

# Section C: Rules & Standards

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## Gould Code of Conduct 2020–2021

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### **Gould aims to achieve and sustain**

- A school climate that supports diversity and the free exchange of ideas,
- High standards for personal growth and development,
- A community based on sound moral principles, and
- The safety and good health of every student.

### **Day-to-Day Conduct**

- An intentionally diverse community can present opportunities and challenges involving race, class, gender, gender identity and expression, religion, sexuality, differing abilities, or any other core issue of identity. In order to attain these standards, we count on every member of the community to act in a manner that fosters civility, mutual respect, and kindness.
- We expect all relationships to be healthy, safe, and respectful. All community members should address one another using chosen first names for students and title and last name for adults.
- We encourage everyone to give a warm welcome to newcomers and guests, to be generous and supportive to others, and to be open to new and different ideas or ways of doing things.
- We expect everyone in their speech, writing, and behavior to avoid vulgarity and obscenity, to avoid inappropriate public displays of affection, and to avoid hateful, hurtful, or unwelcoming discourse that singles out any individual or group in our community.

- We insist that no one should intrude without an invitation to do so on another person's privacy, nor use or borrow another person's property without the owner's explicit permission.

On a personal, individual level, we expect all students to practice a lifestyle that will allow them to be the best versions of themselves at all times. Some specifics include:

- Practicing good grooming and hygiene, following the dress code, and representing oneself and the school appropriately
- Maintaining proper health and safety protocols to support the well-being of our community
- Taking proper care of one's living space if a boarder and, for all students, of personal belongings including books, athletic gear, and school supplies
- Attending and arriving on time for all required appointments including classes, assemblies, athletics, required meals, and appointments with teachers, health care providers, and administrators
- Meeting the expectations laid out by administration, faculty, and the Community Guide for daily comportment and use of time
- Responsibly attending to procedures and expectations for students such as properly signing in and out and obtaining permission to take a weekend
- Checking email and messages at least once a day and responding in a timely fashion

Students should expect to receive reminders or coaching from faculty members when they fall short of these day-to-day standards for conduct. Repeated problems may result in a meeting with the advisor or a dean, restrictions, or assignment to weekend payback study hall and/or community work duty. Persistent conduct that is incompatible with these day-to-day standards will be considered a major rule violation and the response is described below.

## **Dress Code**

As in any community, there are different ways to dress for different occasions. We expect students to understand and demonstrate this in the way they dress for class, formal dinners and sports/leisure activities.

## **Hats and Hoods**

Hats and hoods should not be worn in any building other than dormitories and the field house.

## **Cell Phones, Earphones, and Earbuds**

Because cell phones, earphones, and earbuds limit how a student is able to interact with others in the community, we expect that in community settings students engage with their peers and the faculty without the impediment of cell phones, earphones, and earbuds. This includes, but is not limited to, the Sanborn Family Library, Hanscom Hall, McLaughlin Science Center, The Art Cottage, Bingham Hall, the IDEAS center, Ordway Hall (including the serverly and Clough Dining Room), unless given specific permission by a faculty/administrator to do so. Any violation of this policy may result in the confiscation of these device(s). Students will need to see the Dean of Students to retrieve their device(s).

Students are required to register their cell phone numbers with the Registrar and update any changes.

## **Classroom Dress**

Classroom Dress is required from the start of an academic day until the end of the last class in all academic buildings including Hanscom Hall, McLaughlin Science Center, Bingham Hall, The Art Cottage, and Ordway Hall during lunch. Students who arrive to a class or assembly not in Classroom Dress will be sent back to the dorm or their locker to change. All classroom dress is expected to be in good repair, without rips, tears, or holes, and otherwise neat.

## **The following are acceptable options for classroom dress:**

### **Tops**

- blouses
- collared shirts
- turtlenecks (mock and regular)
- Henleys
- Gould sweatshirts
- knit sweaters
- fleeces

### **Bottoms**

- pants/slacks (khakis, jeans, corduroys, dress slacks, Carhartts)
- skirts (mid-thigh or longer in length)
- dresses (mid-thigh or longer in length)
- shorts (5-inch inseam minimum)

### **Shoes**

- dress shoes, sneakers, boots or leather/dress sandals

## **Unacceptable items for classroom dress:**

### **Tops**

- t-shirts (unless worn as an undershirt), including Gould t-shirts
- shirts that reveal skin of the torso (back, midriff, side, and lower chest) including tank tops, halter tops, and off the shoulder tops
- non-Gould sweatshirts (with or without a hood)
- outerwear jackets and coats within the classroom

### **Bottoms**

- sweatpants, including Gould sweatpants
- yoga pants
- leggings/jeggings (leggings may be worn only if a skirt or dress of the correct length is worn over them)
- pajama bottoms
- athletic apparel (shorts, sweatpants, track suits, warm-ups)

### **Shoes**

- shower sandals, athletic sandals, plastic flip flops

## **Formal Dress**

At this time, formal attire will not be required at any school event. When it is safe and feasible to gather in larger groups, like formal dinner, students' are asked to dress in formal business attire. There are other events, primarily dances, that provide students with an opportunity to dress up. These are the expectations for formal dress:

### **The following are acceptable for formal dress:**

- dresses (mid-thigh or longer in length)
- blouses, dress slacks/khakis or skirts (mid-thigh or longer in length)
- collared shirts/dress shirts, coat, tie, dress slacks/khakis,
- dress shoes are preferred
- traditional formal wear from other cultures

### **The following are not acceptable for formal dress:**

- any article of clothing that reveals skin of the torso (lower back, lower chest, midriff, side) including tank tops, halter tops, and off the shoulder tops
- rompers or shorts (even when worn with formal shoes and knee socks)
- dresses and skirts that do not reach mid-thigh
- any shoe that does not meet the expectations of classroom dress

Students who arrive to a formal gathering not in Formal Dress will be sent back to the dorm or to their locker to change.

## **Timeliness and Attendance**

Timeliness and attendance at community events are part of basic daily expectations for all students. Assignment to payback study hall will be determined by the Dean of Students or the Associate Dean of Students for accrued tardies or absences from community and daily events such as assembly, formal dinner, and ninth and tenth grade breakfast. A student may not reschedule or miss a payback study hall commitment more than twice; doing so will result in a Judiciary Committee.

Unexcused absences from classes or athletics and co-curricular activities are not acceptable and, in addition to an assignment to payback study hall, will result in disciplinary action as follows:

1. The consequence for the first unexcused missed class or practice will result in a conversation with the advisor.

2. The second unexcused class or practice will result in a meeting with the advisor and Dean of Students. This will include a call to parents.
3. The third unexcused class or practice will result in a formal Judiciary Committee meeting. The official response will be determined per the committee's recommendation.

Any subsequent unexcused absences beyond three will warrant the recommended actions of the last Judiciary Committee and may include another Judiciary Committee per the discretion of the Dean of Students.

### **Consent and Intimacy Policy**

During high school, adolescents are developing physically, emotionally, and socially at different rates. The appropriateness of sexual conduct is a personal decision, which involves both the individual student and their family. The school encourages students to respect themselves and each other in making decisions regarding sexual conduct. When students are considering sexual activity, they must agree to guidelines that cultivate mutual respect and establish consent by each party in every instance. Consent is an affirmative agreement; consent cannot be inferred from the absence of a “no.” A clear verbal consent – through affirmative words – is necessary to engage in sexual activity.

### **Dormitory Visitation Policy**

Our current housing structure operates under a binary system of boys' and girls' dorms. In order to promote healthy relationships, we have created rules that govern visits between students of different genders. While under normal circumstances, students are not allowed inter-visitations, we occasionally hold “open dorms.” During these times students are allowed, with specific permission, to visit restricted areas and dorm rooms of members of a different gender. During “open dorms” students are expected to keep the door of the room fully open and behave in a way that would not make others uncomfortable.

