (for students under the age of 18 and not emancipated) that the student is believed to be missing.

3. If search efforts are unsuccessful in locating the student in a reasonable amount of time the Berry College Police Department will continue with the investigation including the collaboration with other law enforcement agencies and utilizing all resources available.

Missing Student Notification Protocol

As a requirement of the Higher Education Opportunity Act and in an effort to assist in ensuring the safety of our residential students, Berry College has established a missing student notification protocol that requires the college to alert an emergency contact designated by the student and/or the student's parents as well as local law enforcement if the student has been missing for more than 24 hours. This protocol is established in compliance with Section 485(f) of the Higher Education Act, as amended by section 488(g) of the Higher Education Opportunity Act. This protocol must be included in the annual security report. This act and amendment requires institutions that maintain an on campus student housing facility to establish, for students who reside in an on-campus student housing facility, both a missing student notification policy that allows students to confidentially register a contact person, and procedures for notifying a missing student's contact person.

Students, employees and others may report a missing student to one of the following college officials:

- Chief of Campus Police (706-368-6906 or Campus Extension 6906)
- Interim Dean of Students (706-236-2207 or Campus Extension 2207)
- Associate Dean of Students (706-236-2207) or Campus Extension 2207)

After normal business hours, Monday-Friday 8am-5pm excluding holidays, such reports should be made immediately to Berry College Police Department at 706-236-2262 or Campus Extension 2262.

Following receipt of a missing student report, college officials will immediately notify the campus police department, who will investigate to determine if the student is actually missing.

If the student has designated an emergency contact person, the college will notify that individual. Berry College students can confidentially designate an emergency contact person with the Dean of Students Office. This information will be confidentially maintained by the Dean of Students office. Regardless of whether a student registers an emergency contact person, the campus police department will be notified in the event that the student is determined to be missing.

By law, the parent/guardian of students who are under 18 and not legally emancipated will be notified in the event that the student has been reported missing for 24 hours.

In conjunction with Campus Police, Dean of Students and Information Technology, an on-line reporting feature has been added to VikingWeb. In addition to registering a general emergency contact, students have the option to identify confidentially an individual to be contacted by Berry College in the event the student is determined to be missing for more than 24 hours.

■ AFTER HOURS ACCESS TO CAMPUS

The Main Entrance gate will remain closed and access will be via electronic passes. All others will use the Visitor Entrance of the Welcome Center. Campus closes to the public at 7pm daily and reopens at 6am. The Service Road, Legacy Connector, and Spires Connector will be accessible only via electronic passes. **This guidance applies during normal circumstances. Berry College reserves the right to restrict access to the public at any time.**

Campus residents who expect guests can assure minimal delay for their guests by providing the Welcome Center personnel with appropriate information (student name, visitor name, time of arrival, vehicle description, and contact number) prior to their visit.

■ FIREARMS, FIREWORKS, EXPLOSIVES, OR WEAPONS

Firearms, fireworks, explosives or explosive devices, including hoax devices, or weapons are not permitted on campus, including storage in automobiles. The term “weapon” is defined as any object or substance designed to inflict a wound, cause injury or incapacitate, and may include, but is not limited to all firearms, pellet guns, paintball guns, crossbows, bows and arrows, martial arts devices, switchblade knives or knives with a blade longer than three (3) inches, electronic shocking devices and clubs. The possession of ammunition is also prohibited.

OCGA 25-10-2 prohibits the possession and use of any fireworks, *even legal ones*, without permission of the property owner.

■ STUDENT ACCESS TO BERRY PROPERTY

The Berry College campus provides student opportunities to enjoy a distinctively unique area of natural resources. Students are encouraged to enjoy the beauty of the environment. For safety reasons and liability concerns, certain areas of campus property are restricted areas. All unpaved roads are restricted access as posted. The forestry areas are designated as either wildlife management or wildlife refuge areas. Hunting is allowed in the wildlife management areas during designated times, but not in the wildlife refuge areas. The wildlife refuge areas create a safety buffer zone around campus buildings and facilities. During designated hunting times, trails and recreational hours may be subject to closure and restriction that deviates from normal accessibility.

- Hiking is permitted during **daylight** hours only, unless otherwise posted during certain hunting season events.
- Access at other times is by special permission only. ***Berry police officers have authority to declare any area unsafe and to further restrict access as necessary.***
- Non-vehicular traffic is not allowed on Lavender Mountain Road. Please use the Viking Trail.
- Sunbathing is permitted in areas adjacent to residence halls.
- To preserve the unique beauty of the Mountain Campus, all sporting activities are limited to the athletic and intramural facilities in and around Henry Hall (WinShape Centre).
- Students are restricted from accessing areas immediately surrounding the WinShape Retreat Center. Please observe any signs and requests by staff indicating off limits areas.
- The House o’ Dreams is available by appointment for students, faculty and staff to visit. To arrange to go to the House o’ Dreams, please contact 706-368-6789.
- All vehicles must stay on roads maintained for normal vehicular travel. Vehicles are not allowed on logging roads, trails, pastures, etc.
- The office of public relations will notify the campus community of scheduled hunts in the Wildlife Management Area.

■ BICYCLES

- Students are encouraged to use bicycles as their mode of travel during class time.
- Register your bike via the Bicycle Registration Form which can be found under the Community tab on Viking Web. There is no charge for this registration.
- Always lock your bike with a high security-locking device.
- Ride on the right side of the roadway.
- Obey all traffic laws.
- Do not ride on sidewalks.
- Dismount and walk across roadways.
- Use proper hand signals.
- Always wear a helmet.
- At night, have proper lighting on bicycle.
- Never store your bike in any building other than your residence hall room.
- Do not store in corridors, stairwells, or archways.
- Any bike stored that creates a hazard will be impounded and the owner must pay \$35.00 to reclaim it.
- Impounded and unclaimed bikes will be held for one month after the semester during which they were picked up. Unclaimed bicycles will be donated to a community non-profit.
- Questions about impounded bicycles should be directed to the Berry College Office of Residence Life as they manage the collection and storage process.

■ MOTOR VEHICLE ACCIDENTS

The operator of any vehicle, including college vehicles, involved in a traffic accident on campus is required to report the accident to the Campus Police Department immediately. The driver of any vehicle involved in an accident on campus shall:

- Render first aid to the injured or seek first aid treatment for them.
- Exchange name, address, tag number, insurance information and vehicle information between drivers.
- Exhibit driver's license and proof of insurance to police officer making the accident report and others directly involved in the accident.
- Whenever possible, vehicle(s) **should not** be moved prior to the arrival of a police officer.
- It is the responsibility of each driver to file the accident report with his or her respective insurance agent.
- Copies of Motor Vehicle Accident Reports may be requested by completing the form located on the Berry College Police Department Website or by contacting BCPD Parking Services.
- No Motor Vehicle Accident reports will be completed more than 24 hours after the time of the accident. If you desire a report, we recommend that you contact BCPD immediately.
- If there is a mutual decision by the involved parties at the time of the accident NOT to file a report, no report will be made at a later time.

■ PARKING

It is the desire and intention of Berry College to provide adequate parking for students, faculty, staff, and campus guests. Priority has been placed on preserving the unique beauty of the campus. Resident students are encouraged to ride the campus bus or walk during peak class times and during events on campus. The Traffic Appeals Panel and the Campus Police Department are continually working to improve traffic and parking facilities and conditions on campus. Any problems or suggestions should be directed to Parking Services (extension 6999) where every effort will be made to correct these problems and improve parking facilities. We hope, with student cooperation, traffic and parking on the Berry College campus will not be a problem.

Student vehicles may be operated on the Berry College campus upon being properly registered and only in accordance with the following provisions or the Berry College Traffic Code:

- All students who operate and/or park a vehicle on campus are required to be registered with *Parking Services* and must display an affixed current registration decal/permit on the driver's side, front & back windshields of the vehicle.
- Vehicles can be registered *online, via Viking Web*. The Vehicle Pre-Registration Form can be found under the Community tab, and is the third form under Community Forms. After submitting this form, incoming freshmen can pick up decals during Viking Venture. The times and location will be announced in the program brochure. All other students should email parkingservices@berry.edu to schedule a time to pick up their decals at The Welcome Center.
- By submitting this form and registering your vehicle, you agree to abide by all rules and regulations for parking and operating a motor vehicle as stated by the [Berry College Traffic Code](#). These rules are applicable to ALL persons, including faculty, staff, students, and guests. A link to the Berry College Traffic Code can be found at the bottom of the Vehicle Registration form. The form can also be found at www.berry.edu/police under the Decals tab.
- Vehicle Registration Fee... \$160.00/ Annually. Please note that this fee is assessed annually for all actively registered vehicles and is charged even if no new decal is issued. Also note that this fee is not prorated for mid-year or partial registration conditions. Registration decals/permits are not transferable from one vehicle to another or one owner to another and remain the property of Berry College.
- Vehicles not licensed for operation on the streets of Georgia may not be operated on campus.
- Parking is permitted only in designated areas, lined spaces and zones, and within limits as designated for that space (i.e., reserved spaces, time limits, etc.). Leaving a vehicle with hazard lights on in an area not designated for parking does not excuse the violation of illegal parking.
- Vehicles in violation of Berry's rules and regulations may be towed/booted away at the owner's expense. Vehicles may be impounded/booted for the following reasons:
 - Parked vehicle creates a fire / safety hazard or obstructs the free flow of traffic.
 - Parking in designated tow-away zones, blocking a fire hydrant, unauthorized parking in a handicap zone, or any violation over two hours.
 - When a vehicle is presumed to be abandoned or is in a visible state of disrepair and the owner cannot be contacted.
 - Upon fifth parking violation within the school year.
 - As deemed necessary by a campus police officer.
- Motorcycles and related vehicles must be operated and parked in the same manner as other motor vehicles and must display a current registration decal.
- Speed limits posted on the campus are to be observed at all times; however, no person shall drive a motor vehicle at speed greater than that which is "reasonable and prudent" under existing conditions. The speed limit on campus is 25 mph unless otherwise posted.
- Students operating college vehicles should comply with existing Berry College traffic regulations and state laws.
- Due to limited parking space, students residing on campus are limited to one vehicle. Commuting students may register only those vehicles that are owned by their immediate family. A separate vehicle registration fee may be assessed for each vehicle registered.
- The college assumes no responsibility for damage to or loss of any vehicle, or its contents, at any time it is operated or parked on the campus.
- Children/dependents of Faculty/Staff attending classes at Berry must obtain the proper *student registration* decal.

■ PICNICS

The Keown picnic pavilion, off Lavendar Mountain Road, can be reserved by calling 706-368-6789. Other than for official events (e.g., Mountain Day), picnicking is not authorized at other locations.

■ PERSONAL SAFETY

Personal safety and property security at Berry College is everyone's responsibility. Our department urges all members of the Berry community to participate in making our campus as safe as possible.

If you develop good security habits, you can assist us in safeguarding your property and college property. In the event of suspicious or criminal activity, promptly call the Campus Police (706-236-2262 or Campus Extension 2262). Officers are also available for educational programs.

To develop good safety habits, follow these security tips:

Residence Hall Safety

- Lock your door when you leave the room, even if you will be gone only for a minute. It takes about eight seconds for someone to walk into an open room and remove an item.
- Notify police promptly of any suspicious persons loitering in the vicinity of your building or room.
- Never leave purses, wallets, jewelry and other valuables unattended in laundry rooms, showers or kitchen areas.
- Mark your valuables for identification purposes
- Record descriptions, serial numbers and other identifiable information about your property

Safety in Your Car

- Always lock your car.
- Check the back seat before you get in.
- Have your keys in hand so you don't have to linger before getting in, especially at night.

Safety Outside and at Night

- Walk confidently, directly, at a steady pace.
- Walk on the side of the street facing traffic.
- Stay in well-lighted areas as much as possible.
- Never work alone in an office or classroom on campus at night
- Arrange a buddy system with someone with whom you work or study.
- While sunbathing stay within designated areas near the residence halls.
- Stay alert to your surroundings. Trust your instincts.
- When you feel you are in danger, attract attention any way you can.

The college does not maintain a formal escort service, but if you ever feel uncomfortable in any situation on campus call Berry College Police Department at 706-236-2262 or Campus Extension 2262 and an officer will be dispatched to your location to give you a ride.

