



Employee Handbook

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A WORD OF WELCOME

Welcome to Curry College,

Curry College is an institution with a rich history and a bright future. We are truly a College in the purest sense of the word: a group of colleagues, staff and faculty, joined in a common purpose. That purpose is the education of men and women through both our undergraduate and graduate programs and the Division of Continuing Education.

All of us working together at Curry do something unique and worthwhile. We irrevocably change people's lives for the better while they are students here at Curry College. To be able to participate in the process of providing a foundation for life long success is a unique opportunity for all of us here. By doing so, we have the opportunity to leave a legacy that is likely to last long after many of our other achievements in life.

Curry College acknowledges the value of our human resources. As an employer, the College pledges to:

- Treat all members of the College community with dignity and respect
- Provide fair and equitable terms and conditions of employment and
- Provide an opportunity for professional and personal growth and development.

Like so many institutions today, we face incredible challenges. However, these challenges are also opportunities. All of us working together have the ability within our areas of responsibility to create an institution of academic, intellectual and economic vigor.

Welcome and good luck to you in your careers at Curry College. I look forward to meeting you and working with you in the months and years ahead.

Sincerely,

Kenneth K Quigley, Jr.
President

INTRODUCTION

This Handbook is designed to provide an overview of many of the employment policies, procedures and benefits for employees at Curry College (hereinafter “College”). This Handbook applies to staff employees working in the areas of Administration, Clerical, Buildings and Grounds, and Public Safety (hereinafter “employee” or “employees”). This Handbook does not apply to those individuals whose employment is governed by the American Association of University Professors (“AAUP”) Collective Bargaining Agreement.

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

Personnel policies, procedures, and benefits by their nature are constantly under review as they are affected by changes in applicable law, regulations, economic conditions, and the way the College does business. The College necessarily reserves the right to modify, revoke, suspend, terminate or change any and all policies, procedures, and benefits set forth herein as it sees fit, with or without notice, at any time. In addition, the College reserves the right to decide not to apply any particular policy set forth herein in a given situation, if, in its discretion, it should determine that to do so would better serve its interest.

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

The information contained in this handbook is confidential and is provided for the reference of employees. This handbook is the property of the College and should not be removed from the College’s premises. Upon termination of your employment with Curry College, your copy of The Curry College Employee Handbook must be returned to your supervisor.

CURRY COLLEGE MISSION

The institutional mission of the College is to develop liberally educated persons who are able to gain and to apply knowledge humanely, intelligently, and effectively in a complex, changing world.

The liberal arts are the foundation of an education at Curry College, allowing graduates to gain knowledge humanely, intelligently, ethically, responsibly, and effectively in a complex, changing world. The General Education curriculum establishes an essential foundation for this goal by providing an active learning environment that supports intellectual development, meaningful communication, and engagement of self in community. Throughout the General Education experience, students discover, integrate, and connect knowledge, inspire and nurture passions, and challenge assumptions as they develop agency and responsibility. The core values and learning outcomes underlying General Education at Curry College are as follows:

1. Intellectual Development and Active Learning
 - a. Critical Reasoning and Judgement
 - b. Intellectual engagement, inquiry, and life-long discovery
 - c. Innovation, creativity and artistic expression
 - d. Literacy (information, media/visual, technological/digital, quantitative)
2. Meaningful Communication
 - a. Written, Oral, Visual, and Non-Verbal communication skills
 - b. Collaboration and Teamwork
3. Self & Community – Personal, Social, Civic, and Global Responsibility
 - a. Identity and Self Authorship
 - b. Respect for Diversity
 - c. Knowledge of Global Interdependence
 - d. Responsibility and agency in civic and social contexts

The College's curriculum and programs focus on the two hallmarks of the Curry education: a high respect for the individuality of every student and a developmental approach to learning that maximizes opportunities for achievement.

Curry College offers academic majors in liberal arts disciplines and in the professional fields. Alternatively, an individually initiated major may be designed when a student's academic and career ambitions are not best served by prescribed majors. The College awards the Bachelor of Arts, Bachelor of Science, Master of Education, Master of Criminal Justice, Master of Business Administration, and Master of Nursing degrees. The quality and character of the College's curriculum and programs are regularly evaluated in the light of the Curry College statement on educational goals.

Many academic and social programs enrich and facilitate the Curry education. The Honors Program, the Women's and Gender Studies Program, the Program for Advancement of Learning, the Academic Enrichment Center, the Experiential Education Program, and the Division of Continuing Education & Graduate Studies are representative of that focus on special interests and diverse learning needs.

Mindful of each student's unique combination of abilities and potential, Student Life professionals promote a climate in which individuals and groups are empowered to become creative and socially responsible. Athletic programs similarly seek to develop student athletes who regard scholastic and athletic achievement as congruent and complementary avenues to individual fulfillment.

ABOUT CURRY COLLEGE

Curry College has a rich history whose roots lie in the intellectual traditions and personalities of 19th century New England. Now well into its second century, Curry has maintained a distinctive mission while creatively transforming itself over the years to meet new educational challenges.

The earliest form of Curry College was a Boston-based school of elocution established in 1879 by Anna Baright, a leading scholar in the field of oratory. She married Samuel S. Curry, a Boston minister, in 1882. Together they founded the College's direct institutional precursor, the School of Expression, established in 1885 and incorporated in 1888. Many other prominent New Englanders were involved in the institution's founding and early growth. The famous inventor Alexander Graham Bell, a close friend of Samuel Curry, served as the school's chancellor from 1907-1922.

The Currys founded the school on the philosophy that individuals could reach their true potential by cultivating the art of expression. In keeping with this philosophy, the coursework focused on such areas as drama, oratory and speech. In 1938, the Massachusetts Legislature gave the institution the power to confer the degrees of Bachelor of Science of Oratory and Master of Science of Oratory. In 1943, the corporate name was changed to Curry College in honor of its founders.

Following the Second World War, Curry moved to the Boston suburb of Milton and became a traditional four-year liberal arts college with a strong emphasis on communication and self-development that continues today. The institution was authorized to grant the degrees of Bachelor of Arts and Bachelor of Science in 1955. A Master's degree program in Education was established in 1981. Our Master's in Criminal Justice was established in 1998, our MBA program began in 2005, and our Masters of Nursing was launched in 2008.

In 1974, Curry absorbed the Perry Normal School, which prepared teachers for careers in nursery schools, kindergartens and primary grades. In 1977, in response to increased interest in Baccalaureate Nursing Education, Curry entered into a collaborative relationship with Children's Hospital in Boston to establish a division of nursing studies.

Currently an independent institution serving some 4,000 full and part time students, Curry has won international acclaim for its pioneering Program for Advancement of Learning (PAL), established in 1970 as the nation's first college-level program for students with language-based learning disabilities. Students participating in PAL make up approximately twenty-five percent of the overall enrollment of the College. As at its founding, Curry remains a dynamic and forward-looking institution committed to providing a highly individualized educational experience.

SECTION I EQUAL EMPLOYMENT POLICIES & PRACTICE

1.1 STATEMENT OF NON-DISCRIMINATION

Curry College is committed to fostering a diverse and inclusive community that supports each community member's professional, academic or personal pursuits. The College's Unlawful Harassment, Discrimination, and Retaliation Policy reflects our commitment to these goals.

Curry College is committed to providing equal opportunity in employment and education programs to all employees, students, and applicants. No employee, student or applicant shall be discriminated against or harassed on the basis of race, religion, color, sex, age, ethnic or national origin or ancestry, physical or mental disability, pregnancy, sexual orientation, gender identity or expression, genetic information, veteran or military status, membership in the Uniformed Services, or any category protected by applicable state and federal laws.

Curry College is committed to making its programs and campus accessible to its visitors and compliant with all applicable non-discrimination laws.

Sexual harassment, including sexual violence, is a form of sex discrimination that is illegal under both federal and Massachusetts state law, including Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Violence Against Women Act, Massachusetts General Laws chapter 151B, § 4, Massachusetts General Laws chapter 151C, § 2, and Massachusetts General Laws chapter 214, § 1C. Conduct prohibited by law and this Policy is incompatible with the values and mission of Curry College and will not be tolerated.

The College's complete policy prohibiting Sexual and Gender-Based Discrimination and Harassment, including sexual violence and sexual misconduct, can be reviewed at Section 1.2 of this Employee Handbook. For further information, please contact the Human Resources Office, or contact the College's Title IX Coordinator.

A. Prohibition against Unlawful discrimination, harassment and retaliation

The College fully supports the right of all persons to hold employment or receive education without suffering from acts of unlawful discrimination, harassment, or retaliation. As such, it is the policy of the College to maintain a work and academic environment that is free of harassment and of discriminatory actions based on an individual's legally protected characteristics, which can include but are not limited to race, religion, color, sex, age, ethnic or national origin or ancestry, physical or mental disability, pregnancy, sexual orientation, gender identity or expression, genetic information, veteran or military status, membership in the Uniformed Services, or any category protected by applicable state and federal laws.