In an effort to make our dormitory visiting policies as equitable and inclusive as possible with respect to our LGBTQ+ students and anyone involved in non-heterosexual relationships, our hope is that students engaged in non-heterosexual intimacy will discuss their relationships privately with their Dorm Head and, when possible and appropriate, adhere to our room visiting policies.

## Major Rules

The interpretation of the provisions of this Code of Conduct, including, and without limitation, the meaning of any Principal or Cardinal Rule and the application of the rules to the facts in any case are entirely within the discretion of the Head of School, or their designee; the Assistant Head of School for Teaching and Learning; the Dean of Students; the Associate Dean of Students; a Judiciary Committee; and the faculty. Their interpretation will be final and binding.

When it is suspected that a major rule has been broken, the Dean of Students, or their designee, will conduct an investigation to determine if the matter warrants a judiciary response. The expectation is that students will cooperate fully with the investigation. Every effort will be made to have the student's advisor, or a representative, aware and/or present during all stages of the investigation.

Students should be aware that some violations of school rules also constitute violations of state and federal laws, and in such circumstances, Gould will meet its reporting requirements to authorities.

## Principal Rules

The violations listed below are considered very serious and go beyond the matter of simply conforming to day-to-day expectations. These behaviors are seriously detrimental to the aims of the school as listed at the beginning of this section on the Code of Conduct. They include:

- Acts of dishonesty such as academic dishonesty, lying, cheating, theft, or fraud
- Violation of the Gould Academy Acceptable Use Policy (see attachment), including actual or attempted denial of service, violation of privacy, harassment or vandalism
- Being out of school bounds after hours (see map in the Community Guide under "Daily Life")
- Being out of town bounds (see map in Community Guide under "Daily Life")
- Being out of the dormitory after hours

- Entry into unauthorized and/or unsafe spaces including, but not limited to, attics, rooftops, cupolas, and locked buildings and areas
- Violation of the Dormitory Visitation Policy
- Aiding unauthorized access to a dormitory or other restricted space
- Possession of unauthorized school keys or access cards or fobs
- Tampering with emergency alarms or equipment
- Careless disregard for the safety of people or property, including the use of any weapon-like device (e.g. airsoft, pellet, or paintball guns, or any item that might reasonably be perceived to be a weapon)
- Persistent absence or tardiness
- Persistent or serious violation of standards for day-to-day conduct as enumerated in the Code of Conduct and throughout the Community Guide
- Abuse or destruction of property
- Presence at the violation of any Cardinal rule
- Willful or extreme insubordination
- Harassment, assault, or abuse of others be it physically, verbally or sexually
- Violation of the Student Sexual Misconduct Policy
- Conduct unbecoming a Gould student
- Expressing, sending, publicizing or distributing mean-spirited, inflammatory and/or derogatory remarks about any member of the community by any means

These offenses may result in dismissal from school, the imposition of warning of probation status, or the imposition of probation A student who commits a principal rule violation while already on warning of disciplinary probation will most likely face an extension of warning of probation, probation, or even dismissal. A student who commits a principal rule violation while already on disciplinary probation will most likely face an extension of probation or dismissal.



## Cardinal Rules

The violations listed below are completely contrary to the aims of the school described above. These behaviors, even on a first offense or for a student who otherwise has a good record, call into question whether it is appropriate for a student engaging in them to remain at Gould. They include:

- Major and/or repeated acts of dishonesty such as academic dishonesty, lying, cheating, theft, or fraud
- Violation of the Gould Academy Acceptable Use Policy (see attachment), including actual or attempted denial of service, violation of privacy, harassment or vandalism
- Unauthorized use of a car or riding in a car without permission, or the possession or harboring of an unauthorized car on campus or in the Bethel area
- Entry into unauthorized and/or unsafe spaces including, but not limited to, attics, rooftops, cupolas, and locked buildings and areas
- After-hours entry into a dormitory that is not your own without faculty permission
- Violation of the Dormitory Visitation Policy
- Possession of unauthorized school keys or access cards or fobs
- Tampering with emergency alarms or equipment
- Acts that recklessly compromise the safety of oneself or others
- Persistent absence or tardiness
- Persistent or serious violation of standards for day-to-day conduct as enumerated in the Code of Conduct and throughout the Community Guide
- Smoking or setting fire to any substance inside a building
- Possession, use, transportation, sale, or trading of drugs, alcohol, tobacco, or any other mind-altering/illicit substances (This includes the misuse of prescription medication). Possession, use, transportation, sale, or trading of vaporizer devices, e-cigarettes, e-hookahs, or any other related paraphernalia

- Intentional abuse or destruction of property
- Possession of a firearm, taser, stun gun, conducted electrical weapon, knife or other weapon (While pocket knives of any length are not acceptable, multipurpose tools, like Leathermans or Gerbers, are acceptable.)
- Willful or extreme insubordination
- Serious or persistent harassment, assault, or abuse of others be it physically, verbally or sexually
- Violation of the Sexual Misconduct Policy
- Conduct unbecoming a Gould student
- Expressing, sending, publicizing or distributing mean-spirited, inflammatory and/or derogatory remarks about any member of the community by any means

These offenses may result in dismissal from school or the imposition of disciplinary probation. A student who commits a cardinal rule violation while already on disciplinary probation will be recommended to the Head of School, or their designee, for dismissal from school. A student who commits a principal rule violation while already on warning of disciplinary probation will most likely face probation or dismissal.

**All of the major rules above (Principal and Cardinal) apply to use of the Internet, local area network, and any related information technologies, in which all persons should enjoy the same intellectual property rights, as well as freedom from abuse, harassment, and bullying, that they enjoy elsewhere. While it is Gould's practice to respect the privacy of an individual's communications and work products, all persons utilizing the Gould network should understand that there is no right to privacy regarding information that is stored or transmitted via Gould's network.**

**Gould expects students who are away from campus to behave as they are required to on campus. Gould may hold students accountable for their off-campus conduct in appropriate ways, including a judiciary response.**

It is important to bear in mind that stricter standards of behavior than those provided by law may apply under Gould Academy's policies in order that we may prevent inappropriate

verbal and physical conduct. For example, although the law defines bullying as “repeated use” of certain expressions, acts, and/or gestures, Gould reserves the right to apply disciplinary measures and other corrective action in a case of a single expression, act, or gesture, if it is determined that it is of sufficient severity to warrant disciplinary measures or other remedial action. Conduct need not meet any specific legal definitions to violate Gould’s expectations for appropriate behavior.

### **Response to Major Rule Violations**

When a student is suspected of violating one or more of the major rules, the Dean of Students usually conducts an investigation and brings the facts of the case to a Judiciary Committee, which normally consists of three student leaders, three faculty members, and a moderator. The Committee interviews the student and their advisor. Upon completing its deliberations, the Committee is empowered to place the student on warning or probation status. Cases involving recommendations of probation or more severe consequences are referred to the faculty by the Judiciary Committee. Based on the Committee’s recommendation, the faculty discusses the situation. A recommendation for the school’s response is made to the Head of School by the vote of the faculty. While a simple majority of faculty is needed to send most recommendations to the Head of School, a two thirds majority is needed to send a recommendation of dismissal to the Head of School. All decisions are subject to final approval by the Head of School, or their designee.

A student’s prior disciplinary record may be considered in the deliberation process of the Judiciary Committee and the faculty.

It should be noted that at the end of term as student leaders and faculty are busier than normal and should not be distracted from their academic expectations. In these cases, the Dean of Students will convene a smaller group as the Judiciary Committee. This group will likely consist of The Dean of Students and the Associate Dean of Students, or their designees, and one student leader. This group will meet with the student and their advisor. A recommendation will be presented to the Head of School, or their designee, to determine the outcome.