■ SEVERE WEATHER

Severe weather can occur in the Mount Berry, Rome and Floyd County area at any time. Thunderstorms and tornadoes are most frequent during the months of March, April, May and June. An average of 20 tornadoes is reported annually in Georgia, with most occurring between 2:00 p.m. and 9:00 p.m.

BerryALERT is the opt-out emergency communication system for students, faculty and staff. Through a contract agreement with OmniAlert, a nationally recognized emergency messaging company, college officials can communicate time-sensitive information to the entire campus community via text message and/or e-mail messaging. Students are automatically

registered for BerryALERT with the cellphone number that they provide to Berry College but may choose to opt out by using one of two ways: 1) Text 'optout' to 79516 or 2) Reply back to an alert with the word 'optout'.

In the event of threatening weather, the campus-wide emergency notification plan will be activated. Under this plan, official statements from the National Weather Service are received through specially designed weather radio alert monitors strategically located on campus. Upon receiving a severe weather statement, the Emergency Notification Warning Sirens strategically placed throughout the campus will be sounded. The siren warning will alert you to protect yourself by seeking shelter. The preferable place is a first floor interior area that is directly supported and free from exterior windows and glass. Places to avoid are: top floors of buildings, elevators (power may fail), food service areas, auditoriums, gymnasiums and other structures with wide roof spans. If outdoor shelter is not available and there is not time for escape, lie flat in a ditch or low spot.

To keep informed of local severe weather information, listen to radio station WRGA-AM 1470 or WSB-TV Atlanta Channel 2, Weather Channel 53, or ION Channel 9.

For additional information on severe weather procedures in your specific area, contact your Resident Assistant or the Campus Police Department.

During a **tornado watch** you should be aware of changing weather conditions and should be prepared to move to a place of safety if the tornado watch should be upgraded to a tornado warning. Warnings are issued for smaller areas and periods of time than watches. Generally, warnings cover county-sized areas or less. **Warnings** indicate that a tornado has actually been sighted in the area or indicated by radar. The outdoor sirens will be sounded **ONLY** upon notification by the National Weather Service of a tornado warning or when a tornado has actually been sighted and moving toward the area. When a tornado warning is issued it means **TAKE COVER**.

Winter storms may lead to the cancellation of classes or delay of classes. Viking Fusion, Rome radio stations and Atlanta television stations will be informed of and asked to communicate changes in the class schedule. You may also call 706-238-7830 for weather related class closings.

Community members are also encouraged to download the local Floyd County EMA app.

Community members are also encouraged to familiarize themselves with the Berry College weather policy, available at www.berry.edu/about/weather.

■ SOLICITATION ON CAMPUS

Faculty, staff and students should refrain from soliciting on the campus. Solicitation for a humanitarian cause or with special merit may be conducted upon application to and approval of the dean of students. Except for the representatives of reputable textbook publishers, outside agents are not normally permitted to solicit on campus.

"Solicitation" is interpreted to refer to any door-to-door residential solicitation of employees or students at their places of work, in the dining hall, or elsewhere on the campus, including placing "flyers" on vehicle windshields, posting flyers on or in any campus buildings, or the use of any donation receptacles. Any student/group must have its solicitation approved by the director of student activities and the dean of students.

All unauthorized solicitors should be reported immediately to campus police.

■ TRAFFIC APPEALS

The *Traffic Appeals Panel*, composed of faculty, staff, and students, will be the sole body to hear appeals for traffic violations. Written appeals **MUST** be submitted within **five business days** of the date of the violation notice. The Appeals Form is located on Viking Web, under the Students tab, within Forms and Reports. Persons desiring to present an oral

appeal before the panel must schedule an appointment within five days of the violation notice. *Completed* appeals should be emailed to parkingservices@berry.edu **OR** can be turned in during regular business hours to the *Parking Services Office*, located in the Berry College Welcome Center. **Decisions by the Traffic Appeals Panel are final and cannot be re-appealed.**

■ TRAFFIC FINES

The nature of the traffic violation and the fine will be noted on the ticket. All fines will be assessed against payroll checks or charged to the student's account. Traffic fines will be charged as soon as they are assessed. In the event that an appeal is upheld, the fine amount will be refunded to the student's account.

Drivers receiving a fifth parking violation or three moving violations will be designated a Frequent Violator. All Frequent Violator fines are a minimum of \$100 each, and the driver will be subject to have their privilege of operating a motor vehicle restricted, impounded, booted or possibly removed for the remainder of the year and referred to the campus conduct system.

A student who is delinquent in payment of fines is subject to the following penalties:

- Ineligibility for subsequent semester registration
- Non-issuance of grades, transcripts or degrees
- Revocation of campus driving privileges
- Vehicle impoundment or immobilization (booting)
- Further appropriate disciplinary action

The student in whose name the automobile is registered will be held responsible for all parking violations charged to that vehicle.

SERVICES FOR STUDENTS

■ THE COMMONS

Located in Memorial Library, The Commons (Library 105) houses the Academic Success Center and Writing Center. Two services are housed within the Academic Success Center. These include ASC Sessions and Individual Academic Consultations.

ASC Sessions (Berry's model for easy-to-access tutoring) are available Sunday through Thursday in The Commons, completely free, in a casual, small group setting. Students can stop by work on assignments, meet fellow students, and work with a peer tutor as much or as little as they like. Additional information about ASC Sessions, including the days and times sessions are available for this course, can be found at <http://berry.edu/asc/>.

Individual Academic Consultations are an opportunity for students to meet one-on-one with an Academic Consultant to build academic skills and strategies. The goal of these meetings is to help students study smarter, not harder. Students can sign up for an individual academic consultation at <http://berry.edu/asc/>; just click the Individual Academic Consultation button at the top of the page. Topics discussed in an Individual Academic Consultation include time management, effective notetaking, reading efficiently, study strategies, test-taking strategies, etc.

Questions about these resources can be directed to Kinsey Farmer, Associate Director for Academic Transitions, at kgfarmer@berry.edu.

The Writing Center also housed within the Commons. Writing consultants are available to assist students with all stages in the writing process. The Writing Center strives to enable and empower students to build their paper planning, writing, and revision skills by teaching strategies aimed at improving the writing assignment at hand as well as future writing assignments. Students are welcome to drop-in or schedule an appointment. More information about the Berry College Writing Center can be found at <https://berry.edu/academics/student-academic-resources/writing-center/>. Questions about these resources can be directed to Melissa King, meking@berry.edu.

■ THE OFFICE OF ACCESSIBILITY RESOURCES

The Office of Accessibility Resources provides accessibility resources for students with a documented need for academic, housing, or dining in keeping with the Americans with Disabilities Act and its amendments and the Fair Housing Act.

Questions about Accessibility Resources can be directed to Katrina Meehan, Associate Director of Accessibility Resources, at kmeehan@berry.edu or accessibility@berry.edu.

■ ATHLETICS

The intercollegiate athletic program at Berry complements the institution's mission of educating the head, heart and hands – to inspire leaders of integrity while cultivate thriving communities. The athletic department operates under the core pillars of Academic Success, Health & Well Being, and Competitive Excellence.

Athletics is an integral part of Berry College's comprehensive educational experience and is committed to student success both in competition and in the classroom. The department's culture emphasizes the role of coaches and staff as mentors, the value of personal development through sport, the importance of cultivating a good neighbor culture, and active involvement in campus life. The athletics program enhances the student-athlete experience while also contributing to the broader community by fostering school spirit, pride, and service.

Berry College is a member of the National Collegiate Athletic Association (NCAA) Division III and a founding member of the Southern Athletic Association (SAA). We offer a wide range of athletic opportunities for both men and women. Women's sports include beach volleyball, cross country, basketball, equestrian, golf, lacrosse, soccer, softball, swim, tennis,

track & field, and volleyball. Men's sports include baseball, basketball, cross country, football, golf, lacrosse, soccer, swim, tennis, and track & field. Student-athletes must meet academic requirements to remain eligible for varsity competition.

Viking athletics is highly competitive within the SAA, having secured 70 conference championships in just thirteen years. Several teams regularly compete at the NCAA regional level, while programs such as beach volleyball, cross country, equestrian, softball, and track & field have made multiple appearances at national competitions. Berry athletes have earned All-American honors for their achievements both academically and athletically.

The Intercollegiate Athletic Office is located in Suite #316 of the Cage Center. More information about Berry's athletic programs is available at www.berryvikings.com.

■ DAVID SHANKLES EMERGENCY RELIEF FUND

Students experiencing urgent, short-term personal financial need may seek a grant from the Berry Emergency Relief Fund, a special fund that was established by Berry students. The fund is totally dependent on contributions from groups and/or individuals. Disbursements are confidential and are made through the Office of the Chaplain and Dean of Students Office.

■ CAMPUS RECREATION

The Department of Recreation within the Division of Student Affairs serves the mission of Berry College by providing opportunities that promote student development and meet the recreational needs of the Berry community. A wide range of programs includes intramural sports, outdoor recreation, outdoor leadership development, fitness, nutrition services, and aquatics.

Intramural sports are offered in recreational and competitive settings with special events, tournaments, leagues, and informal activities. Leagues include basketball, flag football, softball, volleyball, and soccer among other sports. Outdoor recreation offers a wide variety of programs that span all skill levels. On-campus campsites, low-cost gear rental, outdoor trips, and events are available through Outdoor Rec. Berry's Outdoor Leadership Development program designs custom leadership training and group development experiences for on-campus and off-campus groups. The aquatic offerings include recreational and lap swimming as well as periodic group swim lessons. The fitness program hosts various group fitness classes, personal training, nutrition coaching services, and a fitness facility with an indoor track. Facilities include: Richards Gym; an expansive, well-equipped weight training area; two sand volleyball courts; miles of running and hiking trails; six tennis courts and eight pickleball courts; and two intramural fields are available for the enjoyment of students, faculty, staff, and alums (membership required). The Steven J. Cage Center provides 130,000 sq. ft. of athletic and recreation space.

■ COUNSELING CENTER

The Counseling Center provides students with personal growth and mental health services. In addition to individual counseling, services include crisis resources, group counseling, educational and outreach programs, and referral consultation. All services are free and confidential. The Counseling Center strives to provide a safe, inclusive, and affirming environment that allows all students to reach their goals for growth and change. The Counseling Center is committed to providing services that honor students' unique needs, concerns, and personhoods.

The Counseling Center is located in the Ladd Center and is open from 8:00 am to 5:00 pm., Monday – Friday. The Counseling Center staff includes Licensed Counselors and Master Level interns. Counseling appointments are made in person or by calling (706) 236-2259.

■ STUDENT WELL-BEING AND SUPPORT

The Office of Student Well-being and Support supervises a peer education program in which a select group of specially trained students provide educational programs to student and community groups to promote low-risk, high-enrichment

choices and activities related to personal health and wellness. The Peer Educators serve as consultants for students who want to research prevention-related issues, and they can direct them to many published resources as well. Often collaborating with other offices and campus groups, the Peer Educators promote discussion and awareness through speakers, film, publications, and other creative methods to engage students in promoting healthy lifestyles.

The Office of Student Well-being and Support also provides case management support for students seeking off-campus health care. Additionally, the Director of Student Well-being and Support offers confidential advocacy and resources related to sexual assault, dating violence, domestic violence, and stalking.

■ HEALTH CENTER

The mission of the Health Center is to promote student health through educational awareness, assessment, treatment and referral. The use of these services at Berry College facilitates the individual's health care decision-making and contributes to academic success. Treatment choices within the scope of practice of an acute care ambulatory health clinic provides the basic tools to realize optimal health and well-being, and ensure personal privacy, confidentiality, honesty, and mutual respect.

The Health Center is in the Kate Macy Ladd Center and is open from 8:00 a.m. to 5:00 p.m., Monday through Friday. Health issues out of this scope of practice are referred to a family physician, specialist, or Emergency Services as appropriate. In addition to acute care services, the Health Center sponsors events throughout the year to highlight prevention and awareness topics.

Registered Nurses and a nurse practitioner are available for assessment, treatment, and follow-up of illness or injury during regular hours of operation. A physician is available once each week for additional medical coverage. You may make an appointment from the homepage of the Health Center using your Viking Web ID and password. You may also call the Health Center at 706-236-2267 for appointments.