Unlawful discrimination, harassment, and retaliation by officers, faculty, managers, supervisors, employees, students, vendors, clientele, and contractors will not be tolerated. Such conduct is illegal under federal and state laws and is strictly prohibited by the College.

B. DEFINITIONS

Discrimination is a legal term referring to an employment or academic decision that results in negative and/or different treatment of an individual based upon one or more of the individual's legally protected characteristics. Discriminatory conduct includes decisions in which one or more of the individual's legally protected characteristics were the sole factor or a contributing factor.

Harassment is a legal term describing when an individual is targeted with verbal, written, visual, or physical conduct based upon one or more of the individual's legally protected characteristics and that unreasonably interferes with the individual's work or academic performance, or creates an intimidating, hostile, or offensive working, living or learning environment. Such acts may occur on or off campus, and during or after work hours.

Examples of Harassing or Discriminatory Conduct: Depending upon the circumstances and how they impact the workplace, educational programs, activities, or the academic environment, examples of discrimination or harassment in violation of this Policy may include, but are not limited to, following types of conduct:

- Making decisions about a person's employment, compensation, or education based upon or motivated by the person's protected characteristic(s);
- Verbal or physical abuse, offensive innuendo or derogatory words, epithets, or comments concerning, based on, or motivated by a person's protected characteristic(s);
- An open display of objects, pictures, or other media which create a hostile working/learning environment based on or motivated by a person's protected characteristic(s); or
- Failure to provide religious or disability-related accommodations when required by applicable law.

Sexual Harassment is a legal term describing discriminatory behavior where an individual is the recipient of unwelcome sexual advances or requests for sexual favors, or is otherwise subjected to conduct of a sexual nature whether verbal, non-verbal, graphic, physical, electronic or by any and all other means. Behavior can constitute sexual harassment when:

- Submission to or rejection of such sexual advances, conduct, or requests for sexually based favors is made either explicitly or implicitly a term or condition of an individual's employment, education or participation in College programs or activities, or a basis for employment or educational decisions affecting the individual (*quid pro quo*); or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, education, or participation in College programs or activities, or creating an intimidating, hostile, humiliating or sexually offensive work, learning, or living environment (*hostile environment*).

Sexual harassment may occur on or off campus, and during or after work hours.

Gender-Based Harassment is a legal term describing harassment based on sex or gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the

acts do not involve conduct of a sexual nature, when the conditions for *hostile environment sexual harassment* or *quid pro quo sexual harassment* are present, as defined above.

More information about the College's **Sexual and Gender-Based Harassment Policy** and the Curry College Title IX Policy on Sexual Harassment and Discrimination can be found in this Employee Handbook.

C. RESPONSIBILITIES FOR EVERY CURRY COLLEGE COMMUNITY MEMBER

The terms of this Policy apply to all members of the Curry College community, including students, faculty and staff members, visitors and vendors.

Accordingly, each member of the College community is personally responsible for ensuring that his or her conduct does not violate this Policy.

Each College community member is responsible for cooperating in any investigation of an alleged violation of this Policy if requested to do so by the individual(s) conducting the investigation.

Any individual who observes an incident that may constitute a violation of this Policy or who otherwise becomes aware of such an incident must immediately notify the Vice President of Human Resources, the Title IX Coordinator, or Deputy Title IX Coordinators listed herein.

All employees are required to participate in the College's workplace prevention harassment training program upon hire and every three years thereafter.

D. ACADEMIC FREEDOM

Nothing contained in this Policy shall be construed to limit the legitimate and reasonable academic responsibilities and academic freedoms of the College's professional educators. Conduct believed to be offensive, on its own, is not sufficient to constitute a violation of this Policy. The conduct must be sufficiently serious to interfere with an individual's ability to participate in employment or an educational program and activities from both a subjective and objective perspective.

E. REPORTING COMPLAINTS OF CONDUCT IN VIOLATION OF THIS POLICY

If an individual believes that he or she has been subject to conduct prohibited under this Policy, the most immediate goal is to stop the offensive conduct. Often, this can be accomplished by confronting whomever is engaging in the conduct, telling them what the individual finds offensive, and requesting that they stop. However, there is no requirement that the individual do so, and it may be that this approach is not practical or effective.

If an individual believes that he or she has been the subject of conduct prohibited under this policy, or if he or she is not sure if certain behavior violates this policy, he or she should contact their supervisor, the Human Resources Office, the Title IX Coordinator, Deputy Title IX Coordinators, or one of the Liaisons established by the College. That individual will then inform the Vice President of Human Resources or designee (in the case of an accused staff member) and/or the Provost and or designee (in the case of an accused faculty member) about the complaint.

F. PROCEDURES FOR ADDRESSING COMPLAINTS

The procedures for investigating and resolving reports of prohibited conduct committed by an employee, a visitor to an employee, or a vendor are detailed below.

These procedures do not apply in cases falling under the Curry College Title IX Policy Prohibiting Sexual Harassment and Discrimination. The College's Title IX Policy Prohibiting Sexual Harassment and Discrimination can be found in the Student Handbook and the Employee Handbook.

The procedures for investigating and resolving reports of prohibited conduct committed by a Curry College student or a visitor on a student are detailed in the Student Handbook, located at www.curry.edu/handbook.

When a student reports that they have experienced conduct in violation of the College's Sexual and Gender-Based Harassment and Discrimination Policy, the student's individual rights and obligations are provided in the Student Handbook at www.curry.edu/handbook.

A Human Resources designee will meet with the complainant to discuss the conduct and events that are of concern, and to answer any questions the complainant may have about the procedure. The complainant is to bring the following information to this meeting: a description of the incident(s), the name of the person alleged to have violated this Policy, times, locations, specific words/actions, and the name of any witnesses to the incident(s). The meeting may also include a discussion of the possibility of an informal resolution with the assistance of Human Resources. The complainant is encouraged (but not required) to submit a written statement. The individual alleged to have violated this policy will not attend this meeting.

If an informal resolution is not achieved or is not appropriate, the Human Resources designee will meet with the individual alleged to have violated this Policy. Both parties shall be provided with information regarding the submission and consideration of evidence that may be used during a hearing or disciplinary proceeding and shall have equal opportunity to present evidence and witnesses.

The Human Resources designee will determine what witnesses, if any, should be contacted. Witnesses will be interviewed outside the presence of the individual making the complaint (the Complainant) and the person alleged to have violated this Policy (the Respondent).

In compliance with state law, the following shall occur in cases involving alleged violations by employees of the Sexual and Gender-based Harassment and Discrimination Policy. Notice shall be given to the Respondent, including, but not limited to, the date, time and location, if known, of the alleged conduct and which policies were allegedly violated. There is a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. The College will conduct an impartial investigation, by a qualified and annually trained individual employed by the College or engaged by the College for the purpose of conducting investigations under the Policies. Both the Complainant and the Respondent are permitted to have a support person of their choosing, which may include an advocate or counsel, accompany them to any meetings, hearings and disciplinary proceedings. A

Party should select a support person whose schedule allows attendance at the scheduled date and time for the meetings, as delays may not be permitted due to scheduled conflicts for the support person. The role of a support person is to accompany a Complainant or Respondent with the purpose of providing support during the meeting. A support person may not address or question the Human Resources designee, answer on behalf of the Party, or otherwise actively participate in the grievance process. A support person cannot be a witness or otherwise involved in the investigation or resolution process. Both parties shall be provided equal opportunities to inspect and review evidence obtained as part of the investigation that is directly related to the allegations. The Human Resources designee may place restrictions on evidence considered by the fact finder, including but not limited to, the use of evidence of prior sexual activity or character witnesses.

Upon completion of the investigation, the Human Resources designee will: (1) prepare a finding of the facts, will make a determination as to whether the alleged conduct constitutes a violation of this Policy, and will notify the appropriate Senior Staff Member (Vice President of Human Resources for staff; Provost for faculty).

The College will endeavor to inform the individual making the complaint and the person alleged to have violated this Policy of the determination, in writing, within sixty (60) days of the commencement of the investigation and within seven (7) business days after a final determination, unless good cause for additional time is shown. In such a case, the Complainant and the Respondent will be notified.

The determination may be appealed in writing by either party using the online form on the Portal (under Student Life: Community Standards for students, and Employees: Human Resources, for employees) within 10 days of this notification. The Complainant and the Respondent may only appeal the outcome on one or both of the following grounds:

1. A procedural error occurred, which may change the outcome of the determination (*i.e.*, the investigator did not interview a previously identified witness with exculpatory information); or
2. The individual making the appeal has substantive and relevant new information that was not available at the time of investigation and that may change the outcome of the decision.

Disagreement with the College's findings or determination is not, by itself, a ground for appeal. The written appeal should contain a statement as to why the individual appealing disagrees with the determination.

If, for any reason, the Vice President of Human Resources, and/or the Provost requests to be excluded from the process related to this Policy, a designee will be determined by the President to take his/her place.