The Head of School, or their designee, reserves the right to remove any case from the regular judiciary proceedings at any stage and move it to a modified process. This may occur in cases that involve harm to others, sexual misconduct, potential threats to the

community, or when pertinent information to the case is too sensitive to present to student leaders and the full faculty. Additionally, this may occur in cases where law enforcement or other government agencies are conducting an official investigation. Upon completion of an internal investigation, a report of the factual findings, rationale, and conclusions will be submitted to the Head of School, or their designee, who will then convene the Executive Judiciary Committee to make the final determination as to what, if any, action or disciplinary measures should be taken. The Head of School will appoint an Executive Judiciary Committee at the beginning of the school year; for the school year of 2019-2020 the committee was comprised of the Associate Head of School, the Dean of Students, the Dean of Community Life, the Director of Advising and Wellness, and the Associate Dean of Students. Students involved in the investigation will be notified if they have consequences.

All documents pertaining to the investigation, including the final report, are internal and will not be shared outside of the Executive Judiciary Committee, Head of School, an Appeals officer (if necessary), the parties, and their parents/guardians for the investigation. All parties and their parents/guardians will be required to sign a non-disclosure agreement prior to reviewing the report and evidence.

## **Appeals**

All parties will be allowed to appeal the decision regarding responsibility, and from a recipient's dismissal of a formal complaint or any allegations therein, on the following bases:

- (A) Procedural irregularity that affected the outcome of the matter;
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- (C) Investigator(s), or decision-maker(s) had a conflict of interest that affected the outcome of the matter.

Any Appeals must be made in writing within 10 calendar days of receipt of the Executive Judiciary Committee's decision. The parties will have 3 calendar days to lodge an Intent to Appeal in writing. The decision will go into effect at the end of this 3-day period, unless an Intent to Appeal is filed. If an Intent to Appeal is filed, the students will have the balance of

the 10-day period to file an Appeal. If an Appeal is not filed within the 10-day period, or the Intent to Appeal is withdrawn, the decision of the Head of School becomes final immediately.

Intent to Appeal notices and Appeals must be submitted in writing to the Appeals Officer, Brad Clarke, Assistant Head of School for Teaching and Learning, who will make a determination if the Appeal has merit. If the Appeal is found to have merit, the Appeals Officer will return the matter to the Executive Judiciary Committee with a written explanation of the rationale for the Appeal to be accepted and instructions for the committee for reviewing their decision. After the committee reviews the incident and the Head of School, or their designee, makes a determination, their finding will be reviewed by the Appeals officer to be sure that they have appropriately taken the rationale for Appeal into account in their new finding.

### **Consequences for Major Rule Violations**

Students are placed on warning of probation or probation for a set term. During this term, the student meets with the Dean of Students, Associate Dean of Students, or designee periodically to review the student's record and progress. This review includes consideration of information such as evening reports from the dormitory, attendance records, and classroom behavior and demeanor. Advisors may sometimes be included in the meetings. At the end of the assigned term, the Dean, or their designee, will determine whether to end or extend the disciplinary status or recommend some other action including extending the status, a move to probation or warning of probation, suspension, or dismissal.

Any student placed on probation during a school year will not be eligible to apply for leadership positions. However, there is an appeal process for students wishing to be considered.

If the Dean of Students, or their designee, determines, in their discretion, that a student, while on disciplinary probation, has violated a Cardinal Rule, that student will be referred directly to the Head of School for dismissal from school.

The Head of School reserves the right, at their sole discretion, to remove any student from the community without going through the usual disciplinary process. This removal may be temporary or permanent.

## **Withdrawal and Dismissal**

Should a student withdraw during the course of a disciplinary investigation involving their conduct, their transcript will state, “Withdrawn During Disciplinary Investigation.” Should a student withdraw after the school determines the student violated the Code of Conduct, the transcript will state “Withdrawn with Discipline Pending.” A “Withdrawn with Discipline Pending” may occur up until the point that the Head of School, or their designee, makes a determination on the final consequences resulting from the violation. Students who have “Withdrawn During Disciplinary Investigation,” “Withdrawn with Discipline Pending,” or who have been “Dismissed” need to leave campus immediately and are not welcome back on campus without express, written permission from the Head of School or the Assistant Head of School for Teaching and Learning.

## **Transferring and Applying to Other Institutions**

When a student leaves Gould with a transcript stating “Withdrawn During Disciplinary Investigation,” “Withdrawn with Discipline Pending,” or “Dismissed,” it is the obligation of the student and the student’s family to disclose, during the application process to secondary schools or post-secondary institutions, the details of their disciplinary history at Gould Academy.

Gould may, upon request from academic institutions and/or at its sole discretion, disclose the circumstances surrounding the student’s departure. If it comes to Gould’s attention that the student or the student’s family has provided misleading or inaccurate information to secondary schools or post-secondary institutions, Gould may, at its sole discretion, clarify the circumstances surrounding the student’s disciplinary consequences or departure.

## **Alcohol, Tobacco, and Drug Policy**

Gould Academy does not permit, sanction, or condone student use of alcohol, tobacco or any mind-altering/illicit drugs or paraphernalia or the misuse of prescription medications. Any possession/use of illicit paraphernalia, including, but not limited to, vaporizer devices, e-cigarettes, and e-hookahs, will automatically result in a drug violation. Any student placed on probation for an offense involving alcohol, tobacco, or drugs will be subject to random drug screening at the family's expense for a period of one calendar year. A positive test for alcohol, tobacco or drugs will almost certainly result in dismissal from school. In addition, any student placed on probation for alcohol, tobacco or drugs will be required to follow all recommendations of the Director of Health Service, which may include a leave of absence for the purpose of an alcohol/drug evaluation, an extended leave for the purpose of treatment, or counseling at the family's expense while in attendance at Gould. Any student who has been placed on probation for an alcohol, tobacco, or drug violation and who commits a subsequent alcohol, tobacco, or drug-related offense within two consecutive school years will almost certainly be dismissed from school.

If a student has concerns about their own involvement with alcohol, tobacco, and/or drugs, or that of a friend, support services are available through the nurses and counseling team. Students are encouraged to utilize the avenues of support before an actual disciplinary offense is committed. The school's intention is to encourage students to come forth to deal with chemical use issues and to discourage experimentation and use. The school sponsors programs to raise awareness and educate our community about the personal and social health hazards involved with chemical abuse.

Gould Academy reserves the right to require a student suspected of alcohol, tobacco, or drug use to submit to a supervised urine drug test by the Health Center staff and to utilize test results for disciplinary or medical purposes as appropriate. Any student found in the presence of drugs, alcohol, tobacco, or paraphernalia will also be required to submit to a supervised urine drug test. Any spaces, such as dorm room, locker, bookbag, pockets, etc., controlled by a student found in the possession or presence of drugs, alcohol, tobacco, or paraphernalia will also be searched. **Gould will treat a student's first tobacco offense as a health warning rather than a disciplinary violation. Subsequent tobacco offenses will be treated as cardinal rule violations. If a student is already on drug/alcohol status, the first offense will be treated as a cardinal rule violation and will likely result in dismissal.**

Families should know that student violations of the laws concerning alcohol, tobacco, and other drugs may be discoverable by law enforcement agencies and that the school will cooperate fully with any law enforcement investigation of and response to these violations. It is the county district attorney's policy to issue, without exception, citations in all cases involving illegal student involvement with alcohol, tobacco, or other drugs. It is the student and family's responsibility to know and understand Maine's laws governing the purchase, use, and sale of all alcohol, tobacco, drugs, and paraphernalia.

### **Harassment Policy**

Harassment is defined as unwelcome or uninvited sexual advances, requests for sexual favors, and other forms of written, verbal, or physical conduct, sexual or nonsexual, that have the purpose or effect of unreasonably interfering with a person's school performance or creating an intimidating, hostile, or offensive school environment for that person. Students who feel that any member of the Gould community has subjected them to harassment should report the matter to their advisor, to any member of the faculty with whom they feel comfortable, to the Dean of Students, to the Head of School, or the Assistant Head of School for Teaching and Learning.

### **Retaliation**

Retaliation for reporting a rule violation, taking part in a disciplinary investigation, or the perceived act of taking part in an investigation is prohibited. Any student engaging in retaliation, including through electronic means or through social media, will face discipline.