Services Provided Include

- A fully stocked student self-help center that offers over-the-counter medications for illnesses that do not require a visit to the nurse or physician. The Health Center keeps generic brands of commonly used medications for the common cold and other health problems. A staff member is available to help you find what you need.
- Allergy shots are administered to current undergraduate students from 8:00 a.m. to 11:00 a.m. and 2:00 p.m. to 3:30 p.m. Monday through Friday. The MD or Nurse Practitioner must be present in the Health Center for students to receive an injection. Students must provide their serum and are expected to remain in the Health Center at least 30 minutes after injections. Failure to remain in the Health Center 30 minutes after injection and to be checked by a nurse will terminate the privilege of that student to receive further immunotherapy from the Health Center.
- Flu shots are provided at no cost to all students. Students will be notified via email when the vaccine is available.
- Physical and wellness exams
- ATC evaluation
- Point of Care testing
- Urinalysis and urine pregnancy testing
- Hemoglobin test
- Blood sugar readings
- Treatment of common illnesses and infections
- Ear wax removal
- Illness Evaluation
- Equipment loan includes crutches, wheelchairs, and other items loaned for student use as needed.
- GYN services, including Pap smear and physical assessment, are available by appointment.

- STI testing is also available. All lab fees are charged to the student's account or insurance. Whichever is preferred by the student. STI testing with urine (Chlamydia, Gonorrhea, Trichomoniasis) - \$39 per test
- Off campus referrals for laboratory and imaging as indicated

All services for acute care needs are no additional cost to current undergraduate students. All off-campus health services, procedures, or medications are the student's financial responsibility. Students will be responsible for communicating with their respective insurance companies for off-campus services such as lab and x-ray testing, which may be ordered by medical providers at the Health Center.

For emergencies after hours, call extension 2262. When the Health Center is closed, the following facilities are available for evaluation and treatment:

Atrium Health Floyd Medical Center Emergency Department		Advent Health Redmond Medical Center Emergency Department	
	304 Turner McCall Blvd Rome, GA 30165 Phone: 706-802-2040		501 Redmond Road Rome, GA 30165 Phone: 706-236-4950
Harbin Clinic Immediate Care		Atrium Health Floyd Urgent Care	
	1825 Marth Berry Blvd Rome, GA. 30165 Phone: 706-295-5331 Hours: 7:30am – 8:00pm		302 Shorter Ave NW Rome, GA 30165 Phone: 706-291-3700 Hours: 7:30am – 8:00pm (Mon-Fri) 9:00am – 5:00pm (Sat&Sun)
Piedmont Urgent Care (West Rome)		Atrium Health Floyd Urgent Care (Armuchee)	
	601 Shorter Ave Rome, GA 30165 Phone: 673-369-2792 Hours: 9:00am – 6:00pm		4159 Martha Berry Blvd Rome, GA 30165 Phone: 706-292-3030 Hours: 8:00am – 6:00pm (Mon-Fri)
Piedmont Urgent Care (East Rome)			
	1810 Turner McCall Blvd Rome, GA. 30161 Phone: 706-622-3026 Hours: 9:00am – 6:00pm		

Information contained in the student's medical record is strictly confidential and may not be released to anyone, including parents, faculty, or staff, without written permission from the student.

Health Services does not routinely provide excuses for class absences. Written documentation of visits and illnesses is provided in the student's Medcat Patient Portal. It is the student's responsibility to provide this documentation and notify their professors/supervisors about illness or absences. If a student must be excluded from class for an extended period due to an illness/injury, the Health Center will provide medical documentation regarding when the student can return to normal activity.

A Medical Statement of Visit is only granted if the Berry College medical professional staff performs a physical exam and determines that a medical excusal is necessary because of a contagious disease, major illness, or severe injury. The student will be responsible for reviewing this document with all faculty/staff members. The Medical Statement of Visit will have a seal stamp so it cannot be duplicated. The Medical Statement of Visit will not be replaced if lost. The Medical Statement of Visit will only be issued when the student is seen at the Health Center. It is up to each faculty to set the attendance policy for the respective class. The Medical Statement of Visit does not guarantee that the faculty or staff

will excuse the student. A student deemed unable to attend class by a private physician or the emergency room physician should bring a note signed by that provider to their professor.

■ CENTER FOR PERSONAL AND PROFESSIONAL DEVELOPMENT

The **Center for Personal and Professional Development (CPPD)** includes the LifeWorks Program, Career Development, and Employer Engagement. The CPPD staff provides programs, resources, and advisors to help students to articulate purposeful personal and professional goals, and design college/career plans that integrates mentorship, reflection, and hands-on learning.

Career Development Network

Berry's Career Development Network provides each student with tailored resources and targeted programming to support their professional development, whether they are exploring majors / careers or preparing for an interview. Students are encouraged to explore their interests and research options available to them by meeting with their Career Consultant, throughout their time at Berry. Student appointments are scheduled through Handshake with the student's appropriate Career Consultant for their major and school. Assessment tools, such as [PathwayU](#), are available to help students identify their purpose and explore career interests, skills and values. Career Consultants also collaborate with students to help them consolidate their academic, co-curricular and work experiences into a robust and well-articulated resume. A myriad of career and professional development programs are planned annually. These programs provide both structure and support for students to safely take one step at a time, try a few things, adjust their plans, and do it again as they work toward graduation.

LifeWorks Program

Join one of the nation's premier student work experience programs, a program like no other! Our goal is to provide every student meaningful and developmental work experiences in more than 180 departments and locations. Each year, approximately 85% of the student body chooses to work in a variety of jobs. New student workers start in entry-level positions and then have opportunities to progress to more advanced positions. Many students eventually have the opportunity to lead major projects, supervise other students, perform academic research or manage departments or one of our student-operated businesses. These experiences help prepare students to achieve their personal, academic, and professional goals at Berry and beyond.

Please visit the Virtual LifeWorks Resource Center (<https://www.berry.edu/ppd/lifeworks/student-resource-center>) to find a wide range of tools and resources for student workers (e.g., FAQs, Timesheets, Payroll schedule, etc.). The LifeWorks Program challenges students to "own" their jobs, personally and professionally through personal motivation, service attitude and trustworthiness. Staff and faculty supervisors evaluate student workers on their job performance and career-readiness skills and students will continuously refine their professional communication skills and documents when applying and interviewing for upper-level LifeWorks jobs (please note: students will now need to get a CPPD approved resume before securing an intermediate, advanced, or pre-professional position – students can access the Resume Toolkit and approval system on The Berry Journey Portal - <https://berry-college.potential.ly/pages/lifeworks>).

The LifeWorks Office assigns positions to incoming freshmen based on areas of interest, previous work experiences, individual preferences and Berry's workforce needs. Freshmen are required to remain in their initial assignment for their first semester before becoming "free agents" and available to secure other LifeWorks jobs. Upperclassmen are encouraged to seek jobs that align with their professional interests and goals. Off-campus jobs are also available to sophomores, juniors and seniors through the Community and Industry (C&I) Work Partnership program, an agreement with select local non-profits and employers who provide part-time job and internship opportunities within their respective industries. Open C&I jobs are posted at [Handshake](#) (<http://berry.joinhandshake.com>). Incoming freshmen are limited to no more than 10 hours per week and upper-level students are allowed to work up to 12 hours per week. Gate Scholars and C&I workers can work up to 16 hours per week. Financially eligible students may compete for the Gate Scholars or LifeWorks Scholarship Programs as a way to reduce costs.

Employer Engagement

There are also opportunities for students to expand their experiences through academic internships and Community and Industry (C&I) jobs / internships with local employers. Internships allow students to clarify career goals, learn specific job skills from professionals, apply classroom theories to practical, on-the-job situations and gain valuable experience for future employment or graduate programs. Community and Industry (C&I) positions often offer work experiences not available on campus, such as in veterinary and clinical health care settings. Employer Engagement works with industry recruiters and helps students build alumni and employer connections through on and off-campus employer networking events and career fairs. Full time, part time and internship opportunities are posted daily for student and alumni access on the Center for Personal and Professional Development's job posting/career management database, [Handshake - \(https://berry.joinhandshake.com\)](https://berry.joinhandshake.com).

The Center for Personal and Professional Development is located in 310 Krannert Center. We welcome students to drop by to explore work opportunities and learn more about available programs and resources.

■ CHAPLAIN'S OFFICE AND RELIGIOUS LIFE

Berry College is dedicated to the furthering of Christian thought and values. The college holds that spiritual development is essential in the lives of men and women. It also stands for moral integrity as a vital dimension of enduring humanity. A number of opportunities are provided for students, faculty, and staff to seek out and develop, individually and collectively, basic moral and spiritual foundations for living.

An interdenominational Christian campus chapel service, "College Church," provides regular Sunday worship services with prayer, music, and communion. The service is led by student leaders and the chaplains. Visitors to the campus for sermons, lectures, concerts and other programs offer a broad variety of viewpoints for consideration. The Chaplain's Office also offers weekly ministries including Bible Studies, service opportunities, hospitality ministries, and fellowship.

Various religious life groups provide denominational and interdenominational programs, including: Baptist Collegiate Ministries, Campus Outreach, Catholic Students Association, Canterbury Club, and the Buddhist Students Group. The Religious Life Advisory Council (RLAC), composed mostly of students, coordinates and facilitates the activities of the Religious Life groups.

The chaplains are available to all persons in the Berry community. Counseling resources are provided in complete confidentiality. Cooperation with the counseling office assures a wide range of services. The Berry Emergency Relief Fund is administered by the chaplain.

Information on any of Berry's religious life groups as well as places of worship in Rome is available.

The Chaplain's Office is located on the third floor of Krannert. More information about Berry's Religious Life can be found by selecting the Quick Link at <http://www.berry.edu>.

■ FINANCIAL AID

Berry College is committed to assisting students and their families in securing resources to attend the college with institutional, federal and state funding. Every student is encouraged to apply for financial aid by filing the Free Application for Federal Student Aid (FAFSA).

The general eligibility requirements to be considered for financial aid are available in the Financial Aid section of the school's [Catalog](#). The [Berry Catalog](#) also outlines the different applications for financial aid, types of aid, and the policies and procedures in place for the continued qualification of aid.

Students are encouraged to contact the Office of Financial Aid if they have questions or need information regarding financial aid opportunities, policies or procedures. The Office of Financial Aid is located in Hermann Hall, 105 and open to

the public Monday through Friday, 8:00 a.m. to 5:00 p.m. In-person and virtual appointments with a financial aid counselor are available to students and parents regularly. To request an appointment with a financial aid counselor, please contact the office via email at financialaid@berry.edu or by calling 706.236.1714.

Free Application for Federal Student Aid (FAFSA) – The FAFSA is available at studentaid.gov. The FAFSA is a financial need analysis form required for the consideration of any type of need-based aid (federal, state, or institutional), as well as for the participation in the Federal Direct Student Loan Program. The FAFSA must be filed each year of enrollment. February 15 is Berry's FAFSA priority filing deadline for the following academic year. Students and parents must use the Berry College school code **001554** to ensure that the school receives the results of their application.

Viking Web – Students may review the status of their financial aid and upload any outstanding documents that may require attention from the Financial Aid section of VikingWeb. Log into financialaid.berry.edu to access your financial aid information directly within the portal. As soon as it is ready, your financial aid offer (which may include scholarships, grants, federal work-study, and student loans) will become available for review. Students must accept or decline their loan offer(s) from the Accept/Decline Loan(s) option located in the Menu.

General Requirements - Listed below are general requirements for financial aid programs administered by Berry College.