G. NO RETALIATION FOR FILING OR ASSISTING IN THE INVESTIGATION OF A COMPLAINT UNDER THIS POLICY

Retaliation against any individual for reporting in good faith acts of discrimination or harassment, or for assisting in an investigation of or providing information related to a report of discrimination or harassment, is strictly prohibited by federal and state laws and regulations and will not be tolerated. Retaliatory acts constitute a violation of the law and this Policy and may include, but are not limited to, intimidating, threatening, or taking adverse actions against an individual for attempting to or bringing forward a good faith complaint of discrimination or harassment, or for assisting in an investigation or providing information related to a report of discrimination or harassment. Engaging in retaliatory acts, including the continuation or recurrence of harassment or discrimination (directly or through a third party), is a violation of law and this Policy and will result in disciplinary action. The College's investigation of reported acts of retaliation shall proceed independent of the College's investigation of the related report(s) of discrimination or harassment.

Any suspected retaliation should be reported immediately to the Vice President of Human Resources (617-333-2193) or Associate Vice President of Student Affairs and Dean of Students (617- 391-5240), or to the Title IX Coordinator (617-979-3516), as circumstances warrant.

H. NO FALSE COMPLAINTS OR BAD FAITH PARTICIPATION IN INVESTIGATIONS

A knowingly and intentionally false or frivolous complaint, determined by the College to have been made in bad faith and dishonesty in the context of an investigation, is a serious offense. A finding that this Policy has not been violated is not, in and of itself, an indication that a complaint is false or unfounded. The College reserves the right to impose appropriate disciplinary action on a student or an employee who knowingly and intentionally files a false or frivolous complaint, or who participates in bad faith in the investigation of a complaint filed pursuant to this Policy by knowingly and intentionally providing false and misleading information in the context of the investigation.

I. CORRECTIVE ACTION

In the event that the investigation concludes that a member of the Curry community has engaged in misconduct constituting discrimination, harassment, or retaliation in violation of this Policy, the College may take prompt corrective action to eliminate the misconduct and to put measures in place to prevent its recurrence and correct its effects, including, where appropriate, imposing discipline on the offender. Such disciplinary action may include but is not limited to the following: reprimand, change in work assignment, mandatory training or suspension, and/or immediate termination or end of contractual or business with the College.

In the case of a staff member, the Senior Staff Member and the Vice President of Human Resources will make a final determination regarding disciplinary action.

In the case of a faculty member found in violation of this policy, the Provost will make the final determination for any discipline in accordance with the current Collective Bargaining Agreement.

J. CONFIDENTIALITY

All actions taken to report, investigate and resolve complaints through the procedures of this policy shall be conducted with privacy and discretion. The College will not disclose the identity of a complainant or respondent, except as necessary to carry out a disciplinary process or as permitted under state or federal law. All persons involved are to treat the situation with respect. However, the College cannot make promises of confidentiality. In order to conduct a thorough investigation, the Human Resources designee and the Title IX Coordinator (if participating) may discuss the report with witnesses and other individuals involved in or affected by the report, and with persons necessary to assist in the investigation or to implement appropriate corrective actions.

K. COLLEGE EMPLOYEES RESPONSIBLE FOR ADDRESSING COMPLAINTS OF VIOLATIONS OF THIS POLICY

The following individuals are designated as those individuals who are charged with addressing complaints of harassment and discrimination under this Policy, and may be contacted to initiate an investigation under the Policy. Employees may report or disclose incidents of sexual misconduct regardless of where the alleged conduct occurred.

Vice President of Human Resources:

Mirlen Mal
King Academic Administration Building, 55 Atherton St.
mirlen.mal@curry.edu
617-333-2193

Title IX Coordinator:

Rachel King
King Academic Administration Building, 55 Atherton St.
rachel.king@curry.edu
617-979-3516

Associate Vice President and Dean of Students/Deputy Title IX Coordinator

Jennifer Golojuch-Borden
1016 Brush Hill Road
Jennifer.golojuchborden@curry.edu
617-391-5240

Staff and Faculty trained as Liaisons:

A number of staff and faculty across campus have been trained as Liaisons, serving as a resource to members of the College community. Liaisons are knowledgeable about College policies, procedures, resources and reporting obligations.

All Liaisons are required to participate in appropriate training provided by the College. Employees who do not attend required training annually as requested will be taken off this [resource list](#).

The College maintains lists of Liaisons, which are updated periodically and made available on the College's Website and under the Employee tab/Human Resources link on the College's employee portal.

L. STATE AND FEDERAL AGENCIES

In addition to the above, if you believe you have been subjected to unlawful discrimination, harassment or retaliation, you may file a formal complaint with the government agencies set forth below. Using the College's complaint process does not prohibit you from filing a complaint with these agencies.

1. The United States Equal Employment Opportunity Commission ("EEOC")

Boston Area Office:

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800)669-4000

Massachusetts Commission Against Discrimination ("MCAD")

Boston Headquarters:

One Ashburton Place, Suite 601
Boston, MA 02108
(617) 994-6000

Springfield Office:

436 Dwight Street, Room 220
Springfield, MA 01103
(413) 739-2145

Worcester Office:

484 Main Street, Room 320
Worcester, MA 01608
(508) 453-9630

New Bedford Office:

800 Purchase Street, Room 501
New Bedford, MA 02740
(508) 990-2390

3. US Department of Education
Office of Civil Rights ("OCR") - Boston Office
5 Post Office Square, 8th Floor,
Boston, MA 02109-3921
(617) 289-0111

1.2 SEXUAL AND GENDER-BASED HARASSMENT AND DISCRIMINATION

I. Institutional Values and Statement of Non-Discrimination

Curry College is committed to providing equal opportunity in employment and education to all employees, students, and applicants. No employee, student or applicant shall be discriminated against or harassed on the basis of race, religion, color, sex, age, ethnic or national origin or ancestry, veteran status, physical or mental disability, pregnancy, sexual orientation, gender identity or expression, genetic information, veteran or military status, membership in Uniformed Services, or any category protected by applicable state and federal laws. Similarly, Curry College is committed to

making its programs and campus accessible to its visitors and compliant with all applicable non-discrimination laws.

Sexual harassment, including sexual violence, is a form of sex discrimination that is illegal under both federal and Massachusetts state law, including Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Violence Against Women Act, Massachusetts General Laws chapter 151B, § 4, Massachusetts General Laws chapter 151C, § 2, and Massachusetts General Laws chapter 214, § 1C. Furthermore, conduct prohibited under this policy is incompatible with the values and mission of Curry College and will not be tolerated.

II. Purpose and Scope

The College fully supports the right of all persons to hold employment and receive education without suffering unlawful discrimination, harassment or retaliation. The Sexual and Gender-Based Harassment and Discrimination Policy prohibits sexual and gender-based harassment and discrimination, including but not limited to, sexual misconduct, dating and interpersonal violence, and stalking. It also prohibits retaliation against an individual for making a report of conduct prohibited under this policy or for participation in an investigation of an alleged violation of this policy.

This policy applies to all College community members, including students (prospective and current), employees, visitors, vendors, and independent contractors, when the conduct:

1. occurs on College property, including online or electronic conduct through the use of College computing or network resources;
2. occurs in the context of an employment or education program or activity of the college; or
3. may have continuing adverse effects for the College community.

Please note that under the Department of Education's Title IX Regulations, published May 19, 2020, certain procedures will apply **only** to a narrow category of cases, outlined in the Curry College Title IX Policy Prohibiting Sexual Harassment and Discrimination. Those cases meeting the definitions and jurisdictional elements outlined in the College's Title IX Policy Prohibiting Sexual Harassment and Discrimination will follow the College's Grievance Procedure for Title IX Sexual Harassment. Those cases that do not fit within these new guidelines will be handled through the College's policy and process outlined here in the Sexual and Gender-Based Harassment and Discrimination Policy. This is not to suggest that any case is more or less important, but instead a reflection of federal regulations that apply only to a specifically-identified set of cases.

III. Prohibited Conduct under this Policy

A. Discrimination, Harassment, and Retaliation

Individuals may not be discriminated against in the terms and conditions of their employment or academic program or subject to harassment in the workplace or academic environment. Such conduct is illegal under federal and state laws and is strictly prohibited by the College. Unlawful

discrimination, harassment, and retaliation by officers, faculty, managers, supervisors, employees, students, vendors, clientele, and contractors will not be tolerated.

This Policy focuses on Sexual or Gender-Based Harassment and Sexual Misconduct, which are further described in this Section.

B. Sexual or Gender-Based Harassment

Sexual Harassment: Sexual harassment and sexual violence are forms of sex discrimination that are illegal under both federal and Massachusetts state law. Under these laws, unwelcome sexual advances, requests for sexual favors and other conduct of a sexual nature whether verbal, non-verbal, graphic, physical, electronic, or otherwise constitute sexual harassment when:

- Submission to or rejection of such sexual advances, conduct, or requests for sexually based favors is made either explicitly or implicitly a term or condition of an individual's employment, education or participation in College programs or activities, or a basis for employment or educational decisions affecting the individual (*quid pro quo*); or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance, education, or participation in College programs or activities, or creating an intimidating, hostile, humiliating or sexually offensive work, learning, or living environment (*hostile environment*).