### **Interim Title IX Sexual Harassment Policy**

Gould Academy strives to be a safe and supportive environment that cultivates learning and personal growth for all of its students. All forms of sexual harassment, including but not limited to sexual assault, interfere with this critical mission and will not be tolerated. Gould will take prompt and appropriate action to investigate allegations of sexual harassment, prevent, and correct behavior both by employees and students that violates this policy. After a thorough investigation, Gould reserves the right to take disciplinary action against students found to be in violation of the Sexual Harassment Policy.



This policy applies to student sexual harassment that occurs on campus or at any school-related events or activities in the United States. Gould reserves the right to address sexual harassment that takes place off campus and outside the school year under our Sexual Misconduct Policy if such conduct causes a substantial disruption to or endangers the safety of the campus community or any of its members.

The group of people responding to an allegation of Sexual Harassment at Gould Academy is made up of individuals including those responsible for investigation, discipline, providing access to services and support for all parties, and other related duties. The delineation of this group allows the school to operate in a clear and consistent manner, and allows the school to provide a fair, prompt, and equitable process for all parties.

Title IX Sexual Harassment Response Coordinator for Gould Academy: Provides coordination for the prevention and response strategy for Gould Academy. Provides guidance to a sexual misconduct investigation. Answers questions of policy and procedure

- Deborah Menezes, Title IX Coordinator and Director of Human Resources

Title IX Sexual Harassment Response Investigators: Focuses on executing an equitable and standardized investigation process

- Denise Manning, Dean of Students
- Colin Penley, Associate Dean of Students

Student Support Coordinator: Provides access to resources and supports for the students involved in the process

- Joanna Brown, Director of Health Services

Title IX Judiciary Committee Members:

- Robert Manning, Dean of Community Life
- Katie Stack, Director of Advising and Wellness
- Other administrator(s) and/or faculty

Title IX Sexual Harassment Decision-Making Officer: Hears discipline recommendations from the Title IX Judiciary Committee that hears the case

- Tao Smith, Head of School

Title IX Sexual Harassment Appeals Officer: Determines whether an appeal may be considered

- Brad Clarke, Assistant Head of School for Teaching and Learning

As Gould is a small community, the Title IX Coordinator will assess this group for bias at the beginning of any investigation, and, in consultation with other members of the group, appoint other people to roles as needed.

## **Understanding Sexual Harassment**

**Sexual Harassment** is a broad term used to describe a range of prohibited behaviors. Sexual Harassment is defined under Title IX as conduct on the basis of sex that satisfies one or more of the following:

- (1) An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct;
- (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 the recipient's education program or activity; or
- (3) "Sexual assault," "dating violence," or "stalking" as defined below.

Educational program or activity includes locations, events, or circumstances over which the institution exercises substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned by the institution.

**Sexual Assault - Unwanted sexual contact - with or without force:** Unwanted sexual touching without the effective consent of the person being touched; this includes unwanted touching, however slight, with one's body or with an object, up to but not including penetration.

Examples of unwanted sexual contact include, but are not limited to: unwanted kissing; and touching or grabbing someone's breasts, buttocks or genitalia over or under clothing. Force includes the use of physical violence, threats, intimidation, and/or coercion.

**Sexual Assault - Non-consensual sexual penetration - with or without force:**

Penetration of another person's mouth, anus, or vagina, no matter how slight, with any object or body part without effective consent and/or with the use of force.

**Sexual intimidation:** Persistent, unwanted, and repeated attention through any means, based on gender, gender identity, or expression that causes the targeted student to fear for safety.

**Sexual exploitation:** Electronically recording, photographing, or disseminating images of intimate body parts without the effective consent of the parties or spying on private sexual activity of others, or allowing a third party to observe sexual activity without effective consent of all parties.

**Sexting:** Sending, sharing, viewing, or merely possessing sexually explicit images and messages, text messages, emails, or other materials via a computer, digital device, or cell phone.

**Stalking:** a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for their safety or the safety of others; or
- Suffer substantial emotional distress

**Dating violence:** threatening or abusive behavior that can be physical or sexual that is intended to control another person where the parties are or were in a dating, romantic, or sexual relationship

**Effective Consent** is the knowing, voluntary, and mutual decision among all participants to engage in sexual activity. Gould has the expectation that all consent is affirmatively given, please see Gould's **Consent and Intimacy Policy** above. Consent can be given by words that create clear permission regarding willingness to engage in the specific sexual activity. Silence, or lack of resistance, in and of itself, does not demonstrate consent. Consent must be ongoing and can be revoked at any time. When consent is withdrawn or can no longer be given, sexual activity must stop. An individual's consent to one type of sexual act or to prior sexual activity does not mean that they consent to any other sexual act. Consent cannot be obtained by threat, intimidation, coercion, or physical force. Agreement under

such circumstances does not constitute consent. Consent cannot be obtained from someone who is under the age of consent, asleep or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. The age of consent in Maine is 16.

It is important not to make any assumptions about consent. Relying solely on nonverbal communication can lead to misunderstandings. If there is any confusion or uncertainty about whether an individual is consenting to sexual activity, it is incumbent upon the individual initiating the sexual activity, to stop and clarify the other individual's willingness to continue.

**Incapacitation:** Defined as the use of drugs and/or alcohol that prevents an individual from having the physical or mental ability to make informed, rational judgments. Signs of incapacitation include, but are not limited to, the inability to speak coherently, confusion on basic facts, inability to walk unassisted, and/or passing out.

## **Reporting Sexual Harassment**

Students who believe they have been victims of sexual harassment should seek help immediately from their parents and/or any trusted adult on campus, including the Head of School, the Assistant Head of School, a dean, a school nurse, or faculty member. *Students should call 911 or contact the Administrator on Duty if they need or witness a need for immediate police and/or medical attention.*

Persons must report sexual harassment, either verbally or in writing, to the Title IX coordinator, Deborah Menezes, Director of Human Resources. Ms. Menezes' office is on the second floor of Park-Mason House and her office phone number is 207-824-7797. When reporting an incident, it is helpful to provide as much information as possible, including the following:

1. A description of the event
2. The number of occurrences, with dates and places
3. The names of any witnesses
4. Any documents or other materials that are related to the event

The Title IX Coordinator will do a preliminary investigation to determine if there is a violation of our Sexual Harassment Policy. If there is a potential violation of this policy, the Title IX coordinator will determine if supportive measures need to be put in place, what the initial scope of the investigation will be, and assign an investigator. If it is determined that the Sexual Harassment Policy has not been violated, the Title IX coordinator will refer the allegation(s) to the Dean of Students to determine whether there has been a violation of the Sexual Misconduct Policy.

In addition to potentially violating Gould's policies, certain sexual activity may also violate the law. In certain circumstances, Gould may be obligated to report the conduct to DHHS and/or the District Attorney under the state mandatory reporting law. In accordance with Maine law, Gould will report to DHHS and the District Attorney if it knows or has reasonable cause to suspect that a student under the age of 18 has been abused or is likely to be abused. Persons may also report a sexual assault directly to the Oxford County Sheriff. (The phone number for the Oxford County Sheriff's Department is 207-743-9554.)

However, Gould's responsibility to investigate Title IX violations is not abrogated by a report to law enforcement, the District Attorney, or DHHS. Gould will continue to investigate in a fair, prompt, and impartial manner any allegations of sexual harassment or misconduct.

### **Gould's Response to Sexual Harassment**

Gould treats all reports of sexual harassment seriously with the well-being of all of its students as the first priority. Gould will promptly notify in writing the parents of students who are reported to have experienced and/or engaged in sexual harassment. Following a report of sexual harassment, Gould will conduct its own investigation using an internal or external investigator in order to ensure the safety of its campus community and to determine whether disciplinary action is warranted. This investigation is separate from any investigation that might be conducted by law enforcement. Gould may delay its investigation for a reasonable amount of time to allow for law enforcement to interview witnesses and collect evidence. However, a report of criminal activity to law enforcement will not stop Gould's investigation process.