Financial Aid Offer Terms and Conditions

- Your financial aid offer with the most recent date supersedes any previous financial aid offer.
- All financial aid offers are subject to verification of eligibility. Financial aid offers may be adjusted at any time.
- Changes in financial, marital or academic status; change of academic program; change of residence; or failure to comply with program guidelines and regulations could result in a revision to or cancellation of your financial aid offer.
- Named donor scholarships may replace previously offered Berry Grant from Alumni and Friends.
- Your total financial aid from all sources may not exceed the total cost of attendance. You must notify the Office of Financial Aid of other assistance not listed on this financial aid offer, such as outside scholarships. Berry reserves the right to reduce offered institutional aid when you receive outside assistance for an amount exceeding the cost of attendance.
- **Undergraduate, degree-seeking students** receiving Berry College funds must enroll in at least 12 credit hours per semester (full-time). You must be enrolled in at least 6 credit hours per semester (half-time) to receive federal aid and most private student loans. Financial aid funds may only be used towards financial aid eligible credit hours.
- **Graduate, degree-seeking students** must enroll in at least 5 credit hours per semester (half-time) in order to receive federal student loans. Financial aid funds may only be used towards financial aid eligible credit hours.
- Financial aid recipients must meet Satisfactory Academic Progress (SAP) standards and be in good academic standing. Refer to the Berry College Catalog at catalog.berry.edu for the full policy. Please consult with the Office of Financial Aid **BEFORE** dropping or withdrawing from a class.
- Financial aid is offered on an annual (Fall/Spring) basis and cannot be used all in one semester. Additional financial aid may be available to students enrolled at least half time during the summer term according to eligibility.
- Federal grants, loans and state aid (including Zell Miller, HOPE and GTEG) are subject to final approval and funding by the Federal government and the state of Georgia.
- Eligible Georgia residents may qualify for additional aid. To determine your eligibility and how to apply for state aid visit GAfutures.org.
- Federal Direct Loan recipients must sign a promissory note and complete Loan Entrance Counseling before receiving a loan disbursement. Additionally, borrowers (including graduate students and parents borrowing a PLUS loan) may be required to complete an Annual Student Loan Acknowledgment each year they accept a new federal loan. Upon leaving the college or dropping below half-time enrollment status, Federal Direct Loan recipients are required to complete Exit Loan Counseling. Visit studentaid.gov to complete all items.

Annual Federal Direct Loan Limits – Undergraduate Dependent Students*

Freshman (0-29 hours): \$5,500, maximum of \$3,500 may be subsidized

Sophomore (30-59 hours): \$6,500, maximum of \$4,500 may be subsidized
Junior & Senior (60+ hours): \$7,500, maximum of \$5,500 may be subsidized

*Independent students, and students with a parent unable to obtain a PLUS loan, may qualify for increased federal loan limits.

The federal government subsidizes the interest on federal subsidized loans while a student is enrolled at least half-time in a degree-seeking program. Federal unsubsidized loans do not receive this subsidy.

- Students eligible for Veteran benefits must notify the Berry College Office of the Registrar. Receipt of Veteran assistance may result in an adjustment of your financial aid offer. Adjustments may include a reduced offer of institutional aid up to educational direct costs (tuition, fees, room and board).
- All students are eligible to participate in the LifeWorks program. Earnings are available via biweekly payroll and according to your participation in the program. You may contribute a portion or all of your work earnings as part of your payment plan.
- Recipients of Berry academic scholarships must achieve and maintain a minimum (local) grade point average to continue receiving the scholarship. Your scholarship offer is contingent on the successful completion of high school and meeting Satisfactory Academic Progress (SAP) standards. Disciplinary probation or suspension may cause a scholarship to be revoked.
- Scholarships are renewed annually until degree requirements are met or upon completion of eight semesters, whichever occurs first.
- You may find additional information regarding financial aid programs and regulations in the Berry College Catalog, catalog.berry.edu, and in the Viking Code Handbook.
- Please contact the Office of Financial Aid with any questions or concerns. The office is located in Hermann Hall 105. Office hours are Monday – Friday, 8:00am to 5:00pm. You may contact the office by email at financialaid@berry.edu or by phone at 706-236-1714.

■ INSURANCE

Personal Property - Berry College is not responsible for loss and/or damage to personal property. Berry does not provide insurance coverage for personal items brought on campus by students for use in dorm rooms or any other places on Berry property.

■ KRANNERT CENTER & OFFICE OF STUDENT INVOLVEMENT

The Krannert Center serves as the main student center on campus, and the facility is managed by the Hospitality & Event Services department. The Krannert Center is open seven days a week (except breaks and holidays). Hours of operation are Sunday through Thursday from 7 a.m. until 10 p.m. On Friday and Saturday, the building closes at 11 p.m.

During the academic year, the Office of Student Involvement, located in Krannert 202, is open Monday through Friday, 8 a.m.-8 p.m. The office may be open additional hours on the weekend based on events taking place in the building.

The Krannert Center includes the Campus Information Desk, lounges, meeting rooms, the Gathering Space, The Shipyard apparel and gift shop, post office, dining room, Viking Court snack bar, ATM, and the following student and administrative offices:

- Center for Personal and Professional Development
- LifeWorks Program
- Office of Belonging & Community Engagement
- Chaplain's Office
- Hospitality and Event Services
- International Experiences
- Office of Student Involvement
- Student Government Association

- Berry Catering & Dining Services
- Krannert Center Activities Board

Reservations for Krannert spaces, which includes inside the facility, the lawn and Kilpatrick Commons, must be made through the campus on-line system EMS. Priority for use of Krannert Center shall be the Krannert Center Activities Board, recognized student organizations, Berry departments and offices, and alumni. Student organizations, Berry departments or other official groups may reserve available equipment for campus events through Berry Connect or by contacting the Office of Student Involvement directly.

All posters and notices that are to be displayed in Krannert should be dropped off at the Campus Information Desk and must be approved by the Office of Student Involvement. The staff in Student Involvement will be responsible for distributing the publicity in Krannert. No posters or notices will be permitted on walls, doors or other surfaces of the building except when approved by the Student Involvement Director. If a student organization or other official student group wants to reserve a lobby display case, lobby banner space, or outdoor banner space, the group should contact the Office of Student Involvement to reserve a date and area.

The Office of Student Involvement provides support or primary oversight for the Krannert Center Activities Board, Marthapalooza Committee, Student Leadership Programs, Student Organizations and Involvement, Campus Transportation, and campus-wide programming. Additional services provided by the Office of Student Involvement include:

- Publicity closet and lamination services for use by student organizations and other official student groups.
- Management of equipment and games for student events, including portable sound systems.
- Management of the Stall Wall Weekly and Krannert Wall Calendar.
- Management of the Berry Connect online engagement platform.

Copies of the Krannert Center/Student Involvement Office policies and procedures as well as reservation information are available through the Office of Student Involvement or on the College website.

■ KRANNERT CENTER ACTIVITIES BOARD

The Krannert Center Activities Board, better known as KCAB, is comprised of a group of students who coordinate and implement a variety of social, cultural and recreational activities and programs which allow Berry students to interact and have fun. The board implements programs and activities that reflect the Berry culture, respect existing policy and encourage a sense of community among diverse people. KCAB's goal is to support campus vibrancy and enhance the overall standard and quality of campus life.

Students interested in being a KCAB member must submit an application and interview with the board. Students can also assist KCAB members with events by serving on the volunteer "KCAB Krew" team. Copies of the KCAB constitution are available in the office. The Director of Student Involvement serves as the board's primary advisor.

To find out the latest on upcoming events, stop by the KCAB Office, located on Krannert 1st floor across from the Gathering Space or check out KCAB on Berry Connect.

■ LEADERSHIP DEVELOPMENT PROGRAMS

The Office of Student Involvement works collaboratively with campus offices and organizations to provide a comprehensive leadership development program for students. Academic, experiential and service opportunities are offered to prepare students for lifelong leadership responsibilities in college and in the community.

In addition to general leadership programs, the Director of Student Involvement oversees the Leadership and Service Fellows Scholarship Program. The purpose of the Leadership and Service Fellows Program is to develop, through

theoretical exploration and practical application, a group of students who will lead in a variety of campus life areas, serve the campus and Rome communities, and teach their peers a variety of leadership concepts.

Information on leadership programs is available through the Office of Student Involvement, Krannert 202.

■ CAMPUS INFORMATION DESK

Located in the Krannert Center lobby, the Campus Information Desk is a resource for Berry faculty, staff, and students as well as campus guests and visitors. During the academic year, the Information Desk is open Monday – Friday, 8 a.m. – 8 p.m. Holidays, breaks and summer hours will be posted at the desk area.

Additional services provided at the Information Desk include:

- Primary location for lost and found items on campus
- Campus maps and other campus information/brochures
- Ticket distribution and on-line payment options for campus events
- Discount tickets to local cultural, social, and recreational activities (check with desk for availability and price)
- Board game check-out for student-use only
- Route information for on-campus transportation

■ ON-CAMPUS TRANSPORTATION

Berry College is pleased to provide on-campus transportation to enhance student mobility both within and beyond the campus. Transportation services are designed to ensure easy access to educational resources and essential services.

From Monday to Friday, 7:30 a.m. to 6:30 p.m., a student-operated shuttle traverses a route connecting residence halls and academic buildings. The bus also will accommodate riders from Mountain Campus and Oak Hill as needed. Additionally, throughout the semester, students have the opportunity to travel to off-campus destinations, such as grocery stores or the airport. For a complete schedule and map of bus stops, please visit the Campus Transportation section under “Student Life” on the College’s website or visit the Campus Information Desk in the Krannert Lobby.

For students with documented medical needs, there is additional support with the on-campus shuttles. To arrange for on-campus transportation, please contact the Office of Accessibility Resources to discuss options and necessary documentation.

■ LOST AND FOUND

When unidentified items are found on campus, they should be turned in at the Campus Information Desk in the Krannert Center lobby. Items will be logged and stored, and if the owner of the lost item can be identified, the staff at the Information Desk will contact the individual to retrieve the item. Items will be kept for a minimum of 60 days and then be discarded or donated.

If an individual has lost an item of personal value, they should notify the staff at the Campus Information Desk. A description of the item, along with contact information, will be kept on file, and in the event the item is turned in at the desk, the owner will be contacted. Any substantial theft or loss should be reported to Campus Police immediately.

■ MAIL SERVICES

All undergraduate students are provided a post office box mailing address for the entire time you are a student at Berry. Students can easily access their address on Viking Web.

The U. S. Postal Service recommends that Berry College residents use six-digit post office box addresses beginning with the prefix 49 and followed by the four-digit box number. The correct mailing address is:

Student's Name
Berry College
P. O. Box 49 ____
Mount Berry, GA 30149 - ____*
*The four-digit zip code add-on is the same as the box number.

Private delivery services such as Federal Express, UPS, and Amazon require a street address instead of a post office box address. For these deliveries only, use the following address:

Student's Name – Box Number
Berry College
2277 Martha Berry Highway, NW
Mount Berry, GA 30149

USPS, UPS, and FedEx deliver Monday through Friday. You will be notified that you have received mail and packages by means of an email from Mail Services. Your Berry College ID is required for mail and package pick-up. Packages will either be available for pick-up at our customer service counter or will be placed in a self-serve parcel locker. The package pick-up window is open Monday through Friday from 8:00 a.m. to 5:00 p.m. and parcel lockers are accessible 24 hours.

Large items, perishable items, and prescription medications will not be placed in lockers. These items will be available for pick-up at the customer service counter during regular post office hours.

Students will not be allowed to pick up mail and packages for another student.

Students may choose to have Amazon orders delivered directly to Amazon Parcel Lockers "Avellino". Students request this service during the checkout process with Amazon. Certain restrictions apply and is based on availability. Students will be notified directly by Amazon when those packages are available for pick-up.

Berry Parcel Lockers

Students will receive an email from Mail Services when they receive a package delivered to the Berry College Post Office.

Student packages will either be placed in a self-serve parcel locker or available for pick-up at the Mail Services customer service counter, both of which are in the Krannert Center. The email will provide pick-up instructions. Berry student IDs are required when picking up packages at the counter. Students may not pick up packages for another student.

Parcel lockers are located in Krannert Center adjacent to the post office. The locker hallway is open 24 hours. The customer service counter is only open during normal business operating hours, as posted online and at the windows.

Each locker bank has a self-service kiosk. The email notification will contain locker location (Krannert1 or Krannert2) and one-time use access code. Parcels placed in lockers may be collected using the access code from the email, a Berry Student ID card swipe, or the mobile app.

THINGS TO KNOW:

If students have multiple packages assigned to lockers, they will receive a separate email for each package. If the packages are in the same locker, the access code will be the same. If the packages are assigned to different lockers, there will be a different access code for each package.

Packages will remain in lockers for 24 hours at which time the student will be notified that the time in the locker is about to expire. These packages will be removed from lockers on the next business morning and students will receive an email instructing them to pick that package up at the customer service counter using their Berry ID.