Sexual harassment does not refer to behavior or occasional compliments of a socially acceptable nature. It refers to behavior that is not welcome and occurs in a variety of situations which share a common element: the inappropriate introduction of sexual activities or comments into the work or educational environment. It may occur on or off campus.

Sexual harassment often involves relationships of unequal power. Such situations may contain elements of coercion, such as when compliance with requests for sexual favors becomes a condition for granting privileges or favorable treatment on the job, or favorable treatment in the classroom. However, sexual harassment may also involve relationships among persons of equal authority or power, such as when repeated advances or demeaning verbal comments by a co-worker towards another co-worker have a harmful effect on a person's ability to perform their work. Sexual harassment can also involve behavior directed to and/or by students of the College, as well as employees and non-employees of the College.

Examples of sexual harassment may include, but are not limited to:

- Repeated offensive sexual flirtations, advances or propositions;
- Verbal abuse or innuendo of a sexual nature which is continued or repeated;
- Physical contact such as touching, hugging, patting or pinching which is uninvited and unwanted by the other person;
- Offensive verbal comments of a sexual nature about an individual's body or sexual terms used to describe an individual;

- An open display of sexually suggestive objects or pictures if people find them offensive;
- Jokes or remarks of a sexual nature if people find them offensive;
- Unwanted prolonged and apparent staring or leering at a person;
- Obscene gestures or suggestive or insulting sounds made towards people who find them offensive;
- The demand for sexual favors accompanied by an implied or overt threat concerning an individual's employment status or educational status or promises of preferential treatment;
- Direct or implied requests for sexual favors in exchange for actual or promised favorable evaluations of course requirements, or favorable recommendations for position or benefits within or outside the College Community; and

In evaluating allegations of sexual harassment, the allegations are evaluated from both a subjective and objective perspective considering the totality of the circumstances.

Gender-Based Harassment includes harassment based on sex or gender, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature, when the conditions for *hostile environment harassment* or *quid pro quo harassment* are present, as defined above.

C. Additional Forms of Sexual Misconduct

Sexual Misconduct

Curry College strictly prohibits sexual violence and all other forms of sexual misconduct. Sexual Misconduct includes any sexual contact or activity that occurs without the effective consent of any individual involved. It is the obligation of every person to obtain effective consent from the other person prior to sexual contact. Effective Consent is discussed in the section below.

Examples of sexual misconduct include, but are not limited to:

- Having or attempting to have sexual intercourse with another individual without consent or by force. Sexual intercourse includes anal, oral or vaginal penetration, however slight, with a body part or object.
- Intentional and unwelcome sexual touching, such as touching another's genitals, buttocks, or breasts without consent; or making someone touch you or themselves on these body parts.
- Having sexual contact with someone who is incapacitated (e.g. from alcohol or drug usage) such that their decision-making ability is compromised so that they are unable to consent;
- Continuing sexual activity after either party has made it clear, either verbally or by conduct, that they do not wish to continue physical contact;

Effective Consent

Effective consent is informed, knowing and voluntary. The College defines effective consent as mutually understandable words or actions which indicate willingness to participate in mutually agreed-upon sexual activity. Effective Consent cannot be given by minors (in Massachusetts,

those not yet sixteen (16) years of age). Effective Consent cannot be given by individuals who have a mental disability that results in their being unable to provide informed, knowing and voluntary consent. Effective Consent cannot be given by those who are unconscious, unaware or otherwise physically helpless. Consent obtained as a result of physical force, threats, intimidation (implied threats), duress or coercion is not Effective Consent. A person who knows or should reasonably have known that another person is incapacitated may not engage in sexual activity with that person, and there can be no Effective Consent in such situations. Effective Consent cannot be given by those who are incapacitated as a result of alcohol or other drug consumption (voluntary or involuntary). In addition, incapacitation may result from mental disability, sleep, or involuntary physical restraint, and there can be no Effective Consent in such situations.

Incapacitation

The College defines incapacitation as a state where an individual cannot make rational, reasonable decisions because the individual lacks the capacity to giving knowing consent, and/or as a state where one cannot make a rational, reasonable decision because the individual lacks the ability to understand the who, what, when, where, why or how of their sexual interaction. Consent to one form of sexual activity does not imply consent to other forms. Consent may be given for specific sexual activities and not for others. Consent at one time, including prior intimate partner or physical relationships does not imply future consent. Silence does not constitute consent and may indicate that something is wrong and the potential for sexual misconduct exists. The use of alcohol or other drugs does not constitute a defense for the failure of a person who initiates sexual activity to obtain effective consent.

Sexual Exploitation

Sexual Exploitation is purposely or knowingly taking sexual advantage of another person without consent. Examples of sexual exploitation include, but are not limited to:

- Obscene or indecent behavior, including exposure of one's sexual organs or the display of offensive sexual behavior;
- Deliberate observation of others (including letting others hide for observation) for sexual purposes without their consent;
- Taking, posting, displaying, or disseminating pictures, video or audio of another person's intimate body parts, or another person engaged in sexual activity or in a state of undress without that person's consent;
- Possession or distribution of illegal pornography.
- Prostitution.
- Knowingly exposing another person to a sexually transmitted infection or virus without the other's knowledge.
- Providing someone with alcohol or drugs (such as "date rape" drugs), with or without that person's knowledge, for the purpose of making the person vulnerable to non-consensual sexual activity.

Relationship and Intimate Partner Violence

Physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or economic abuse (i.e. controlling access to finances) is prohibited, including but not limited to those directed towards an intimate partner. Such violence can be a single act or a pattern of behavior. Intimate partner relationships are defined as short or long-term relationships (current or former) between persons intended to provide some emotional and/or romantic physical intimacy.

Domestic violence and dating violence may also constitute forms of intimate partner violence and are prohibited by the College. Dating violence includes violence by a person who has been in a social relationship of a romantic or intimate nature with the complaining party. The existence of such relationship is determined by its length, its type, and frequency of interaction of persons involved in the relationship. Domestic violence includes acts that may constitute violent misdemeanor and felony offenses committed by the victim's current or former spouse, cohabitant, or a person with whom they share a child (as well as a person similarly protected under applicable domestic or family violence laws).

Stalking

Stalking is defined as a course of conduct directed at a specific person whether that person is a total stranger, acquaintance, current or former intimate partner, or anyone else that would cause a reasonable person to fear for her or his safety, for the safety of a third person, or to suffer substantial emotional distress. Such behavior is prohibited.

Stalking behaviors include, but are not limited to repeatedly pursuing, following, waiting, or appearing uninvited at or near a residence, workplace, classroom, or other places frequented by the person; surveillance or other types of observation, including but not limited to staring or watching an individual without their consent (which may be referred to as "peeping"); and repeated unwanted communication, including, but not limited to, face-to-face communication, telephone calls, voice messages, e-mails, text messages, social media, written letters, gifts, or any other communications that are not welcomed by the recipient of the communication.

Retaliation

Retaliation against any individual for reporting in good faith acts of discrimination or harassment, or for assisting in an investigation of or providing information related to a report of discrimination or harassment, is strictly prohibited by federal and state laws and regulations and will not be tolerated. Retaliatory acts constitute a violation of the law and this Policy and may include, but are not limited to, intimidating, threatening, or taking adverse actions against an individual for attempting to or bringing forward a good faith complaint of discrimination or harassment, or for assisting in an investigation or providing information related to a report of discrimination or harassment. Engaging in retaliatory acts, including the continuation or recurrence of harassment or discrimination (directly or through a third party), is a violation of law and this Policy and will result in disciplinary action. The College's investigation of reported acts of retaliation shall proceed independent of the College's investigation of the related report(s) of discrimination or harassment.

Any suspected retaliation should be reported immediately to the Title IX Coordinator as circumstances warrant.

Complicity

Complicity is any act taken with the purpose of aiding, facilitating, promoting or encouraging the commission of a violation of this policy by another person.

D. Amorous Relationships Between Faculty, Students, and Staff

Employees should always conduct themselves professionally in their dealings with coworkers and students and others. The College expects the employees involved to exercise discretion and maturity in the manner in which they relate to each other at work with coworkers and students. Personal/romantic relationships between employees of different levels of authority within the College may affect the morale of co-workers by creating actual or perceived favoritism. Therefore, neither party to a romantic relationship should participate in formal or informal supervision, review or evaluation of the other. The College may alter the work responsibilities of parties engaged in a romantic relationship in order to limit their professional contact with one another.

Romantic relationships between employees and students are strictly prohibited. For more information regarding amorous relationships, contact Human Resources at (617) 333-2263.

IV. Options for Reporting Prohibited Conduct

Individuals who have experienced sexual or gender-based harassment or discrimination, including sexual violence, are encouraged to report the misconduct to the College or to local law enforcement. These options are not mutually exclusive – you do not need to choose one option over the other. Internal reports and criminal reports can be made simultaneously or at different times. There is no time limit for filing a report with the College; however, individuals are encouraged to report misconduct as soon as possible in order to maximize the College's ability to respond promptly and effectively.