### **Requests for Confidentiality**

Gould cannot honor requests for complete confidentiality because information must be shared in order to conduct an effective investigation and/or to comply with mandatory reporting laws. However, Gould will treat information it receives regarding sexual harassment with sensitivity and will only disclose such information on a need-to-know basis. If a reporting party requests confidentiality and/or that Gould not investigate, Gould may still need to investigate the allegations in order to ensure the safety of the entire campus community.

### **Amnesty Policy in cases of Sexual Harassment**

Gould recognizes that a student in violation of major school rules at or near the time of an incident of sexual harassment may be hesitant to report the misconduct due to the fear of potential disciplinary consequences. The intent of the Amnesty Policy is to encourage students to feel comfortable sharing information fully with investigators. Under the Amnesty Policy, any student who reports an incident of sexual harassment, or is interviewed in conjunction with an investigation into sexual harassment, will be granted amnesty for policy violations, including alcohol, drug or whereabouts violations.

Such policy does not prevent the school from addressing the policy violation with the student for Health and Safety purposes; however the student will not face disciplinary action for the violations.

### **Interim Measures**

The Title IX Coordinator, or designee, shall determine whether interim measures are necessary pending the results of a sexual harassment investigation. Interim measures may include academic accommodations such as a change to class schedule, residential accommodations, such as a change in housing, and changes to meal time, sports or activities. Interim measures may also include medical or counseling services, a mutual non-contact directive, and/or a voluntary or mandatory leave from school for a period of time. Any supportive interim measures will be offered to all parties who are involved in the investigation.

### **Investigation Process**

Promptly following a report of sexual harassment, Gould will conduct its own investigation in order to determine the facts surrounding the reported incident. Investigations may be conducted by an internal investigator trained in Title IX investigations or an external investigator depending on the nature of the report. The investigation may include, but is not limited to, interviews of those individuals directly involved in the incident and relevant witnesses, and collecting any and all documents and any other evidence bearing on the incident. Both parties will have equal opportunity and right to present inculpatory and exculpatory evidence that is directly related to the investigation. More than one interview of student parties and witnesses may be necessary in order to conduct a thorough investigation. Student parties are permitted to select an advisor: a parent/guardian, lawyer, friend or witness, or trusted adult from within the Gould community present as support during their interviews. While the student selected advisor may speak to the student in private, during the interview, that selected advisor will refrain from interjecting, answering questions, or taking part in the interview in any way, except to ask for a break or an opportunity to speak with the student.

Upon completion of the investigation, the investigator will analyze all the information for relevancy and will compile a written report of the factual findings that pertain to the incident. This report, along with all the evidence that is directly related to the incident, will be shared with all parties involved in the incident, their parents/guardians, and their selected advisor for the investigation. Parties, parents/guardians and selected advisor will be required to sign a non-disclosure agreement prior to reviewing the report and evidence. Parties will have 10 calendar days to respond to the report before it is finalized. Concurrently, during this 10 day period, the school will “afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide [the responses,] and allow for additional, limited follow-up questions from each party.” After the 10 day period, the investigator will promptly review the report and written responses and issue a final report or written notice that the investigation will continue. If the investigation continues, parties will again have 10 days to respond to a new report.

The final report will be given to the Head of School, or their designee, who will convene the Title IX Judiciary Committee to make the final determination as to whether it is more likely than not that the reported conduct occurred, based upon a preponderance of evidence, whether disciplinary action is warranted, and what, if any, action or disciplinary measures should be taken. If any of the members of the Title IX Judiciary Committee have been involved in the investigation as an investigator, appeals officer, selected advisor, or advisor,

they will not sit on the committee for this incident. Students and their parents/guardians involved in the investigation will be notified in writing of the findings of the Title IX Judiciary Committee and the determination of the Title IX Sexual Harassment Decision-Making Officer.

All documents pertaining to the investigation, including the final report, are internal and will not be shared outside of the Title IX Sexual Harassment Decision-Making Officer, Title IX Judiciary Committee, the Title IX Coordinator, the Title IX Sexual Harassment Appeals Officer (if necessary), the parties, parents, and their selected advisor for the investigation.

## **Appeals**

All parties will be allowed to appeal the decision regarding responsibility, and from a recipient's dismissal of a formal complaint or any allegations therein, on the following bases:

- (A) Procedural irregularity that affected the outcome of the matter;
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- (C) The Title IX Coordinator, investigator(s), or decision-maker(s) 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.

Any Appeals must be made in writing within 10 calendar days of receipt of the Title IX Sexual Harassment Decision-Making Officer's decision. The parties will have 3 calendar days to lodge an Intent to Appeal in writing. The decision will go into effect at the end of this 3 day period, unless an Intent to Appeal is filed. If an Intent to Appeal is filed, the students will have the balance of the 10 day period to file an Appeal. If an Appeal is not filed within the 10 day period, or the Intent to Appeal is withdrawn, the decision of the Head of School becomes final immediately. If an Appeal is lodged, the decision is stayed through the appellate process.

Intent to Appeal notices and Appeals must be submitted in writing to the Appeals Officer, Brad Clarke, Assistant Head of School for Teaching and Learning, who will make a determination if the appeal has merit. If the Appeal is found to have merit, the Appeals



Officer will return the matter to the Title IX Judiciary Committee with a written explanation of the rationale for the Appeal to be accepted and instructions for the committee for reviewing their decision. After the committee reviews the incident and the Head of School, or their designee, makes a determination, their finding will be reviewed by the Appeals officer to be sure that they have appropriately taken the rationale for Appeal into account in their new finding.

### **Retaliation**

Retaliation for reporting about sexual harassment or participating in an investigation or disciplinary proceeding involving a report of sexual harassment is prohibited. Any student engaging in retaliation, including through electronic means or through social media, will face discipline.

### **Abuse of Process/False Complaints**

Because allegations of sexual misconduct are serious and can be damaging to accused persons' reputations, any person who knowingly, maliciously, or recklessly makes a false complaint will be subject to discipline. In addition, because candor and honesty are essential to the investigation and remediation process, students and employees are expected to cooperate fully in an investigation conducted by Gould.

### **Additional Resources for Students**

Students may want to speak with adults outside of Gould for support regarding sexual harassment/misconduct. There are several resources in the area for victims of sexual misconduct listed below.

### **Sexual Misconduct Policy**

Gould Academy strives to be a safe and supportive environment that cultivates learning and personal growth for all of its students. All forms of sexual misconduct, including but not limited to sexual assault, interfere with this critical mission and will not be tolerated. Gould will take prompt and appropriate action to investigate allegations of sexual misconduct, prevent, and correct behavior both by employees and students that violates

this policy. After a thorough investigation, Gould reserves the right to take disciplinary action against students found to be in violation of the Sexual Misconduct Policy.

This policy applies to student sexual misconduct that occurs on campus or at any school-related events or activities. Gould reserves the right to address incidents that take place off campus and outside the school year under our Sexual Misconduct Policy if such conduct causes a substantial disruption to the educational process on campus or endangers the safety of the campus community or any of its members.

As Gould is a small community, the Dean of Students, in consultation with the Head of School and other members of the administration, will assess the faculty who will be involved in this process at the beginning of any investigation and appoint people to roles as needed to avoid conflicts of interest.

### **Understanding Sexual Misconduct**

**Sexual Misconduct** is a broad term used to describe a range of prohibited behaviors. Sexual misconduct under this policy includes, but is not limited to: unwanted sexual contact, with or without force; non-consensual sexual penetration, with or without force; sexual intimidation; sexual exploitation; sexting; stalking; and dating violence.

**Unwanted sexual contact - with or without force:** Unwanted sexual touching without the effective consent of the person being touched; this includes unwanted touching, however slight, with one's body or with an object, up to but not including penetration.