Students may choose to have Amazon orders delivered directly to Amazon Parcel Lockers “Avellino”. Students request this service during the checkout process with Amazon. Certain restrictions apply and is based on availability. Students will be notified directly by Amazon when those packages are available for pick-up.

AMAZON PARCEL LOCKERS – “AVELLINO”

ORDERS ELIGIBLE FOR AMAZON LOCKER DELIVERY IF THE ORDER:

- has a shipping weight less than 35 pounds
- has product dimensions smaller than 19 x 12 x 14 inches
- is sold or fulfilled by Amazon.com
- is valued at less than \$5,000 UDS
- contains no hazardous materials
- contains no perishable materials
- contains no materials requiring identification (tobacco and liquor)
- is not a Subscribe & Save item
- does not contain items shipping from foreign countries
- does not contain items for Release-Date Delivery
- Amazon Business items are not eligible

TO ADD THE AMAZON HUB LOCKER LOCATION TO YOUR ADDRESS BOOK AND SAVE IT FOR FUTURE USE:

- Go to www.amazon.com/ulp.
- Search by ZIP code 30149.
- Choose a location - The name of the Amazon locker on campus is “Avellino”.
- Select Add to my addresses to add the Avellino location to your address book.

HOW TO PLACE AN ORDER FOR DELIVERY TO AN AMAZON LOCKER:

- Place an eligible item in your shopping cart and Proceed to Checkout.
- To change your delivery address to the Amazon locker, select the “Change” link in the top right of the screen.
- If you’ve previously added the Avellino locker to your address book, select it from the Amazon Pickup Locations section.
- If you have not previously added the locker to your address book, select “+Find a pickup location near you” (bottom of screen) and search for the Avellino locker by zip code 30149.
- Select “Pick up here” beside your chosen location “Avellino”. This name is physically located in the top right corner of the locker on campus.
- Complete your order.
- https://www.amazon.com/gp/help/customer/display.html?ref=hp_left_v4_sib&nodeId=GJFN3U89P5B7YBPE

HOW TO COLLECT YOUR ORDER FROM THE AMAZON LOCKER:

- When your package is ready for you to collect from a locker, you will receive an email from Amazon.
- This email will contain the information you need to collect your package – either using the six-digit pickup code or using the Amazon Shopping app.
- **Important:** Once the locker is selected during checkout, under the “Review items and shipping” step, you will be informed that **items can stay in lockers for up to 3 days. After the 3rd day your item will be sent back to the Amazon fulfillment center and you will be refunded the cost of the item.**

Stamps may be paid for by **cash or check** for the exact amount of purchase; Priority Mail shipping supplies are available at no charge. Students may ship prepaid FedEx and UPS items.

Students may use the campus mail distribution system at no charge if the following guidelines are met: All campus mail must be related to Berry College business or events, or may be personal correspondence to other students, faculty, or staff. Campus mail not in an inter-office envelope should have a Berry return address. Campus mail must be at least the size of a 3" x 5" index card, and should have box numbers and be in numerical order. No food or other perishable items are accepted in campus mail.

It is the student's responsibility to complete a temporary mail forwarding form prior to leaving campus for Christmas and summer breaks. Students will receive an email from Mail Services providing instructions and a link to the on-line mail forwarding form. The form may also be located on Viking Web. Mail is forwarded in accordance with current postal regulations. This includes paychecks, grades, First-Class mail, Express Mail, Priority Mail, periodicals, and standard mail for which forwarding service is requested by the mailer. Private couriers do not provide forwarding service; any packages that cannot be forwarded will be held for students to pick up upon return to school.

■ THE SHIPYARD

The Shipyard, located in the Krannert Center, is a convenient place for students to buy school supplies and electronics. It also features Berry apparel, accessories, and gifts that are great for all Berry supporters. Additionally, the store is a hub for the Student Enterprises where you can buy items made or grown by Berry students.

Textbook purchases and rentals can be ordered through Berry.eCampus.com and then picked up at the textbook window in the back of The Shipyard. Textbooks are not available for sale in the store. eCampus ships them to The Shipyard and then they are distributed to students by The Shipyard team.

The Shipyard is also where students will pick up their cap and gown for undergraduate graduation. Like the process for picking up textbooks, The Shipyard will email students to notify them when their cap and gown is ready for pickup, and they can get them at the textbook window.

■ OFFICE OF BELONGING AND COMMUNITY ENGAGEMENT

The Office of Belonging and Community Engagement supports the campus in living out Berry's Good Neighbor Culture—a culture grounded in dignity, relationship, responsibility, and reflection. We help ensure that these values are embedded in the life of the institution, not only through words but through sustained, everyday practice—within and beyond the Gate of Opportunity.

Our work centers around:

- **Policy & Practice** – Shaping institutional systems and decision-making through the lens of belonging and relational values
- **Programming & Education** – Creating spaces to grow in understanding, connection, and shared responsibility
- **Community Engagement** – Strengthening partnerships, co-creating solutions, and practicing mutuality in service beyond the campus

We envision a campus where all students, staff, and faculty feel reflected and respected—where voices are heard, identities are honored, and relationships are rooted in care and shared purpose. Belonging is not simply a feeling—it is a culture we create together.

Engagement Pathways:

- **Good Neighbor Workshops** – In collaboration with local and national partners—including the Rome Floyd Chamber of Commerce, the King Center, and the Center of Justice and Peacebuilding—we offer interactive, reflective training sessions to help students, faculty and staff practice what it means to be a good neighbor in real time.
- **Community Programs** – Through lectures, celebrations, civic dialogues, and shared learning experiences, we deepen connection across perspectives and nurture a relational campus culture.
- **Solidarity Week** -- A student-led series of programs that emphasizes relationship-building, cultivates empathy, and strengthens community through storytelling, celebration, and education.
- **Be Love Week** -- A weeklong campus-wide effort to practice service and community leadership, launched on MLK Day. Students, staff, and faculty work alongside local partners to serve with humility and shared purpose.
- **Berry Impact** -- Berry's volunteer and service-learning initiative, designed to mobilizes Good Neighbor Culture through intentional community engagement opportunities that connect students and employees with meaningful service experiences.
- **Year of Service (YOS)** -- A living-learning community that links students with ongoing service partnerships in the Rome community. These houses foster active citizenship, responsibility, and shared investment in the well-being of others.
- **Community-Engaged Courses (Including ACE)** -- Community-Engaged Courses connect classroom learning with real-world impact. Through partnerships with local organizations, students apply academic knowledge to community-identified needs—deepening understanding, building relationships, and practicing leadership rooted in Berry's Good Neighbor Culture. These courses emphasize reciprocity, reflection, and responsible action.
- **Community-Engaged Jobs and Internships** – These experiences offer students the opportunity to earn while contributing to the common good. Whether through non-profit work, civic partnerships, or social-purpose roles, these positions are designed to foster professional growth, community impact, and deeper alignment with Berry's values of responsibility, collaboration and purposeful service.

We are located in the Amos Montgomery Suite (331) on the third floor of the Krannert Center. The Good Neighbor Center, located on the first floor of the Krannert, offers a welcoming space for connection, learning, and reflection. It exists to build community, strengthen understanding, and invite all students into meaningful service and leadership.

■ GOOD NEIGHBOR CULTURE AND PILLARS

Martha Berry believed education must shape not only the mind, but also the heart and hands. The Good Neighbor Culture continues that legacy, guiding how we live, learn and lead together.

A Good Neighbor:

- Builds relationships rooted in respect, humility, and shared learning
- Recognizes when voices are missing and works to create space for all to be seen and heard
- Seeks understanding when perspectives differ, choosing curiosity over judgement
- Responds to harm with a willingness to repair and rebuild trust
- Gives time and energy to the benefit of others, not just self
- Collaborates across difference and co-creates solutions that reflect shared ownership
- Leaves every place—every group, system, and conversation-- better than they found it

These pillars are not checklists—they are practices that shape a way of being. They call us to live with purpose and lead in ways that build community.

■ DISCRIMINATION RESPONSE

Our Belonging and Community Engagement strategy is rooted in peacebuilding and restorative justice. In partnership with Student Affairs, the office addresses discrimination-related concern and harm in a way that supports community healing and individual growth.

While not every report involves a conduct violation, we take all concerns seriously. Some situations may lead to informal dialogue and reflection while others may require a more formal response including student conduct processes when appropriate.

Berry College also upholds the importance of free expression, academic freedom and civil dialogue. We recognize that difficult conversations are part of the learning process and we seek to navigate those moments with care, respect, and responsibility.

If you have experienced or witnessed a discrimination or dignity-related concern at Berry College, please submit a report at: <https://www.berry.edu/student-life/diversity-belonging/bias-response>

■ INTERNATIONAL STUDENT SERVICES

The Director of International Experiences serves as the Principal Designated School Officer (PDSO) to international students studying at Berry College with an F-1 visa. Information on maintaining visa status, working in the U.S., health insurance, cultural adjustment, and more is provided by International Experiences.

International Experiences is located in Krannert Center 302. Should you have any questions, please contact the office at 706-368-6753 or email: internationalexperiences@berry.edu.

■ NOTARIES PUBLIC

There are several Berry staff members on campus that can provide Notary Public service. Their names and locations are listed below:

Cindy Gillespie, Hoge Building 1
Sarah Jackson, Jones Building 212
April Allen, Ford Building 215
Noreen Salmon, Green Hall 212A
Sylvia Howard, Hermann Hall 314
Anja Buckwalter, Hermann Hall 221
Kay Simms, Morgan Bailey Hall 223

■ ORIENTATION AT BERRY

Berry College's required first-year student and transfer student orientation program is a three-part process (SOAR, Viking Venture, and BCC100). The first part is called SOAR – Student Orientation Advising and Registration. SOAR is held during the summer to assist new students and their families with the transition into the Berry community. Summer SOAR sessions run approximately 24 hours and are overnight with students staying in our residence halls and parents staying in area hotels. Students sign up for a SOAR session on the Berry College website on a first-come first served basis in April after payment of their enrollment deposit.

SOAR sessions are focused on helping students with their transition to life at Berry and families to their new life supporting a Berry Viking. Students will meet with an academic advisor to discuss courses offered in Fall. Students will learn about life in a Residential Community and the LifeWorks job assignment process. Students will have a chance to meet other members of the incoming class along with 19 student SOAR leaders who will share their experiences and answer questions about Berry.

All incoming freshmen and transfers, including commuter students, are required to attend SOAR. The cost for SOAR and Viking Venture is \$200, which will be posted to the student account.

There is a virtual SOAR offered to students and families after the in-person sessions in summer. Virtual SOAR is an abbreviated version of in-person sessions.

Prior to a student's SOAR session, they will need to complete their online enrollment forms on MyBerry Portal under the "Admissions" tab. These include:

- Academic Advising Questionnaire
- Work Interest Form
- Health/Immunization forms
- Housing Application Form
- Medcat Patient Portal (Health Forms)
- Release of Information Form
- Emergency Contact & Missing Person Form

Viking Venture is a continuation of the orientation process and takes place the week prior to the beginning of fall semester. All new students participate in activities designed to welcome them to campus, assist them in the transition to Berry College, and help them connect with their new peers, faculty and staff. Many of the activities during Viking Venture occur within first-year seminar (BCC 100) classes, and are coordinated by the Office of the Academic Transitions. <https://www.berry.edu/academics/first-year-experience/seminar>.

The Associate Dean of Students is responsible for planning, evaluating and administering new student orientation programs at Berry College.

STUDENT LIFE

The total college experience has been described under such headings as “academic,” “social,” “physical,” and “religious.” Though convenient, these headings are not mutually exclusive, as an academic experience certainly involves some degree of activity under each heading. The myriad of choices college students make, daily social contacts they have with each other and with members of the faculty and staff, and interaction in the residence halls are all examples of co-curricular education. The whole college experience is a learning experience, and learning takes place both in and out of the classroom.