The College encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual violence. This is the best option to ensure preservation of evidence and to begin a timely investigation, outside of the College's process.

A. Reporting to Law Enforcement

Conduct that violates this policy may also constitute a violation of law. For immediate safety assistance, an individual can dial 911 or contact Curry College Public Safety. The Department of Public Safety can assist in making a criminal report to local law enforcement. To report potential criminal conduct to local law enforcement, contact information is below. Additionally, the Department of Public Safety can provide information about the process for seeking court ordered civil restraining orders or harassment protection orders.

Emergencies 911

Curry College Public Safety (617) 333-2222
940 Brush Hill Road, Milton, MA 02186

Milton Police Department (617) 698-3800
40 Highland Street, Milton, MA, 02186

Plymouth Police Department (508) 830-4218
20 Long Pond Rd., Plymouth, MA 02360

B. Reporting to the College

The following individuals are trained and designated to receive and respond to allegations of violations of the policy:

Title IX Coordinator:
Rachel King
55 Atherton St.
Rachel.King@curry.edu
617-979-3516

Deputy Title IX Coordinator:
Jennifer Golojuch-Borden
Associate Vice President for Student Affairs & Dean of Students
1016 Brush Hill Road
Jennifer.golojuchborden@curry.edu
617-391-5240

Making a report of prohibited conduct under this policy involves telling an employee of the College (with the exception of those designated as “confidential,” referenced in Section V), also known as “mandated reporters,” what occurred. While reported misconduct must be relayed to the Title IX Coordinator, individuals wishing to make a complaint can speak directly to one of the above Coordinators or any mandated reporter. Additionally, a number of staff and faculty across campus have been trained as Liaisons, serving as a resource to members of the College community. These Liaisons participate in annual training and are knowledgeable about College policies, procedures, resources and reporting obligations.

A knowingly and intentionally false or frivolous complaint, determined by the College to have been made in bad faith and dishonesty in the context of an investigation, is a serious offense. A finding that the College policies have not been violated is not, in and of itself, an indication that a complaint is false or unfounded. The College reserves the right to impose appropriate disciplinary action to students and employees who knowingly and intentionally file a false or frivolous complaint, or who participate in bad faith in the investigation of a complaint filed pursuant to College policies by knowingly and intentionally provide false and misleading information in the context of the investigation.

V. Confidentiality and Employee Reporting Obligations

A number of different resources and reporting options are available to those who have experienced sex or gender-based discrimination or harassment, including sexual violence. It is important to understand, however, that these resources offer varying degrees of confidentiality and reporting obligations, as outlined below.

Employee Reporting Responsibilities. All College employees (faculty and staff) must promptly notify the Title IX Coordinator about possible sexual or gender-based harassment, with limited exceptions. On-campus resources who can maintain confidentiality, and are therefore not required to report discrimination or harassment to the Title IX Coordinator, are those employed at the Counseling Center and Health Services, and the Sexual Violence Prevention Educator, who serves as a confidential resource provider.

Adherence to this reporting obligation ensures that the College can connect affected individuals with appropriate resources and services; track incidents and identify patterns; and, where appropriate, take steps to protect the College community.

All actions taken to investigate and resolve complaints shall be conducted with as much privacy and discretion as possible without compromising the thoroughness and fairness of the investigation. All persons involved are to treat the situation with respect and as confidentially as possible. To conduct a thorough investigation, the Investigator(s) and/or Title IX Coordinator may discuss the complaint with witnesses and those persons involved in or affected by the complaint, and those persons necessary to assist in the investigation or to implement appropriate remedial action.

Complainant Requests Not to Investigate. A Complainant may request that the College not investigate or pursue resolution of a report or may request that their name not be disclosed. This can limit the College's ability to respond fully to the reported misconduct and pursue disciplinary action against the Respondent. Such requests should be made to a Title IX Coordinator and will be balanced with the College's responsibility and legal obligation to provide a safe and non-discriminatory environment for all members of the College community.

The College will respect the Complainant's right not to participate in an investigation, but may continue an investigation in order to meet its responsibility and legal obligation to provide a safe and non-discriminatory environment for all members of the Curry community. In such cases, the College will consult with the Complainant and keep the Complainant informed about the chosen course of action. The College may determine that it must investigate and pursue resolution of a report. An individual who initially requests anonymity or who requests that the College not investigate or pursue resolution may later request that the College investigate and pursue resolution.

Informal Resolution. An Informal Resolution Process (IRP) may be used as a way to address allegations of sexual and gender-based harassment and discrimination covered under this Policy under certain circumstances. Informal Resolution, which can take various forms, described below, requires voluntary, written consent for participation by the parties and is available at the discretion of the Title IX Coordinator. An IRP is not permitted when an employee is alleged to have sexually

harassed a student.

Prior to participating in an Informal Resolution Process, parties will receive written notice of the allegations and an explanation of the process and consequences, including a summary of the records that will be maintained or could be shared if the parties elect an IRP. Any party, including the College, can end an IRP and resume the applicable student or employee grievance procedures at any time. Information obtained during the course of the IRP will not be available for use during a formal grievance process.

Informal Resolutions can result in the voluntary imposition of safety measures, remedies, and/or agreed-upon resolutions by the parties, including, but not limited to, no contact orders, restrictions from activities, class, and locations, and education or training, that are enforceable by the College. Informal Resolution may take the form of a Restorative Justice Resolution Process, which can be facilitated by the Title IX Coordinator or other trained, third-party facilitator. This may or may not involve face-to-face meetings with the Complainant and Respondent, available if all parties, including the College, are in agreement. A restorative justice conference brings together those who were impacted by an offense, typically including those who were harmed, those who were responsible for causing the harm, and impacted community members. Through a facilitated dialogue, the participants discuss the harm and surrounding events, and mutually determine solutions to repair harm and rebuild trust. The Restorative Justice Resolution will result in an agreement between the Complainant, Respondent, the College, and other impacted parties.

Participation in an Informal Resolution Process does not constitute a finding of responsibility for a policy violation and is therefore not part of the student or employee's disciplinary file. However, information regarding participation in the IRP is maintained, as well as the agreement. If the Respondent is found responsible for a violation of any College policy in the future, this agreement can be considered when issuing sanctions for the Respondent. All agreements reached during the IRP, must be approved by the Title IX Coordinator and signed by the Respondent and Complainant. Failure to reach an agreement or complete the items in the signed agreement may result in the case being referred to the Formal Resolution Process.

Clery Act Reporting. In accordance with the Clery Act and the Violence Against Women Act (VAWA), statistical information regarding certain offenses will be included in the College's annual safety and security report in a manner that does not include any personally identifiable information. All employees who are designated as Campus Security Authorities for the purposes of the Clery Act must immediately provide non-identifying statistical information regarding all reported incidents of sexual assault, dating violence, domestic violence, and stalking.

All personally identifiable information is kept private, but statistical information is passed along to the College's Department of Public Safety by the Title IX Coordinator regarding the type of incident and its general location (on or off-campus or in the surrounding area, but no addresses are given) for publication in the Annual Security Report and daily campus crime log. Campus Security Authorities include: student affairs/student conduct staff, Public Safety, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities.

In addition, College administrators will issue timely warnings for incidents reported that pose a serious and ongoing threat to the safety of the campus community.

VI. Accessing Resources

A. Confidential Resources

If a student or employee wants to speak with a confidential resource, trained staff are available on and off-campus. Help and support is available to those who want to talk in detail about an incident, but are not sure if they are ready or interested in reporting to the College or law enforcement.

Confidential Resource Provider

(For students and employees)

On-campus: Sexual Violence Prevention Educator
55 Atherton St.
(617) 333-2956
Rachael.Cina@curry.edu

Emotional Support

On-campus: Counseling Center (617) 333-2182 (8:30-4:30)
(For students) Wellness Center, 1016 Brush Hill Road, Milton, MA 02186

Counselor-on-call after hours via Public Safety (7 days a week) (617) 333-2222

Off-campus: A New Day victim advocates (a program of Health Imperatives)
24-hour hotline (508) 588-8255
950 W. Chestnut St., Brockton, MA 02301

DOVE – Domestic Violence Ended
24-hour hotline (617) 471-1234
P.O. Box 690267, Quincy, MA 02269

(For employees) If an employee wants to speak with a confidential resource, Life Assistance Program through Cigna Behavioral Health (available to employees) is a free confidential service available to all employees and their household members. Services are available to assist 24 hours a day, 7 days a week for support.

Life Assistance Program: (800) 538-3543

Services available include face-to-face visits with a network provider for behavioral issues, telephonic support for work/life concerns and crisis support).

In cases of physical violence and/or sexual misconduct, the College encourages individuals to seek medical care, which also offers the best option to ensure the preservation of evidence.