Examples of unwanted sexual contact include, but are not limited to: unwanted kissing; and touching or grabbing someone's breasts, buttocks or genitalia over or under clothing. Force includes the use of physical violence, threats, intimidation, and/or coercion.

**Non-consensual sexual penetration - with or without force:** Penetration of another person's mouth, anus, or vagina, no matter how slight, with any object or body part without effective consent and/or with the use of force.

**Sexual intimidation:** Persistent, unwanted, and repeated attention through any means, based on gender, gender identity, or expression that causes the targeted student to fear for safety.

**Sexual exploitation:** Electronically recording, photographing, or disseminating images of intimate body parts without the effective consent of the parties or spying on private sexual activity of others, or allowing a third party to observe sexual activity without effective consent of all parties.

**Sexting:** Sending, sharing, viewing or merely possessing sexually explicit images and messages, text messages, emails, or other materials via a computer, digital device or cell phone.

**Stalking:** a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for their safety or the safety of others; or
- Suffer substantial emotional distress

**Dating violence:** threatening or abusive behavior that can be physical or sexual that is intended to control another person where the parties are or were in a dating, romantic, or sexual relationship.

It is important to bear in mind that stricter standards of behavior than those provided by law may apply under Gould Academy's policies in order that we may prevent inappropriate conduct, if it is determined that it is of sufficient severity to warrant disciplinary measures or other remedial action. Conduct need not meet any specific legal definitions to violate Gould's expectations for appropriate behavior.

**Effective Consent** is the knowing, voluntary and mutual decision among all participants to engage in sexual activity. Gould has the expectation that all consent is affirmatively given, please see Gould's **Consent and Intimacy Policy** above. Consent can be given by words that create clear permission regarding willingness to engage in the specific sexual activity. Silence, or lack of resistance, in and of itself, does not demonstrate consent. Consent must be ongoing and can be revoked at any time. When consent is withdrawn or can no longer be given, sexual activity must stop. An individual's consent to one type of sexual act or to prior sexual activity does not mean that they consent to any other sexual act. Consent

cannot be obtained by threat, intimidation, coercion, or physical force. Agreement under such circumstances does not constitute consent. Consent cannot be obtained from someone who is under the age of consent, asleep or otherwise mentally or physically incapacitated, whether due to alcohol, drugs, or some other condition. The age of consent in Maine is 16.

It is important not to make any assumptions about consent. Relying solely on nonverbal communication can lead to misunderstandings. If there is any confusion or uncertainty about whether an individual is consenting to sexual activity, it is incumbent upon the individual initiating the sexual activity, to stop and clarify the other individual's willingness to continue.

**Incapacitation:** Defined as the use of drugs and/or alcohol that prevents an individual from having the physical or mental ability to make informed, rational judgments. Signs of incapacitation include, but are not limited to, the inability to speak coherently, confusion on basic facts, inability to walk unassisted, and/or passing out. Incapacitation is viewed from the perspective of a reasonable, sober person.

## **Reporting Sexual Misconduct**

Students who believe they have been victims of sexual misconduct should seek help immediately from their parents and/or any trusted adult on campus, including the Head of School, the Assistant Head of School, a dean, a school nurse, or faculty member. *Students should call 911 or contact the Administrator on Duty if they need or witness a need for immediate police and/or medical attention.*

After an initial report has been made, the Dean of Students, or their designee, will conduct a preliminary interview. It is helpful to provide as much information as possible, including the following:

1. A description of the event
2. The number of occurrences, with dates and places
3. The names of any witnesses
4. Any documents or other materials that are related to the event

A preliminary investigation will be conducted to determine if there is a violation of Gould's Sexual Misconduct Policy. If there is a potential violation of this policy, the Dean of Students, or their designee, will determine if supportive measures need to be put in place, in conjunction with the Director of Health Services; what the initial scope of the investigation will be; and either act as or assign an investigator (who may be internal or external).

In addition to potentially violating Gould's policies, certain sexual activity may also violate the law. In certain circumstances, Gould may be obligated to report the conduct to DHHS and/or the District Attorney under the state mandatory reporting law. In accordance with Maine law, Gould will report to DHHS and the District Attorney if it knows or has reasonable cause to suspect that a student under the age of 18 has been abused or is likely to be abused. Persons may also report a sexual assault directly to the Oxford County Sheriff. (The phone number for the Oxford County Sheriff's Department is 207-743-9554.)

However, Gould's responsibility to investigate violations of the Sexual Misconduct Policy is not abrogated by a report to law enforcement, the District Attorney, or DHHS. Gould will continue to investigate in a fair, prompt, and impartial manner any allegations of sexual misconduct.

### **Gould's Response to Sexual Misconduct**

Gould treats all reports of sexual misconduct seriously with the well-being of all of its students as the first priority. Gould will promptly notify in writing the parents of students who are reported to have experienced and/or engaged in sexual misconduct. Following a report of sexual misconduct, Gould will conduct its own investigation using a trained internal or external investigator in order to ensure the safety of its campus community and to determine whether disciplinary action is warranted. This investigation is separate from any investigation that might be conducted by law enforcement. Gould may delay its investigation for a reasonable amount of time to allow for law enforcement to interview witnesses and collect evidence. However, a report of criminal activity to law enforcement will not stop Gould's investigation process.

### **Requests for Confidentiality**

Gould cannot honor requests for complete confidentiality because information must be shared in order to conduct an effective investigation and/or to comply with mandatory reporting laws. However, Gould will treat information it receives regarding sexual misconduct with sensitivity and will only disclose such information on a need-to-know basis. If a reporting party requests confidentiality and/or that Gould not investigate, Gould may still need to investigate the allegations in order to ensure the safety of the entire campus community.

### **Amnesty Policy in cases of Sexual Misconduct**

Gould recognizes that a student in violation of major school rules at or near the time of an incident of sexual misconduct may be hesitant to report the misconduct due to the fear of potential disciplinary consequences. The intent of the Amnesty Policy is to encourage students to feel comfortable sharing information fully with investigators. Under the Amnesty Policy, any student who reports an incident of sexual misconduct, or is interviewed in conjunction with an investigation into sexual misconduct, will be granted amnesty for policy violations, including alcohol, drug or whereabouts violations.

Such policy does not prevent the school from addressing the policy violation with the student for Health and Safety purposes; however the student will not face disciplinary action for the violations.

### **Supportive Measures**

The Dean of Students, or their designee, in conjunction with the Head of School, shall determine whether supportive measures are necessary following a report of sexual misconduct. Supportive measures may include academic accommodations such as a change to class schedule, residential accommodations, such as a change in housing, and changes to meal time, sports or activities. Supportive measures may also include medical or counseling services, a mutual non-contact directive, and/or a voluntary or mandatory leave from school for a period of time. Any supportive measures will be offered to all parties who are involved in the investigation.

### **Investigation Process**

Promptly following a report of sexual misconduct, Gould will conduct its own investigation in order to determine whether it is more likely than not that the reported conduct occurred, based upon a preponderance of evidence, and whether disciplinary action is warranted. Investigations may be conducted by an internal investigator trained in sexual misconduct investigations or an external investigator depending on the nature of the report. The investigation may include, but is not limited to, interviews of those individuals directly involved in the incident and relevant witnesses, and collecting any and all documents and any other evidence bearing on the incident. Both parties will have equal opportunity and right to present inculpatory and exculpatory evidence that is directly related to the investigation. More than one interview of student parties and witnesses may be necessary in order to conduct a thorough investigation. Student parties are permitted to have an advocate: a parent/guardian, lawyer, friend or witness, or trusted adult from within the Gould community present as support during their interviews. While the advocate may speak to the student in private, during the interview, the advocate will refrain from interjecting, answering questions, or taking part in the interview in any way, except to ask for a break or an opportunity to speak with the student.