College life is exciting as students fully engage in the world’s largest living/learning laboratory. College life is about both challenge and support and the college recognizes that there are times when students need assistance in order to be successful here. Berry College provides facilities and staff to meet the needs of students in their co-curricular experience. The Division of Student Affairs administers the following programs and services:

- Counseling and mental health programs
- Health Services/Wellness Promotion
- Intramural/Recreation Sports
- New student orientation
- Family programs
- Peer Education
- Student Involvement (clubs, organizations, and leadership programs)
- Student conduct programs and services
- Residence Life programs

STUDENT PARTICIPATION IN INSTITUTIONAL DECISION MAKING

Berry College strives to provide students opportunities to participate in the internal affairs and governance of the college. Students are encouraged either individually or collectively to express their views on issues of institutional policy and other matters of general interest to the student body. Students are represented on most college committees and councils, and they serve as voting members. Students are directly represented in the governance of the campus by the Student Government Association. The Student Government Association is a group of elected students who serve as the voice of the students in making recommendations to various campus officials. The official policy making authority of the college is a board of trustees and the duly appointed administrator, the president of the college.

The following provides insight into student life at Berry College and opportunities students have to influence institutional decision making.

■ BASIC POLICY ON STUDENT LIFE

Berry College has longstanding policies and traditions regarding Student Life which define the College’s relationship with students. The College accepts responsibility for directing the academic, work opportunity, and religious programs for its students. At the same time, students are adults and are expected to comply with the letter and spirit of Berry’s rules, regulations and directives from faculty and staff, and to demonstrate responsibility for themselves and to others.

Berry College, like most other colleges, does not act “in loco parentis” for students or in its administration of policies. However, the College strives to provide a supportive and sustaining environment for students and to provide the means to make them successful in their college experience and in life. The College pledges to provide this environment and maintain necessary and appropriate resources for assistance to students in academic, personal and spiritual areas, both formally and informally. This pledge includes the Board of Trustees, the President, and all faculty and staff. Berry College also strives to provide students with a caring, concerned community in an atmosphere of mutual respect, and in an environment where rights and responsibilities are handled by students with accountability and maturity.

Individual rights of every student, as well as faculty and staff, are to be mutually considered. These rights include reasonable exercise of freedom of individuality, freedom from indignity, and freedom from control by those except in proper authority. No faculty, staff member, or student, regardless of position or rank, shall violate these rights. Every effort shall be made to eliminate unjust customs and practices in conflict with these rights, and all students, faculty, and staff pledge their cooperation towards this objective. The framework for these rights and this mutual respect is provided by the rules and regulations promulgated by proper authorities at Berry College, which shall be observed by all parties. Those persons in violation of these rules and regulations or of conduct contrary to the College's policies shall be held personally responsible.

■ STUDENT INVOLVEMENT ON BERRY COLLEGE COUNCILS AND COMMITTEES

Berry College values student involvement on various councils and committees. Each year the president of Berry approves students, the majority recommended by the SGA, to serve on various councils and committees of the college. Students serve on the:

Academic Council
Academic Transitions Advisory Committee
Athletic Committee
Bonner Scholars Advisory Committee
Budget Advisory Committee
Council on Student Research
Cultural Events Committee
Educational Land Management Committee
Endowed Lectureship Committee
Enrollment & Marketing Advisory Board
Graduate Council
Honors Program Committee
Information Technology Committee
Interfaith Council
International Experiences Committee
Krannert Center Activities Board
Libraries Committee
Orientation Advisory Committee
Student Conduct Appeal Panels
Student Conduct Judicial Board
Student Life Council
Traffic Violations Appeal Panel
Writing Across the Curriculum Committee

■ THE INTERFAITH COUNCIL

Following in the steps of the Parliament for the World's Religions, and Martha Berry's vision for equal education for all, Berry College has created its own small organization for the support of different religions. Founded in the fall of 2003, the Interfaith Council is a group of faculty and students who work closely with the Chaplain's Office to help foster a welcoming environment at Berry College for people of all faiths. It supports and promotes opportunities for people to learn about and participate in a variety of religious opportunities, both on campus and in the surrounding community. The Interfaith Council seeks to foster an appreciation of multi-faith awareness on Berry's campus and throughout the Rome area.

The Interfaith Council events are mainly held at the Interfaith Center, which was created in 2003. Located in the East Mary lobby of the Ford Buildings at Berry College, the Center is open to any person or group who wishes to profess their faith. Open to *all* religions, the Center's goal is to promote a greater understanding and tolerance for the beliefs and practices

of others. A key is always available at the East Mary RA desk for students to use the room during the week. It can also be reserved for events through Campus Scheduling.

■ STUDENT LIFE COUNCIL

The Student Life Council advises with the Assistant Vice President for Student Affairs and Interim Dean of Students on matters coming within their area of responsibility. The council makes proposals about extra-curricular activities, works closely with the Student Government Association, and makes recommendations to the president about matters affecting student life. The Student Life Council is responsible to the President. Changes in policy proposed by the Student Life Council are subject to approval of the president or by the Board of Trustees if the policy concerns a jurisdictional area reserved by the board for its own action. Decisions of the Student Life Council may be appealed to the president, and at the president's discretion, to the Board of Trustees.

The council consists of the assistant vice president for student affairs and interim dean of students, who serves as chair, the provost, the associate dean of students, the chaplain, the director or assistant director of counseling, the director of student involvement, chief of police, chief diversity and belonging officer, the director of athletics, the director of health, wellness and recreation, the president of the Student Government Association, the two vice presidents of the Student Government Association, the secretary of the Student Government Association, the treasurer of the Student Government Association, one Head Resident, two students nominated by the Student Government Association executive committee and appointed by the president for two-year terms, the president of the Black Student Association, president of the Krannert Center Activities Board, chair of the Student Athletic Advisory Committee, two faculty members, the president (*ex officio*) and such other persons as may be appointed to the council by the president.

■ STUDENT GOVERNMENT ASSOCIATION

The Student Government Association has adopted the following mission statement:

We recognize our role in setting standards and goals for the Berry College community. We strive to provide services for the enhancement of this community and offer the means to solve any problems arising throughout the year.

Through effective leadership and representation, we commit ourselves to fulfill these responsibilities with dedication and integrity for the purpose of creating a better college.

A copy of the SGA Constitution may be found

at: https://vikingweb.berry.edu/ICS/Berry_Community/Group_Management/Student_Government_Association/

Student Government Association

SGA meets every other Tuesday in the Krannert Center at 7:00 p.m.

2025-2026 SGA Executive Officers

Anna Yard, President

Kaylin Rezek, Vice President for Administration

Kristina Clay, Director of Finance

Riley Roberts, Director of Communication

Berry College Blood Donor Program

The Berry College Blood Donor Program was started by Berry students in 1974 as part of the American Red Cross program. Four visits from Red Cross and/or Blood Assurance provide over 450 units of blood per year and are sponsored by the Berry College Red Cross student organization.

Berry is one of the top institutions in Floyd County in the number of active blood donors each year. The Berry College Red Cross provides volunteer assistance to staff the blood drive visits.

■ STUDENT ORGANIZATIONS

Berry students have the privilege to organize student organizations which meet the requirements established by the College. There are three types of student groups defined and recognized by the College: Student Organization, Student Interest Groups, and Club Sports. The Student Life Council approves all recognized clubs and organizations, including student honorary organizations, with final approval given by the College president. Honorary organizations must also meet with approval of the related academic department and other appropriate academic channels. Student Interest Groups are approved by the Director of Student Involvement, in consultation with the Vice President for Student Affairs. The actions or positions of any recognized student organization, honor society or interest group do not necessarily reflect a viewpoint or endorsement of the College. The Office of Student Involvement is responsible for the oversight and support of student organizations.

All organizations, including their officers, events and programs, are expected to comply with Berry College policies as outlined in the Viking Code Student Handbook, Student Organization Handbook, and their own constitutions. This includes adherence to rules governing programs, events, and services, as set forth by the Faculty/Staff Handbook and the Student Life Council. Failure to uphold these policies may result in disciplinary action, loss of recognition, and/or loss of funding. Hazing in any form is strictly prohibited. Additional details and policies can be found in the Student Organization Handbook, available through the Student Involvement Office and on Berry Connect.

Students desiring to form a new student group should first complete the New Student Group Application, found on Berry Connect under the Student Involvement page. Once the application is reviewed, the Director and/or Assistant Director of Student Involvement will meet with the student to discuss the purpose of the group and to determine what type of recognition is appropriate, as defined below.

The three different types of recognized student groups are listed below, along with the benefits relative to each type and requirements for maintaining recognition.

A **recognized student organization** is defined as a group whose mission and programs enhance campus life by providing campus-wide events or programs open to all students. The organization's mission may not conflict with Berry College's mission and values. Organizations are expected to have a constitution with an organizational structure (i.e. officers) and complete the requirements for recognition, which are managed by the Student Involvement Office. Regardless of organizational mission, all clubs/organizations are open to all students.

Having official recognition as a student organization includes the following benefits:

- Ability to reserve facilities for meetings and events
- Use of Berry College stationary and/or the name Berry College in connection with their organization
- Promote and publicize on campus
- Student organization account with the College
- Have voting right as a member of the Student Government Association
- Opportunity to apply for Student Activity Fee Funding
- Recruit students for membership

Types of recognized student organizations include but are not limited to:

- **Honor Society** is defined as a group whose mission is to recognize and encourage high scholarship and/or leadership achievement in some broad or specialized field of study. Honor societies must be affiliated with a national organization. Honor society constitutions may differ depending on the national chapter requirements. These organizations shall create an "Appendix" (as needed) that will supplement their constitution that will provide any clarification for terms or phrases not clearly defined.

- **Department-Supported** is defined as a group who receives direct staff support and/or funding from a Berry department.

In order to maintain recognition, student organizations must have at least one full-time faculty and/or staff advisor, maintain their group page on Berry Connect, submit annual transition form and membership roster with at least 10 active members, demonstrate active membership recruitment, and complete recognition requirements/status as outlined by the Office of Student Involvement. Failure to meet requirements may result in a recognized group being placed on probation. The student organization will have up to three semesters to complete the steps to regain good standing and recognition. If the requirements are not met, then the student organization will no longer be recognized by the College and would have to pursue steps for recognition again if students desire to revive the inactive group.

In addition to the steps for maintaining recognition, student organizations must receive approval from the Director or Assistant Director of Student Involvement for all campus-wide events, fundraisers, off-campus trips and special activities by the group.

A **student interest group** is defined as a group whose mission is to provide a forum for students with similar interests to gather and share mutual activities which benefit them directly. The interest group's mission may not conflict with Berry College's mission and values. The main factor distinguishing **student interest groups** from a **recognized student organization** is that their programs are not designed to directly impact the Berry community but are for members only. Therefore, student interest groups are not eligible to sponsor campus events on their own. Interest groups must have a statement of purpose on file with the Office of Student Involvement and on their Berry Connect page.

Having official recognition as a student interest group includes the following benefits:

- Ability to reserve facilities for meetings
- Promote and publicize on campus
- Recruit students for involvement
- Opportunity to partner with a recognized student organization or department to host campus event

In order to maintain recognition, **student interest groups** must have at least one full-time faculty and/or staff advisor along with a minimum of ten interested students, as well as maintain their group page on Berry Connect. Near the end of the academic year, they will need to complete the transition process and include a list of activities held throughout the year, which indicates continued interest in the group. Student interest groups are renewed on an annual basis. If a student interest group does not meet the requirements to maintain recognition, the student interest group will be declared inactive and no longer be recognized. In the event that this happens, the group would have to restart the recognition process.

A **club sport** is defined as a group that promotes a common interest in fostering participation and competition in a specific sport or recreational activity including performance teams. The club sport's mission may not conflict with Berry College's mission and values. Club sports are expected to have a purpose statement, including any affiliations, and complete the requirements for recognition, which are managed by the Student Involvement Office.

Having official recognition as a club sport includes the following benefits:

- Ability to reserve facilities for practice and meetings
- Use of Berry College stationary and/or the name Berry College in connection with their organization
- Promote and publicize on campus
- Student organization account with the College
- Have voting right as a member of the Student Government Association
- Opportunity to apply for Student Activity Fee Funding
- Recruit students for membership

In order to maintain recognition, **club sports** must have at least one full-time faculty and/or staff advisor, maintain their group page on Berry Connect, submit annual transition form and membership roster with at least 10 active members, demonstrate active membership recruitment, and complete recognition requirements/status as outlined by the Office of Student Involvement. Failure to meet requirements may result in a recognized group being placed on probation. The club sport will have up to three semesters to complete the steps to regain good standing and recognition. If the requirements are not met, then the club sport will no longer be recognized by the College and would have to pursue steps for recognition again if students desire to revive the inactive group.