Medical Care

On-campus: Health Services (617) 333-2182 (8:30-4:30)
(*For students*) Wellness Center, 1016 Brush Hill Road, Milton, MA 02186

Off-campus: Milton Hospital (617) 696-4600
199 Reedsdale Road, Milton, MA 02186
(Transportation available via Public Safety (617) 333-2222)

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

Plymouth Campus: Beth Israel Deaconess Hospital - Plymouth (508) 746-2000
275 Sandwich St, Plymouth, MA 02360

B. Amnesty

The College encourages reporting of sexual harassment and discrimination and seeks to remove any barriers to reporting. The College recognizes that a reporting party who has been drinking or using drugs at the time of an incident may be hesitant to make a report because of potential disciplinary consequences. Accordingly, students who report sexual misconduct, either as a Complainant or a third party witness, will not be subject to disciplinary action for a violation of the College's student conduct policies related to the incident, unless the College determines that the report was not made in good faith or that the violation was egregious. An egregious violation shall include, but not be limited to, taking an action that places the health and safety of another person at risk. The College may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

C. Remedial, Protective and Interim Measures

When the College receives a report of a violation of this policy, reasonable and appropriate remedial, protective, and interim measures may be put in place, by the appropriate College official(s), regardless of where the reported conduct occurred. These measures may be both remedial (designed to address a Complainant's safety and well-being and continued access to educational opportunities) or protective (designed to reduce the risk of harm to an individual or community). These measures, which may be temporary or permanent, may be imposed even when not specifically requested by a Complainant or Respondent at the discretion of the College, as appropriate. They include, but are not limited to: no contact orders; access to campus escort; changes to student housing, dining, or work circumstances; counseling and medical services; victim advocacy; legal assistance; academic support; transportation accommodations; assistance maintaining eligibility for student visa or financial aid; immigration assistance; interim suspension; and administrative leave (with or without pay).

VII. Applicable Procedures under this Policy

The Office of Human Resources may address alleged violations of this College policy which are brought against an employee, a visitor to an employee, or a vendor. The applicable procedures can be found in the Employee Handbook.

The Office of Community Standards and Accountability may address alleged violations of this College policy that are made against a student of the College or a visitor to a student.

VIII. Academic Freedom

Nothing contained in this policy shall be construed to limit the legitimate and reasonable academic responsibilities and academic freedoms of the College's professional educators. Conduct believed to be offensive, on its own, is not sufficient to constitute a violation of this policy. The conduct must be sufficiently serious to interfere with an individual's ability to participate in employment or an educational program and activities from both a subjective and objective perspective.

IX. Prevention and Awareness Programs

In line with the College's commitment to the prevention of prohibited conduct, Curry College provides a variety of ongoing education and awareness programs. New students and employees receive prevention programming when joining the College community and returning students and current employees receive ongoing training and related education.

For more information about the College's available prevention and education offerings, please contact Rachael Cina, Sexual Violence Prevention Educator, at Rachael.Cina@curry.edu.

X. Title IX Coordinator / State and Federal Agencies

Individuals may contact one of the College's Title IX Coordinators to address questions about the conduct prohibited under this policy, including sexual discrimination and harassment. Individuals may also file a complaint for violations of this policy directly with a Title IX Coordinator.

Title IX Coordinator:

Rachel King
55 Atherton Street
Rachel.King@curry.edu
617-979-3516

Deputy Title IX Coordinator:

Jennifer Golojuch-Borden
Associate Vice President for Student Affairs & Dean of Students
1016 Brush Hill Road
Jennifer.golojuchborden@curry.edu
617-391-5240

Deputy Title IX Coordinator:
Vinnie Eruzione
Director of Athletics
Student Center, L-04
veruzion@curry.edu
(617) 333-2202

State and Federal Agencies

In addition to the above, if you believe you have been subjected to unlawful discrimination, harassment or retaliation, you may file a formal complaint with the government agencies set forth below. Using the College's complaint process does not prohibit you from filing a complaint with these agencies.

1. The United States Equal Employment Opportunity Commission ("EEOC")

Boston Area Office:
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(617) 565-3200
(800) 669-4000

2. Massachusetts Commission Against Discrimination ("MCAD")

Boston Headquarters:
One Ashburton Place, Suite 601
Boston, MA 02108
(617) 994-6000

Worcester Office:
484 Main Street, Room 320
Worcester, MA 01608
(508) 453-9630

Springfield Office:
436 Dwight Street, Room 220
Springfield, MA 01103
(413) 739-2145

New Bedford Office:
800 Purchase Street, Room 501
New Bedford, MA 02740
(508) 990-2390

3. U.S. Department of Education: Office for Civil Rights ("OCR")
5 Post Office Square

8th Floor
Boston, MA 02109-3921
(617) 289-0111

XII. Violations of Massachusetts State Law

Some of the conduct prohibited by this policy may also constitute violations of the law. The following are definitions compiled from the Massachusetts General Laws applicable to certain relevant offenses.

Dating and Domestic Violence

Massachusetts law has no statutory definition of “dating violence” or “domestic violence,” but there is a related crime of “domestic abuse” defined as: the occurrence of one or more of the following acts between family or household members: attempting to cause or causing physical harm, placing another in fear of imminent serious physical harm; and causing another to engage involuntarily in sexual relations by force, threat, or duress. Under this law, family or household members include people who are or were married, residing in the same household, related by blood or marriage, have a child together, or have a substantive dating or engagement relationship. See M.G.L. c. 209A, § 1.

Sexual Assault

There is no crime called “sexual assault” in Massachusetts; however, there are related crimes that constitute sexual offenses:

- “Rape,” which is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. Under state law, rape occurs when the offender has “sexual intercourse or unnatural sexual intercourse with a person and compels such person to submit by force and against their will, or compels such person to submit by threat of bodily injury.” See M.G.L. c. 265, § 22.
- A sexual assault that does not meet the legal definition of rape may constitute “indecent assault and battery,” which occurs when the offender, without the victim’s consent, intentionally has physical contact of a sexual nature with the victim. See M.G.L. c. 265, § 13H.
- “Statutory rape,” which is defined as non-forcible sexual intercourse with a person who is under the statutory age of consent. In Massachusetts the statutory age of consent is 16 years of age.
See M.G.L., c. 265, §23.

Stalking

Under Massachusetts law, M.G.L., c. 265, §43, an individual engages in stalking if they: 1) willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person which seriously alarms or annoys that person and would cause a reasonable person to suffer substantial emotional distress; and 2) makes a threat with the intent to place the person in imminent fear of death or bodily injury.

Consent

Massachusetts does not have a specific definition for consent in this context. Instead, Massachusetts has several laws that define the age of consent and the additional penalties that attach if a person is under the age of 16 or 14. In Massachusetts, it is illegal to have sex under any circumstances with someone who is incapable of giving consent due to incapacity or impairment; incapacity or impairment may be caused by intoxication or drugs, or because a victim is underage, mentally impaired, unconscious, or asleep.

1.3 ACCOMODATIONS FOR PERSONS WITH DISABILITIES

Curry College is committed to providing, upon request, a reasonable workplace accommodation to a job applicant or employee with a disability so that he/she may have equal opportunity to apply for a job, to perform the essential functions of the job, or to be afforded equal opportunity on other benefits or privileges or employment, as provided under the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and corresponding state law.

Any employee, including student employees, or job applicant is invited to declare his/her disability to be eligible for reasonable accommodation. The Human Resources office is available to assist employees/applicants with this process.

Procedure: The employee or applicant should notify Human Resources or his/her supervisor of his/her disability and the need for accommodation. The Reasonable Accommodation Request Form and the Disability Verification Form are to be completed by the employee and his/her health care provider respectively and are available in the Human Resources office. When these are returned to Human Resources, the Vice President, the employee's manager, and the appropriate Senior Staff member will meet to discuss the request and the College's ability to make the accommodation. The employee will be informed of the College's response.

Accommodations that create an undue hardship for the College are not required by law.

Documents pertaining to an accommodation request and/or a disability are placed in a confidential file and may be opened only by the employee or an appropriate HR representative or designee on a documented and approved "as needed" basis.

The ADA Subcommittee, part of the Health and Safety Committee, meets monthly to review disability related issues on campus. It is composed of volunteer members from across the institution (including staff, faculty and students). If you would like to bring ideas or concerns to this group, or would like to participate as a member, please contact the Director of Buildings and Grounds, the Vice President of Human Resources, or the Student Disabilities Officer, all of whom are members.

SECTION II

EMPLOYMENT AT THE COLLEGE

2.1 EMPLOYEE CLASSIFICATION

FULL-TIME: An employee who works 40 hours or more per week (including paid meal breaks) on a regular basis, at least 9 months per year. Employees hired prior to 9/1/08 into a designated full-time position and working at least 30 hours/week/12 months or 35 hours/week/10 months (including paid meal breaks) continue to be considered full-time. Full-time employees are eligible for all insurance benefits.

PART-TIME: An employee who works less than 40 hours per week. Part-time employees are eligible for some benefits.

PART-TIME, CASUAL: An employee who works on a part time basis less than 20 hours per week and less than 1000 hours per year. Part-time, casual employees are not eligible for any benefits.

TEMPORARY: An employee who is hired for special projects, needs, on call replacement, or other situations. A temporary position is not benefit eligible.