Upon completion of the investigation, the investigator will analyze all the information for relevancy and will compile a written report of the factual findings that pertain to the incident, speak to the credibility of the accounts and the rationale for that finding, and present conclusions about any violations of Gould policy. This report, along with the evidence relied upon in reaching their findings and conclusions, will be shared with all parties involved in the incident, their parents/guardians, and their advocate for the investigation. Parties, parents/guardians and advocates will be required to sign a non-disclosure agreement prior to reviewing the report and evidence. Parties will have 7 calendar days to respond to the report before it is finalized. During this 7 day period, the school will “afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide [the responses,] and allow for additional, limited follow-up questions from each party.” After the 7 days, the investigator will promptly review the report and written responses and issue a final report or written notice that the investigation will continue. If the investigation continues, parties will again have 7 days to respond to a new report.

The final report will be given to the Head of School, or their designee, who will convene the Executive Judiciary Committee to make the final determination as to what, if any, action or disciplinary measures should be taken. If any of the members of the Executive Judiciary

Committee have been involved in the investigation as an investigator, appeals officer, advocate, or advisor, they will not sit on the committee for this incident. Students and their parents/guardians involved in the investigation will be notified in writing of the findings of the Executive Judiciary Committee and the determination of the Head of School, or their designee.

All documents pertaining to the investigation, including the final report, are internal and will not be shared outside of the Executive Judiciary Committee, Head of School, an Appeals officer (if necessary), the parties, parents/guardians, and their advocate for the investigation.

## **Appeals**

All parties will be allowed to appeal the decision regarding responsibility, and from a recipient's dismissal of a formal complaint or any allegations therein, on the following bases:

- (A) Procedural irregularity that affected the outcome of the matter;
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- (C) Investigator(s), or decision-maker(s) had a conflict of interest that affected the outcome of the matter.

Any Appeals must be made in writing within 10 calendar days of receipt of the Executive Judiciary Committee's decision. The parties will have 3 calendar days to lodge an Intent to Appeal in writing. The decision will go into effect at the end of this 3 day period, unless an Intent to Appeal is filed. If an Intent to Appeal is filed, the students will have the balance of the 10 day period to file an Appeal. If an Appeal is not filed within the 10 day period, or the Intent to Appeal is withdrawn, the decision of the Head of School becomes final immediately.

Intent to Appeal notices and Appeals must be submitted in writing to the Appeals Officer, Brad Clarke, Assistant Head of School for Teaching and Learning, who will make a determination if the Appeal has merit. If the Appeal is found to have merit, the Appeals Officer will return the matter to the Executive Judiciary Committee with a written



explanation of the rationale for the Appeal to be accepted and instructions for the committee for reviewing their decision. After the committee reviews the incident and the Head of School, or their designee, makes a determination, their finding will be reviewed by the Appeals officer to be sure that they have appropriately taken the rationale for Appeal into account in their new finding.

### **Retaliation**

Retaliation for reporting about sexual misconduct or participating in an investigation or disciplinary proceeding involving a report of sexual misconduct is prohibited. Any student engaging in retaliation, including through electronic means or through social media, will face discipline.

### **Abuse of Process/False Complaints**

Because allegations of sexual misconduct are serious and can be damaging to accused persons' reputations, any person who knowingly, maliciously, or recklessly makes a false complaint will be subject to discipline. In addition, because candor and honesty are essential to the investigation and remediation process, students and employees are expected to cooperate fully in an investigation conducted by Gould.

### **Additional Resources for Students**

Students may want to speak with adults outside of Gould for support regarding sexual misconduct. There are several resources in the area for victims of sexual misconduct listed below.

#### **Local Resources**

Sexual Assault Prevention & Response Team

24 hour helpline: 1-888-458-5599

TTY: 1-888-458-5599

[www.sapars.org](http://www.sapars.org)

Bethel Family Health Center

207-824-2193

Stephens Memorial Hospital (Norway, ME)  
207-743-5933

Rumford Hospital (Rumford, ME)  
Emergency Department: 207-369-1051

Local Police: Emergency 911

### **National Resources**

National Sexual Assault Hotline:

1-800-656-HOPE

National Sexual Assault Online Hotline:

[ohl.rainn.org/online](http://ohl.rainn.org/online)

For a list of resources with particular focus on the needs of LGBTQ+ persons, see:

[barcc.org/information/resources-online/glb](http://barcc.org/information/resources-online/glb)

### **Academic Honesty Policy**

Gould Academy's mission states that we prepare academically motivated students for college and help them to become independent-minded, ethical citizens who will lead lives of purpose, action, excellence, and compassion in a dynamic world. Central to this is our commitment to the life of the mind and high standards. We define life of the mind as the promotion of curiosity, open-minded exploration, and disciplined analysis in our students' work. For high standards, we challenge students to strive for their personal best in every pursuit.

Honesty and integrity are at the heart of our academic expectations of students. Without exception, we expect that our students hold themselves to the highest standards of truth and honesty in completion of their work, either individually or in groups. We also expect students to maintain ownership of their own work and acknowledge their obligation to recognize when work of others appears in or acts as the basis for their own work.

### **Academic dishonesty**

There are many different forms of academic dishonesty. The following list of honesty violations, their descriptions, and examples is not meant to be exhaustive. Rather, it provides samples of the most common kinds of unacceptable academic conduct by students.

## **Plagiarism**

The representation of another person's work as one's own, or the attempt "to blur the line between one's own ideas or words and those borrowed from another source." (Council of Writing Program Administrators, January 2003). Sources must be given and cited properly regardless of whether the idea, phrase or other material is quoted directly, paraphrased or summarized in the student's own words. Direct quotes must always be placed in quotation marks.

- Copying or closely paraphrasing sentences, phrases or passages from an un-cited source
- Failure to properly cite sources
- Using the views, opinions or insights of others without proper acknowledgment
- Submitting another student's/person's work as your own
- Submitting an essay purchased online

## **Cheating**

Cheating is the unauthorized access of information with the intent to gain an advantage that others do not have.

- Preparing and/or using a cheat sheet on a quiz, test, or exam
- Looking at another student's work with/without their knowledge
- Possessing or accessing, or attempting to access, materials prior to the instructor handing them out
- Attempting to falsify submission information
- Use of resources not authorized by the instructor
- Using an automatic translation website or software
- Using any kind of electronic device (calculator, cell phone, camera, laptop/tablet) to copy information before, during or after a quiz, test or exam

## **Giving or receiving unauthorized aid**

Giving unauthorized aid means that you have assisted another student with their work when you did not have express permission to do so. Receiving unauthorized aid is asking for or taking the assistance of another student or faculty member when you do not have express permission to ask for help. Going to a help center, such as the writing center or math center, is always considered to be authorized aid, unless the instructor has notified you otherwise. However, this assumption of authorization does not extend to all tutors at all times; help must be received from student tutors during the posted hours of the center.

- Asking about and/or giving information about an assessment after one student(s) has completed it but before the second student(s) has taken it
- Working together on homework without the instructor's permission
- Asking for help on an assignment without the knowledge of the instructor
- Doing homework for another student
- Asking a native speaker for corrections without disclosure
- Editing work in your native language in a way that misrepresents the linguistic ability of the author
- Collaborating when the instructor has an expectation of individual work
- Editing another student's work without disclosure
- Having work edited by another student or a faculty member without disclosure

## **Falsifying information**

The changing or inventing of any work, information, or data instead of actually doing the research, assignment, or lab. It is a student's duty to ensure that all information collected is, to the best of their ability, accurate and completed within the practices that are commonly accepted in the academic community.

- Changing or creating data in a lab report
- Using data collected by other students and presenting it as one's own
- Forging signatures on any document or form
- Falsifying or mis-attributing quotations

- Lying about attendance or one's ability to complete assignments and/or assessments

### **Misconduct in group work**

Misconduct in group work is failure to adhere to the group work guidelines established by the teacher.

- Failure to complete one's portion of the assigned work
- Claiming credit for work in a group project when the work was done by others

### **Submission of duplicate work**

Work in each course is expected to be unique to that course and term. Students may not submit work that they have completed for another course, either concurrently or previously. Students may ask for permission from all instructors involved to work on one project for multiple classes or to resubmit or rework an assignment from a prior class.