For a full list of recognized student clubs and organizations, please visit Berry Connect: berry.presence.io

■ GENERAL INFORMATION

The Office of Residence Life

Mission: Residence Life fosters a safe and inclusive learning and living environment that promotes personal and professional development. We are an engaged community of students and staff living together to make the world better than we found it.

The Office of Residence Life is located in the Ladd Center. The office phone number is (706) 236-2209 and email address is residencelife@berry.edu.

Residence Halls

The Office of Residence Life provides traditional, cottage-style, and apartment-style residential options for students. All residence halls are air-conditioned and have Ethernet connection in the rooms; all residence halls have wireless access as well. All residence halls have laundry rooms and laundry machines which require no additional cost.

Furnishings, Utilities and Sanitation

Each resident shall be provided at a minimum with a bed, chest of drawers or dresser, closet space, desk and chair.

Each resident is responsible for the condition of the assigned room and shall reimburse the college for all damages to the room, and damage to, or loss of, fixtures or furnishings. Residents shall not move or rearrange any stationary fixtures, or remove any college furnishings from their rooms or apartments. Residents are prohibited from moving common area and lobby furniture or fixtures into their rooms or apartments. This includes placing any indoor furniture outdoors. Any such removal of communal furniture may be subject to disciplinary proceedings and/or criminal penalties. Additional furnishings brought into the room must be freestanding and clear of all existing fixtures, furniture, window and/or walls and must be removed at the end of occupancy. Students may not use or construct temporary walls, lofts, or any other furnishings even if free-standing. Due to fire regulations, the mattress supplied by Berry College is the only mattress that may be used in the residence hall room. Any property left in the room at the end of occupancy is disposed of by the college and an appropriate fee assessed.

The college assumes no liability for loss or damage to a resident's personal property for any reason. The college encourages students to insure their belongings.

All repair needs should be reported via the Brightly app, available through <http://myapps.berry.edu>. Requests must be submitted online.

Resident Assistants

Resident Assistants (RAs) are students that live on each floor of the residence halls and in the Townhouse and Cottage areas. They are employed by the college to assist the students in their living area. Their responsibilities include peer counseling, residence hall programming, promoting a spirit of unity and safety, and an atmosphere conducive to study and maintaining residence life policies and institutional regulations.

RA Desks

There are seven RA desks in the residence halls. The RA on duty assists residents with lockouts, emergencies, and providing resources for other common resident concerns.

- Ford RA Desk: East Mary Lobby
- Morton/Lemley RA Desk: first floor of Lemley
- Townhouse, Thomas Berry, and Centennial RA Desk: Townhouse F
- Mountain and Cottage RA Desk: second floor of Pilgrim
- Dana RA Desk: 2nd Central Dana Lobby

- Morgan and Deerfield RA Desk: Deerfield Lobby
- Oak Hill Residences RA Desk: front left side glass office at entrance gate

For assistance during business hours, the Office of Residence Life is available at ext. 2209 (706-236-2209):

Monday – Friday, except Holidays ----- 8:00 a.m.-5:00 p.m.

RA Desk Hours (Lemley, Townhouse, Deerfield, Pilgrim)

Sunday ----- 12:00 p.m.-1:00 a.m.
 Monday - Thursday - ----- 5:00 p.m.-1:00 a.m.
 Friday ----- 5:00 p.m.-2:00 a.m.
 Saturday ----- 12:00 p.m.-2:00 a.m.

RA Desk Hours (Dana, Ford)

Sunday ----- 12:00 p.m.-1:00 a.m.
 Monday - Thursday - ----- 9:00 a.m.-1:00 a.m.
 Friday ----- 9:00 a.m.-2:00 a.m.
 Saturday ----- 12:00 p.m.-2:00 a.m.

RA Desk Hours (Oak Hill Residences)

Monday – Friday - ----- 8:00 a.m.-10:00 p.m.
 Saturday & Sunday ----- 10:00 a.m.-10:00 p.m.

RAs and Head Residents are on-call after desk hours for emergencies.

■ RESIDENCE LIFE PROCEDURES AND PRACTICES

Duration of the Housing Contract

This housing contract is binding for the entire academic year and may not be terminated by the student. Students who withdraw from the college during the terms of this agreement are subject to cancellation fees as follows:

- Between Room Selection and May 1st: 100% of the \$200 prepayment is refunded
- After May 1st and before June 1st: 50% of the \$200 prepayment deposit is refunded
- After June 1st: the student forfeits the \$200 prepayment

Period of Housing Contract

- This housing contract, unless otherwise provided, shall be binding for the entire academic year.
- Assigned rooms should be vacated, checkout procedures completed and all keys returned within 24 hours after a resident's last final exam.
- Failure to check out properly and/or return all keys shall result in charges and/or disciplinary action. Improper check out charge is \$100 and additional charges may be assessed if necessary.
- Residents may not occupy or leave personal belongings in any room before their contract date starts or after that date ends without permission from the Office of Residence Life

Assignments and Occupancy

- The college cannot guarantee a student a particular type of accommodation. Assignments to specific halls and rooms are made in accordance with the established policy for priorities as space allows.
- The resident understands that the college makes all assignments without regard to race, creed, religion, national or ethnic origin, sexual orientation, or age.
- The student agrees to provide the college with information and preferences requested on the housing preference form for the purposes of hall, room and roommate assignments.
- Mutual requests for assignment with a specific roommate are considered but not guaranteed.

- If any resident unreasonably refuses to accept a roommate or hinders the college in the assignment of a roommate, the college may, at its discretion, require that resident to be reassigned or consolidated to a different room, and/or be subject to disciplinary action.
- Where there is a vacant space, the room must be maintained by the occupant(s) in a manner that allows for immediate occupancy. Failure to do so may result in disciplinary action and/or charges related to preparing the room for occupancy.
- The college reserves the right to assign students to temporary accommodations in the event that regular rooms are not available. Student who accept a temporary assignment do so with the understanding that they may be given a short notice to relocate to a permanent or other temporary space. Failure to relocate in the time allotted by the Office of Residence Life may result in the loss of the assignment.
- Any student with a disability or medical condition that may necessitate a special housing assignment should complete the intake form and submit supporting documentation on the Accessibility Resources website. Requests for housing accommodations are due May 1 for incoming students and February 1 each year for returning residents.
- The college reserves the right to assign residents to any available space and, when deemed necessary, consolidate spaces for maximum availability purposes.
- Rooms may be occupied and vacated only in accordance with schedules published by the Office of Residence Life. The college reserves the right to use rooms in any residence hall during periods between academic semesters. The residence halls do not close for Thanksgiving break. The residential facilities close during the period between the close of fall semester and the beginning of spring semester.
- Any student who fails to occupy his or her assigned space by the first day of classes is bound by this contract but may lose his or her assigned space and can be assigned to a temporary space unless prior arrangements have been made with the Office of Residence Life.

Check In/Check Out

Every student is personally required to complete designated check in procedures at the beginning of occupancy and complete designated check out procedures at the end of occupancy. The Room Condition Report, obtained at check in, will become the basis for an assessment of charges due to damage or loss. Failure to return a signed Room Condition Report results in the student's acceptance of the College's pre-assessment as valid. Before moving out, a student is required to remove all trash and remove all personal possessions, and leave the room or apartment clean.

Charges for additional cleaning required, removal of personal property, or for any damage or loss of College property, normal wear and tear excepted, will be billed to the student(s). Trash and/or possessions left in hallways, lounges, or other communal areas will result in additional charges that will be distributed among all residents of the building and/or area.

Assignment Changes

- Rooms may be occupied only upon assignment by the Office of Residence Life, and all exchanges, transfers and vacating of rooms must be approved in writing by that office
- Students who fail to follow the proper check-in/check-out and/or room change procedures may be assessed an improper check-out charge and are subject to disciplinary action that may include termination of this housing contract with the forfeiture of the housing deposit and may incur the entire year's housing fee
- Students may submit requests for room changes during published designated periods. All room changes are at the discretion of the Office of Residence Life
- Administrative room changes may be considered for approval during non-designated periods, which are the first and last two weeks of each semester
- The college reserves the right to modify room assignments in an effort to consolidate spaces
- Consolidation may also occur due to disciplinary reasons, health, safety, catastrophe, closing of a facility, or irresolvable incompatibility of roommates, and to cancel or terminate this contract for disciplinary reasons

- The college reserves the right to temporarily or permanently reassign a student for violation(s) of the residence hall policies or of Viking Code. Students placed on disciplinary probation are not permitted to live in Centennial, Thomas Berry, Townhouses, Cottages or other specialty housing.
- Students living in the Cottage area or other specialty housing (including Gunby and Rollins) may be relocated if behavior is counterproductive to those living environments
- Students or their parents agree to assume additional fee/costs for voluntary hall changes and/or disciplinary reassignment
- Students must follow check-out procedures published by the Office of Residence Life

Early Arrivals

Students who return prior to stated hall openings for fall semester and/or spring semester must have authorization from the Office of Residence Life as well as the place of on-campus employment (supervisor must contact the Student Work Office), or athletic coach by the predetermined deadline. Specific details (dates, deadlines, etc.) will be published by the Office of Residence Life. For students arriving early, students should be prepared that it is possible they will move into a temporary assignment until their assignment is ready.

Care of Room and Communal Areas

- Rooms must be maintained in good sanitary condition, and upon checkout, the room must be in the same condition as when possession was taken, ordinary wear and tear excepted
- Damages to students' rooms, including costs for special housekeeping or for replacing missing furnishings, are charged to the resident responsible for such damages, if known, or to the last known residents of that room. Residents shall advise the residence hall staff of any deteriorated conditions of the room or its furnishings
- Damages to the public areas of a residence hall, including costs for replacing missing furniture and other furnishings, which cannot be attributed to specific individuals or groups, are divided equally and charged to each resident of that building or area. This includes but is not limited to trash and/or personal discarded possessions
- Each resident is required to complete a room condition report online upon occupancy and return it to the resident assistant
- When occupancy is terminated, it is necessary for the room to be inspected by the resident assistant. Any unacceptable cleaning or damages noted after occupancy are charged to the resident(s). Failure to abide by proper checkout procedures results in an improper checkout charge plus any appropriate additional charges
- Lounges serve as a place for social gatherings, hall programs, and studying for the residents of the residence halls and their guests. A resident should accompany guests at all times while in the residence halls. Sleeping is prohibited in all lounges and common areas.

Keys

- Keys are issued by the Office of Residence Life. For safety reasons, the Office of Residence Life strongly advises students not to loan their room keys to anyone, including other students. Keys must be returned when occupancy is terminated. If a key is lost or not returned after occupancy is terminated, the cost (\$50) of installing each new lock and making new keys is charged to the resident. All keys are property of the college and shall not be duplicated. Existing locks may not be altered and auxiliary locks are not allowed. The unauthorized use or possession of residence hall key(s) other than the one(s) assigned is prohibited.
- **Lock-outs:** Each resident is expected to carry their keys at all time, even if they will be gone from their room for only a short time. If, however, you become locked out, please go to your area office. The person on duty, after confirming your identity and residence, will escort you to your room and open your door. Residents will be given two free lock-outs per year. After the first two free lock-outs, the next lock-out will cost \$5.00, with the fee increasing by \$5.00 for each subsequent lock-out (\$5 for third lock-out, \$10 for fourth lock-out, etc.). This fee will be charged to the resident's account.
- **Lost keys:** If you lose your keys, please report this immediately to your RA or the Office of Residence Life. Your lock(s) will be changed and you will be assessed a fee of \$50.00 per lock. Keys that are broken or damaged should also be reported to your RA or to the Office of Residence Life.

Housing Pre-payment

The \$200 housing pre-payment allows students to participate in Room Selection for the next academic year. The pre-payment will be deducted from their fall room charges. After a student selects or is assigned a room during the Room Selection Process, the housing pre-payment is not refundable in full.

Students who do not pay the housing pre-payment are not permitted to participate in Room Selection and will be assigned a room by the Office of Residence Life.

This payment is different than the enrollment deposit students pay when they apply to the College.