NON-EXEMPT EMPLOYEES: Employees who are not exempt from the overtime provisions of the Fair Labor Standards and Massachusetts wage and hour laws. These employees receive overtime premium pay for over forty (40) hours worked per week, exclusive of the paid lunch period (see page 37 for more information).

EXEMPT EMPLOYEES: Employees who are exempt from overtime provisions of the Fair Labor Standards Act and Massachusetts wage and hour laws, i.e.; professional, executive and administrative employees. These employees are not paid overtime compensation.

2.2 ATTENDANCE

In the case of lateness or an absence, the employee should make a reasonable effort to contact his or her supervisor no later than half an hour after scheduled to be at work. Supervisors of non-exempt (hourly) employees will adjust the employee's electronic timecard to reflect the absence.

An employee must keep the supervisor informed if the absence continues for two (2) or more days. An employee who is absent from work for three (3) working days without notifying his/her supervisor in accordance with this policy will be considered to have voluntarily terminated employment.

2.3 EMERGENCY CLOSINGS, EARLY RELEASE AND DELAYS

If the Governor of Massachusetts declares an official state-wide State of Emergency, or if the College determines it is not feasible to open or remain open due to extreme local conditions, Curry College will cancel classes and close offices. If there is no State of Emergency, and if it is feasible for Curry to have a work/school day on campus, then we will be open. Closures, delayed openings or early closures are made on a case-by-case basis.

Our primary concern is for the well-being and safety of our entire Curry Community. Since our student, faculty, and staff commuters travel from many different locations and since weather-related travel conditions may vary widely, all should use their own judgment and discretion regarding travel during inclement weather.

If the College is open and employees decide not to travel, they may use a vacation day or personal day if available. We urge everyone to make responsible decisions based on your situation and needs, and to keep your supervisor informed.

If the College is closed, "essential employees" and mobilized members of the emergency response group will be expected to be available on campus and/or work remotely. Employees in the Departments of Public Safety and Buildings & Grounds, and other employees designated as essential employees to the College, will be notified by their supervisors as to expectations and procedures.

When campus offices are closed, staff will be notified by their Senior Staff member and/or direct supervisor as to expectations and procedures for the continuity of business operations. To help minimize the impact of weather-related or other business disruptions, each department is expected to have contingency plans in place which ensure that time-sensitive operational obligations and priorities continue to be met. Real-time adjustments to facilitate continuity of business operations may include, but are not limited to, the use of technology resources to conduct work remotely and/or the reassignment of human resources.

When on-campus classes are cancelled, faculty are expected to activate any contingency plans included in their course design and syllabi to minimize negative impact to their

semester plan for a given course. Contingency plans may include, but are not limited to, the use of technology resources such as Blackboard and Panopto which may facilitate students' continued learning and discussion.

When an employee has a vacation day, sick day, or personal day scheduled and approved by their supervisor, and the College announces a closure, the fringe benefit time will still be charged as scheduled. The only exception to this would be if a physician's appointment was cancelled as a result of the physician closing its office as a result of the weather conditions, thus requiring the appointment to be rescheduled.

In the case of an emergency closing of either Curry College campus (Milton or Plymouth), emergency closing announcements and updates will be immediately posted on www.curry.edu, the College's institutional Facebook page facebook.com/currycollege and Twitter [@curryedu](https://twitter.com/curryedu) accounts, and on the myCurry portal. Announcements will be recorded and accessible on the College's Emergency Alert Hotline at 617-333-2075. Announcements will also be shared with local broadcast television stations: WBZ, WCVB, WHDH, NBC, WFXT, and New England Cable News. Emergency closing notifications will also be sent directly via email, text, and/or voice mail based on employee preferences as designated in the "My Emergency Notifications" tab in the myCurry portal.

Reasonable efforts will be made to post announcements generally by 5:45 a.m. for day classes and 3:30 p.m. for evening classes. When the College remains open, no messages will be posted.

2.4 ADMINISTRATION/ STAFF TEACHING ASSIGNMENTS

Administrators and staff may teach at Curry provided that time, circumstances and their supervisors permit. Supervisors must give such authorization in writing prior to the beginning of the term in which the administrator/staff member intends to teach.

Administrators and staff may not teach classes during the regular hours of a working day. First Year Seminar classes may, when necessary, be an exception. If employees teach a First Year Seminar class during regular working hours, it is expected that the time they spend in the classroom during their regular working hours will be matched by additional time devoted to their normal duties.

An administrator or staff member may not receive additional compensation for work performed in another academic-related capacity during the regular hours of a working day such as academic advising, internship supervision, etc.

An administrator or staff member who teaches may not teach more than one course per regular term.

Administrators and staff are not eligible for membership in the College AAUP.

Administrators and staff who teach may receive regular compensation for their teaching. They may also decline payment.

2.5 JOB POSTINGS & TRANSFERS

A written notice of job openings will be circulated to the college community via the college email system. Qualified persons interested in a posted position should contact the Human Resources Office. Qualified internal candidates will be interviewed both by Human Resources and by the supervisor with the vacancy. A transfer or promotion is not a guarantee of continued employment. All employees remain employees at-will regardless of transfers or promotions.

An employee who has transferred/been hired into a new position must wait at least one year before applying for another position. Human Resources will inform each internal candidate of the decision made by the supervisor.

2.6 NEPOTISM

The College encourages employees to refer qualified individuals to the College for employment.

Employees may recommend their relatives for employment by the College, however, because simultaneous employment of relatives may pose problems for the College, special rules may be enforced in each particular situation. No employee shall directly supervise, approve budgetary expense requests, approve timesheets, or have any responsibility to evaluate the performance of a relative. Any employees who assume a position within the College in which they are required to perform any of these tasks with respect to a relative should notify the Vice President of Human Resources immediately.

2.7 EMPLOYMENT BACKGROUND CHECKS

Curry College is committed to safeguarding our students, employees and resources through effective pre-employment and employment practices. The College conducts background investigations, as authorized, on prospective employees and volunteers for selected positions to determine fitness for employment. A background investigation may include a combination of the following screenings:

- Social Security Number Verification
- Education and Professional Credentials Verification
- Motor Vehicle Records Search
- Criminal background check (CORI and SORI)
- Employment or Personal Reference Check
- Credit History Report (limited to positions with institutional financial responsibility)

Applicable job offers will be made contingent upon successful completion of a background check. At the time the contingent offer is made, Human Resources will ask the candidate to complete and sign a Background Authorization form or a CORI/SORI Release form.

The Human Resources Department will make arrangements for all background investigations. Such investigations will be conducted in cooperation with an outside vendor and in accordance with the consent and notice provisions of the Fair Credit Reporting Act.

Criminal background checks, including Sex Offender Registry Information (SORI) checks, are conducted as authorized by the state, the Criminal History Systems Board (CSHB/DCJIS) and in accordance with applicable law.

To access the full CORI/SORI policy, please contact the Human Resources office.

The College will keep all information gathered in background investigation records confidential and will use the information solely for the purpose of establishing an applicant's fitness for employment. The College will not disclose background investigation records or information contained in such records to third parties without applicant consent, except if required by law.

The Vice President of Human Resources and other authorized individuals, will review the results of the background investigation in relation to the position under consideration, and determine whether or not the conditional offer of employment shall be withdrawn. Criminal convictions shall not automatically disqualify an applicant from employment. The College shall consider factors such as, but not limited to, the nature of the crime, the age of the individual at the time the crime was committed, length of time since the conviction, the nature of the conviction and the job-relatedness of the conviction, the individual's employment history, and employment references.

The Vice President of Human Resources will notify applicants when a potential adverse decision based on criminal offender record information is reported. Human Resources will also provide a copy of the criminal offender record information to the applicant along with a copy of this policy. The candidate will be informed of the process for correcting a criminal record.

Any identified misrepresentation, falsification, or material omission of information from the employment application and/or resume discovered during the selection process or after hire, may exclude the candidate from consideration for the position or result in withdrawal of the conditional offer of employment or termination of employment.

If a candidate disputes the accuracy of any information obtained in a background check, he/she will be referred to the agency that provided the information. A candidate or current employee disputing the accuracy of information will have three (3) business days to conclusively demonstrate the inaccuracy of the information obtained in a background check, after which time an employment decision may be made.

The College will discard both applicant's and former employee's criminal offender information after seven years from the adverse hiring decision or last day of employment, respectively.

2.8 NEW EMPLOYEE ORIENTATION

All new employees of the College will meet with Human Resources, usually on the first day of employment for an Orientation. In addition to completing necessary paper work, the new employee will receive a copy of The Curry College Employee Handbook and a review of key elements of its contents will take place. A group Orientation is also done periodically throughout the year. This includes a tour of the campus, and a meeting with the President and members of the Senior Staff of the College. An “On-boarding” meeting is also held with the new employee six to eight weeks post-hire in Human Resources.

A. IDENTITY AND EMPLOYMENT ELIGIBILITY

The Federal Government’s Immigration and Control Act of 1986 requires that all new employees must present documents establishing both their identity and employment eligibility. In order to comply with the law, new employees are required to complete an Employment Eligibility Certification Form I-9 and provide acceptable identification. Persons who are not citizens of the United States must also provide evidence that they are permitted to work in the United States. Questions concerning this law should be addressed to Human Resources.