- Turning in the same paper to multiple classes
- Submitting, in whole or part, work from a previous class without proper citation and permission from the instructors

### **Assisting other students in any of the above forms of dishonesty**

It is contradictory to the standards outlined above to facilitate the dishonesty of another student. This includes providing information that could potentially be used for dishonorable purposes, even if that is not the intent. As a guiding principle, no work should be shared with or provided to anyone whose name will not be on it at the time of submission.

- Sharing your work with another student
  - Sharing a google doc, or other similar document, as a reference
- Failing to take reasonable measures to protect one's work from copying by others
- Knowingly allowing another student to copy your work

## **Originality and Authorship in the College Process**

All applications, essays, and additional materials are to be solely written and submitted by students.

Parents, guardians, and/or consultants may never compose or submit materials on behalf of students. Gould's college counselors will check materials for accuracy prior to submission and will not send supporting materials on behalf of applications or materials that have been submitted by anyone other than the student.

If Gould learns of falsely submitted materials, our college counselors will call offices of admission to alert them and, in the case of grievous dishonesty, withdraw their support.

As Gould expects students to maintain honesty in all of their endeavors, violations of this nature may result in a disciplinary response from the school.

## **Response to Academic Dishonesty**

Violations of this policy will be referred to the Dean of Students, or their designee. As academic dishonesty is a major rule violation, it will be addressed through the judiciary process. In addition, there may be academic consequences (loss of points, expectation of resubmission, or other repercussion deemed appropriate in discussion with the instructor) as well. Gould is an academic institution and understands that students are in the process of learning about proper citation and the complexities of the presentation of academic work; therefore, the Dean and, if convened, committee, will take student's class year, intention, prior history, and the severity of the offense into account when assessing the situation.

Based on:

**"Academic Honesty."** Arts, Sciences and Engineering, University of Rochester, Accessed 21 June 2018.

**"Academic Honesty Policies and Honor Code."** Middlebury College, 22 Aug. 2017, Accessed 21 June 2018.

**"Academic Honor Principle."** Dartmouth Student Affairs, Dartmouth College, 17 May 1999, Accessed 21 June 2018.

**“Academic Integrity Policy.”** Cupertino High School: Administration, Fremont Union High School District, Accessed 21 June 2018.

**“Gould Academy Mission.”** Gould Academy, Accessed 21 June 2018.

## **Other Rules and Standards**

### **Smoking, Vaping, and Tobacco Use on Campus**

In accordance with Maine Law, Gould prohibits smoking, including carrying or having in possession a lighted cigarette, cigar, pipe or other object, and the use of smokeless tobacco by any persons on campus. Additionally, the use of vapes and other drug paraphernalia on campus is strictly prohibited.

### **Automobiles**

No boarding students are allowed to have automobiles on campus or in the Bethel area unless they have been given explicit permission from The Dean of Students or the Associate Dean of Students.. No boarding student is allowed to drive or ride in another student’s car. Day students are permitted to drive to and from school. They are required to park their vehicles on Church Street, from the bell tower to the end of the road or in school parking lots, which are located across from the Field House or behind the Art Cottage. **Without express permission from the Dean of Students, Associate Dean of Students, or their advisor, day students are to remain on campus during the academic day. If a day student is on campus for study hall, they should remain on campus until they are ready to go home. Driving back and forth, on and off campus during study hall hours is not permitted. Boarding students are not permitted to ride in day student vehicles. (See [Major Rules](#))**

### **Leaving Campus**

#### **Off-Campus Weekends**

Initially, weekends or time away from campus will only be given consideration for significant extenuating circumstances. If a student and their parents/guardians wish to ask about taking some some time away from Gould, please call Denise Manning, Dean of Students at 207-824-7790 or send her an email at [manningd@gouldacademy.org](mailto:manningd@gouldacademy.org).

Once weekend permissions are permitted, there are few limits placed on the number of weekends a student may take away from school, however, satisfactory academic and disciplinary standing and fulfillment of extracurricular obligations are required. Whenever a student leaves campus, the nature, destination, and other details of travel plans must be known in full. Procedures for signing out are as follows: **Students who plan off-campus weekends must complete a Weekend Request Form no later than 12:00 noon on Thursday prior to the weekend in question. A phone call or a letter of permission written by a parent or guardian must be filed with the Dean of Students, or designated staff person, no later than noon on Thursday prior to the weekend in question.** This permission must indicate the parents' awareness of the nature of the trip, the mode of transportation, and, if a private car is to be used, the name of the driver. Parents or guardians who give permission for weekends and host families who issue invitations assume full liability for their child or visiting student from the time that the student leaves campus until his or her safe return. Parents are urged to be mindful of the Thursday noon deadline by calling 207-824-7705. **Any attempt to take an illegal weekend (falsifying some aspect of the sign-out procedure or leaving without going through the proper procedure) will be considered a major offense.**

**No boarding student is allowed to drive or ride in another student's car. Even when going on a weekend, boarding students may not ride with day student drivers.**

Weekends begin at the end of a student's last commitment. Weekends end at 7:30 p.m. on Sundays, at which time boarding students are to have returned. If a student is to be late in returning due to difficulties encountered en route, it is imperative that a phone call be placed to the Administrator on Duty at 207-824-7700 or 207-824-7888.

### **Sign-out Procedure for Leaving Campus**

Any student who has been given permission to leave the campus and the immediate Bethel area is expected to sign out with the duty faculty. This is extremely important, as the school needs to know where students are and when they will return in case an emergency arises.

### **Class and extracurricular absences**

It should be remembered that students are expected to attend all scheduled school activities and classes. Please try to schedule medical appointments, college interviews, and other obligations for times when school is not in session. When this is impossible, students



must follow regular travel procedures and must arrange make-up work with the appropriate faculty. All students who must miss school days for reasons other than illness should fill out a “missing class form” that must be signed by the Dean of Students or the Associate Dean of Students and submitted it to the Registrar prior to the absence. Failure to complete a missing class form will result in unexcused absences.

## **Helmets**

In the spirit of safety and in compliance with the Maine State Helmet Law, students are expected to wear a helmet any time they are using a bicycle, a skateboard, a scooter, rollerblades, or other such device. Helmets are also required while alpine skiing or snowboarding, including on campus. Failure to do so may result in confiscation of the means of transportation.

## **Bicycling**

Cyclists must wear a bicycle helmet, follow the rules of the road, and be aware of the trucks on the highway. Students going cycling must receive specific permission from a faculty member before leaving the village of Bethel. Storage areas are provided in the dorms where bicycles can be stored. Bicycle owners assume full responsibility for the security of their bicycles and are advised to check with their insurance carrier concerning coverage against loss or damage.

## **Skateboards/Longboards**

There is a designated area on campus for skateboarding. Students should not skateboard on steps, retaining walls, curbs, or railings. Students are expected to respect the Bethel ordinance that restricts skateboarding and rollerblading to a limited number of roads and sidewalks. Paradise Road and Mill Hill are off limits. [See map under “Daily Life”](#)

## **Running/Walking**

Students interested in leaving the confines of the Bethel Village for the purpose of running or walking must receive specific permission from a faculty member.

## **Swimming**

Swimming is allowed only with adult supervision.

## **Hitchhiking**

Hitchhiking by students is forbidden.

## **Camping Trips**

Camping trips are offered at different times throughout the year and may be requested as a weekend activity. No permissions will be given for any unsupervised student camping trips.

## **Gambling**

Students may not gamble in any way.

## **Entrepreneurial Ventures and Fundraising**

Students may not regularly sell items for personal gain. Any student or group wishing to fundraise for a club, charity, or special trip, must first receive permission from the Assistant Head of School for Institutional Advancement. Students who wish to sell something made in the IDEAS Center or the Art Cottage must also receive permission from the Dean of Community Life.