Single Rooms

For students living in a room designed as a single room, an additional charge will apply as stated under Tuition and Fees on the Business Office website.

Residents may not request rooms to be converted to lower occupancy (double to single).

Storage

Storage for student belongings is not provided on campus. The college suggests that students contact one of the several storage facilities in Rome and Floyd County.

Study Rooms

Study rooms are provided in several locations in College housing. Quiet conditions should be maintained at all times. Lobbies may be used for 24-hour study space. Students and/or guests may not sleep in study rooms nor are study rooms a place of dwelling for residents' guests.

■ RESIDENCE LIFE POLICIES

General Conduct

All resident students are expected to abide by residence life rules, policies and procedures, the *Viking Code* and public law. As residence rules may be modified from time to time, it is the responsibility of each student to remain informed about such changes. Students in violation of residence life policies may be subject to disciplinary action. Sanctions for significant and/or repeated violation of residence hall policies can include eviction and/or expulsion from the residence life program. Conduct history will be taken into account when students desire to live in Centennial, Thomas Berry, Townhouses, Cottages, or other specialty housing.

Items not Allowed in Residence Halls

While the Office of Residence Life reserves the right to make determinations about the appropriateness of items within the residence community, in general, students are prohibited from possessing or using the following items in the residence halls or on the Berry College campus unless otherwise authorized:

- Candles, candle warmers, or incense
- Grills, smokers, and similar devices with open flame and/or open-heating elements are prohibited in and around all residential facilities. Built-in outdoor grills are located around campus for resident use. Registered student organizations and campus departments may reserve and use the grill available for reservation from the Facilities Services. This grill should not be stored or used within 50 feet of any campus structure.
- Cigarettes, chewing tobacco, or any other tobacco products
- Empty and/or displayed alcohol-related containers, funnels
- Dangerous and/or other flammable chemicals
- Hookahs, E-cigarettes, vaping devices
- Household items that include but are not limited to: Halogen lamps, sun lamps, space heaters (including Pelonis fan type units), hot plates, clothes washers and dryers, external antennas, and water beds
- Kitchen appliances/items. This includes, but is not limited to: Toasters and toaster ovens (note: these items are permitted in residence hall rooms that are equipped with full kitchens), Air Fryers, InstaPot style cookers, electric

skillets, George Foreman-style grilling machines, portable stove burners, non-thermostat-controlled coffee makers, open heating element appliances, and refrigerators larger than 4.5 cubic feet

- Non-U.L. approved power-strip extension cords
- Pets (other than fish in a 20-gallon or smaller aquarium).
- Stolen property (e.g. traffic signs, construction lights, traffic lights and other items)
- Weapons. This includes, but is not limited to: Firearms, switchblade knives or knives (blades longer than three inches), martial arts weapons, bows and arrows, crossbows, pellet guns, paintball guns, electronic shocking devices, including tasers, clubs or life-like replica weapons

Unacceptable Behavior

While the Office of Residence Life reserves the right to make additional determinations about the appropriateness of behavior within the residence community, in general, students are expected not to engage in the following conduct in the residence halls:

- Activities or action that present actual or possible danger or disturbance to the resident or residence community
- Alcohol possession or use, regardless of age
- Blocking, hanging, tampering with, or attaching items to fire safety equipment (e.g. sprinklers, smoke detectors, emergency horns, fire strobe lights)
- Cohabitation
- Cooking in residence hall rooms and/or outside of an approved kitchen area
- Covering room doors using nails, hot glue, or any permanent adhesive
- Dangerous activity
- Dropping or throwing things from windows or balconies
- Entering window ledges and/or rooftops without authorization
- Entering student rooms through windows
- Passing items through residence hall windows
- Scaling walls or ledges
- Skateboarding, inline skating and/or riding bicycles or motorized vehicles in the residence halls
- Drug possession or use (i.e. illegal or narcotic drugs). This includes the misuse of legal pharmaceutical drugs and/or possession of drug-related paraphernalia
- Hosting visitors of the opposite gender outside Residence Life approved visitation hours
- Littering in communal areas and outside buildings
- Loaning residence hall keys or your Berry ID card to any other person for any reason
- Sales and solicitation
- Smoking or use of tobacco products. This includes cigarettes, cigars, smokeless tobacco, E-cigarettes and vapors.
- Tampering with and/or misuse of life safety equipment, including but not limited to: Heat and smoke detectors, emergency/fire pull stations, extinguishers, hoses, exit signs, and fire alarm systems
- Use or storage of combustion engine vehicles in the residence halls
- Vandalism. The intentional or unintentional abuse or misuse of college property may constitute vandalism
- Violating residence life approved quiet hours and/or noisy or disturbing behavior

Abandoned Property

Items left in residence hall rooms after the resident has moved from the hall or when there is no ownership indicated on items will be disposed of at the end of each semester.

Electrical Outlets

There are a limited number of electrical outlets in each room and these may not be altered for any reason. Students are required to use heavy duty extension cords or adapters approved by the Underwriters Laboratories (UL). Extension cords can be used for just one appliance at a time. Students must maintain a one plug per one receptacle ratio at all times. Extension cords may not be placed under carpet or rugs at any time.

Guests

A guest is defined as a nonresident who requires a room in which to sleep for the night. A resident may have overnight guests, limited to two guests for two consecutive nights. Overnight guests must be of the same gender and at least sixteen years of age. Guests should not have access to the residence hall and/or room without the presence of the Berry student who the guest is visiting. Guests are required to abide by all standards of conduct outlined by Berry College and are the responsibility of the Berry College student hosting the guest.

Quiet Hours

All residents are expected to maintain a reasonable sound level at all times. Minimum quiet hours for all residents are from 11:00 pm to 8:00 am every day of the week. Twenty-four hour quiet hours begin at 6:00 pm on the last day of classes of each semester for the duration of the semester. Failure to abide by the minimum or established floor quiet hours constitutes a violation of residence hall policy and could result in conduct action. Floors designated as quiet/study floors are expected to maintain a reasonable sound level that is conducive to a study/academic environment at all times.

Residence Hall Appearance

Appearance of the residence halls, both interior and exterior, must be attractive to residents and guests. Signs or objects (e.g. towels, flags, posters, etc.) may not be placed in windows, on doors or balconies/ledges except as approved by the Office of Residence Life.

Room Décor

Use of nails, screws, tacks and adhesives that damage walls, doors, furniture or fixtures is prohibited.

Room Entry

The college reserves the right to enter a room at any time to determine compliance with all safety and health regulations and provisions of public law, college regulations and residence life policies, to provide cleaning or maintenance work, conduct an inventory of college property, or if there is an indication of danger to life, health or property.

Safety

In order to maximize building security and the safety of residents, the outside doors are locked 24-hours a day. Residents are responsible for ensuring that exterior and interior doors are left in a locked position. Residents are advised to lock their windows and doors at all times. Student ID cards and keys should be carried at all times and should not be loaned for any reason. Residents should report anyone or anything suspicious or any lost or stolen articles to Campus Safety. The college does not assume responsibility for loss of, or damage to, personal items or for personal injury. Residents, or their parents, should arrange their own insurance coverage.

Student ID Cards

Students are required to carry their Berry student ID at all times. Students may gain access to all residence halls during visitation hours with their Student ID card. In accordance with the Viking Code, students are expected to present it to college officials including residence life staff upon request.

Visitation

Visitation is defined as the period of time when it is acceptable for students of the opposite gender to visit residence halls and rooms.

Visitation hours for all residence halls are as follows:

Sunday –Thursday	10:00 a.m. – 1:00 a.m.
Friday & Saturday	10:00 a.m. – 2:00 a.m.

Visitation policies may be temporarily adjusted or suspended to ensure the safety of residents in the case of public health concern(s).

Visitation is a privilege of living in a community. At the beginning of each semester, resident assistants will have meetings to discuss policies and procedures and how these policies and procedures impact community. As a member of the Berry College community, it is your responsibility to respect and adhere to the visitation policy.

Health and Safety Inspections

Berry College believes that residence halls should be a clean and safe environment in which to live. In an effort to minimize chances of health problems, fire and/or bodily injury, health and safety inspections will be conducted by Residence Life staff to identify potentially hazardous situations within the residence halls. Normally, these inspections are conducted before the residence halls close for breaks. If the room needs attention by the occupants, an inspection slip denoting the problem(s) will be left in the room with copies to the Office of Residence Life. All problem areas should be corrected within twenty-four hours. Health and Safety violations not corrected within the twenty-four hour period will be filed as an incident report and referred to the campus conduct process.

Students who have non-approved animals in their room will be required to remove the animal immediately and will be charged \$250 for each instance.

In potentially dangerous safety violations, the Residence Life staff reserves the right to correct the safety situation immediately.

Health and safety inspections may occur at any time between 10:00 AM – 9:00 PM. Health and safety inspections may be performed more often in the Centennial, Thomas Berry, and Townhouse areas as well as Cottages and all other spaces with private bathrooms/kitchens.

Residents may request to be present for the inspection. Residents are responsible for contacting their RAs to arrange a time. This must happen within 24 hours of the email notification of the health and safety inspection.

During the course of a health and safety inspection:

- RAs are not permitted to open drawers, closets, or ask residents to do so
- RAs are only permitted to open fridges if there is probable cause to do so (concern of spoiled food or presence of alcohol-related items - such as alcohol residue in containers or empty alcohol containers)

Some examples of health and safety violations include, but are not limited to the following:

- Possession or use of an unauthorized appliance (These will be confiscated)
- Possession or use of candles or incense
- Leaving an unattended clothing or curling iron plugged in
- Possession of a pet in college residence halls
- Playing or possessing darts in the residence halls
- Possession or use of alcohol
- Smoking or possession of tobacco products (i.e., hookahs, E-cigarettes, and vaporizers) in the residence halls. (All residence halls are substance free)
- Overloaded extension cord. An overloaded extension cord is one that has more than one item plugged into it
- Failure to maintain a clean room or suite

Room Search and Confiscation

The College reserves the right to enter a student's room when it has reason to believe an emergency exists, the well-being of the occupant or other students is at stake, a College regulation is violated, or for purposes of maintenance, health and safety inspection.

- All residence hall room searches which are conducted by Berry College officials must be approved in advance by one or more of the following: the Assistant Vice President for Student Affairs and Interim Dean of Students, the Associate Dean of Students, or other college official designated by the Assistant Vice President for Student Affairs.
- A residence hall room may be searched by a Berry Residence Life officials (professional staff) and a Head Resident as a witness only if there is “reasonable cause” to believe that the occupant(s) is (are) using the room for purpose(s) which is (are) in violation of federal, state, or local laws, or college regulations. “Reasonable cause” is defined as facts and circumstances sufficiently strong to warrant a reasonable person to believe that the room is being used in violation of federal, state, or local laws, or college regulations.
- If the appropriate administrative official believes that such “reasonable cause” does exist, an administrative search authorization will be issued and executed.
- An administrative search authorization will not be executed for any search which is to be made by police authorities or for anyone other than for an appropriate, designated official of Berry College. If a search is to be made for evidence which is to be used by police authorities for the purpose of criminal prosecution, then such police officials are to obtain a search warrant from an official authorized to issue such warrants. At no time should police officers be present for or participate in a room search without a proper search warrant.
- The occupant(s) of the room should be present whenever possible. If present, the occupant(s) should be: (a) given the reason for the search, (b) presented a copy of the administrative search authorization and (c) informed that any contraband or illegal materials found may be used in internal administrative action, a College conduct hearing, and/or possibly in a court of law.
- Should the search for any specified materials uncover other materials indicating illegal activity or violation of College regulations, such material should also be seized.
- When the search is completed, the Berry staff member(s) shall complete a search inventory form, specifying the room searched, name of the occupant(s), staff member conducting the search, and a detailed explanation of material seized. All drugs and/or drug paraphernalia confiscated should be secured by campus safety
- Fire marshal inspection of premises: (Georgia Safety Fire Law 92 A 723) Right of entry to inspect premises. The commissioner and his delegated authorities have the right to enter all buildings and premises subject to this chapter at any reasonable time for the purpose of examination or inspection.

BERRY COLLEGE DIRECTORY
berry.edu/directory/

Krannert Information Desk x6760 or (706) 368-6760

For emergencies dial x2262 or call (706) 236-2262
for Campus Police.