B. COLLEGE EMPLOYEE IDENTIFICATION CARD, KEYS, ELECTRONIC DEVICES AND CREDIT CARDS

Upon commencement of employment employees receive a Curry College Identification Card. You may obtain your Curry College Identification Card at the Office of Public Safety. Your ID allows you to access various benefits at the College including Parking, discounted meals, Library privileges, and discounted Fitness Center membership. It may also be necessary to show your identification card to access the campus outside normal business hours or during emergencies. It is important that every employee to obtain a Curry College ID. **For public safety purposes, employees should carry their I.D. cards at all times during the workday.** Employees working during evenings and weekends will need to use their I.D. cards to enter and exit campus and its facilities. Lost or stolen I.D. cards should be reported immediately to the Director of Public Safety.

Upon commencement of employment new employees will receive a key to the appropriate College premises. Employees may not give or lend their keys to any other person, including other employees. Furthermore, employees may not make copies of College keys. Lost or stolen keys should be reported immediately to the Vice President of Buildings and Grounds.

New employees may also be given a beeper or other electronic devices and/or credit card, depending on their role.

Beepers, electronic devices, credit cards, and Curry College I.D. cards, and all records, documents and property of Curry College, must be returned to the Department for which employees were working prior to leaving the College.

2.9 ORIENTATION PERIOD

New employees are in an orientation period for the first three months after the employee begins service with the College. The orientation period may be extended at the discretion of the College. During the orientation period, new employees are not entitled to all benefits. During orientation, employees who would otherwise be eligible for vacation, sick leave and personal days do not accrue vacation, sick leave and personal days (the employee's supervisor should contact the Human Resources Vice President in the event of any extraordinary circumstances related to this policy). Upon the successful completion of the orientation period the employee will accrue vacation, sick leave and personal days at a rate consistent with the date of hire. Eligible employees are eligible to enroll in health, life and disability insurance benefits on the date of hire as a full-time employee.

A new employee who has not completed the orientation period is not eligible to use the College's grievance procedure.

2.10 EMPLOYEE STATUS CHANGE

It is the responsibility of an employee's supervisor to complete the proper Human Resources form any time there is a change relative to an employee's position status, including; new hire, new title, department number, pay rate, name change, transfer, promotion, resignation, termination or a change in any of the classifications defined above. The form should be signed by the supervisor and the department head, then forwarded to the Human Resources Department, prior to the effective date of the change.

Employees are responsible for ensuring that personal information changes are furnished to Human Resources. Changes in address, marital status, emergency contact information, name and other personal information changes are sent in writing to Human Resources. No name changes are made effective without a valid Social Security Card for name verification in compliance with federal regulations.

Any questions regarding the completion of these forms should be directed to the Human Resources Department.

2.11 PERFORMANCE EXPECTATIONS AND DISCIPLINARY

Because the College aspires to high standards of performance and behavior by its employees, it has established the following discipline policy. This policy is intended for guidance only and does not entitle employees to progressive discipline or any other disciplinary procedures in any particular case. The facts of each particular situation will be unique and may, therefore, lead to different responses by the College. This discipline policy does not alter the at-will nature of each employee's employment.

Progressive Discipline: When employees have engaged in unsatisfactory conduct that does not result in immediate discharge, the College may take disciplinary actions, described below.

Procedure:

- **Oral Warning:** An oral warning describes specific examples of the unsatisfactory conduct and contains suggestions for improvement within a given time frame.
- **Written Warning:** A written warning describes the unsatisfactory conduct and the measures needed to correct the problem. If the problem is not corrected or if the unsatisfactory conduct recurs, the employee will be subject to further disciplinary action, up to and including immediate discharge. A copy of this written warning will be placed in the employee's personnel file.
- **Discharge:** If warnings are inappropriate or unnecessary given the conduct at issue, or if the warnings have not eliminated the conduct at issue, the employee will be subject to discharge from employment. The discharge will be confirmed in writing, and placed in the employee's personnel file.

Immediate Discharge: The College does not promise or imply that progressive discipline will be followed in all circumstances. This is because each situation presents its own set of facts and considerations. The College may choose to suspend or immediately discharge the employee for the first offense. While it is impossible to list all examples of instances where the College may not follow progressive discipline, some examples of such instance are:

- Use, possession or distribution of a controlled substance on College premises;
- Unauthorized use or possession of alcoholic beverages on College premises;
- Reporting to work under the influence of alcohol or a controlled substance;
- Harassment of fellow employees on the basis of race, sex, religion, color, age, national origin, disability or sexual orientation;
- Acts of insubordination;
- Misuse of student or College funds;
- Theft or abuse of student or College property;

- Falsifying time sheets, or the time card of another employee or requesting another employee to falsify one's own time sheet or card;
- Acts of dishonesty;
- Conduct prejudicial to the interests of the College or hindering an employee's ability to perform his or her job;
- Misuse of College keys;
- Misuse of College Credit Cards, i.e. charging personal items;
- Fraud or misrepresentation on a resume or application for employment submitted to the College;
- Improper use of the authority to oversee all of the documents in the personal drives/files of an employee;
- Unauthorized disclosure, removal or copying of records of the College or its students;
- Acts constituting a felony under state or federal law;
- Violation of College Policy; and
- Other workplace misconduct or unsatisfactory job performance that the College believes serious enough to warrant immediate dismissal.

An employee may file a grievance challenging any disciplinary action(s), (see Grievance Procedure Policy 3.3)

2.12 PERFORMANCE EVALUATIONS

Performance evaluations will generally take place annually or on the review schedule established by the College unless special circumstances such as a promotion or transfer require adjustments to this cycle.

The performance evaluation provides an opportunity for the employee and the supervisor to review the employee's performance. During the evaluation, relevant performance factors are evaluated, performance goals for the next year are established, and career goals are discussed. The process involves the supervisor and the employee filling out the evaluation form to share their viewpoints. The supervisor will complete a written performance evaluation form, which the employee is expected to sign, acknowledging that he or she has reviewed the evaluation. Employees hired after March 1st in any given year will not be eligible for the annual increase for that fiscal year.

2.13 PERSONNEL RECORDS

The College's Human Resources Department maintains an official personnel file for each employee. Employees may review or obtain a copy of their official personnel file by submitting a written request to the Human Resources Department. Any review must be conducted in the presence of a representative of the Human Resources Department, during normal business hours.

Any employee who believes that any information in his/her personnel file is incorrect may request a correction. If the College does not agree with an employee's requested correction, the employee may submit a written statement explaining his or her position on the matter. This statement will become a part of the employee's official personnel file. All official personnel files are the property of the College and no part of them may be removed from the College without authorization.

Employees are responsible for promptly notifying the Human Resources Department of any change of name, address, telephone number or emergency-contact information. Please reference Policy 2.10 Employee Status Changes for details.

It is the policy of Curry College that all requests for employment verification or references should be forwarded to the Human Resources Department. The College will only verify employment dates. To authorize the release of additional information to prospective employers, employment agencies and search firms, or any other entity, the employee must sign a Limited Release for Employment Information available from the Human Resources Department.

2.14 EMPLOYEE SEPARATION

If an employee decides to terminate his/her employment, the College requests him/her to give their supervisor a notice of at least two weeks. At the discretion of the College, the employee may be permitted to continue to work through the notice period or may be relieved of duties immediately.

Beepers, electronic devices, credit cards, and Curry College I.D. cards, and all records, documents and property of Curry College, must be returned to the Department for which employees were working prior to leaving the College.

An employee's final paycheck will include salary or wages through the time of termination and any accrued, unused vacation wages. Final check(s) will be available on the next scheduled pay date following the resignation date

A. UNEMPLOYMENT INSURANCE

As required by the Commonwealth of Massachusetts, Curry College provides you with unemployment benefits if you are laid off due to lack of work. Your local Employment Office determines the amount and duration of benefits. Upon notice of separation and along with any final payment of wages for which you may be owed, information regarding how to file for unemployment is provided.

SECTION III COMMUNICATION BETWEEN YOU AND THE COLLEGE

3.1 OPEN DOOR POLICY

Curry College is dedicated to the principle that our employees are our most important resource. The College believes that an open, fair and honest flow of communication within an atmosphere of mutual trust is of prime importance to its employees. Realizing that effective communication is always a two-way street, the College values employees' constructive opinions and suggestions. Because Curry College believes in team effort and an open atmosphere, it encourages an employee to meet and discuss suggestions, problems or concerns with anyone in management.

In most cases, talking with one's supervisor is the most effective way to deal with a problem or suggestion. However, an employee may discuss problems or suggestions with a higher level management instead of, or in addition to, their supervisor. Usually, this would be a more senior level person in your area. This open door policy is not a substitute for the College's grievance procedure or sexual harassment policy.

3.2 WHISTLEBLOWER POLICY

Curry College requires trustees, officers, faculty, employees, and administrators (collectively called "Representatives") to observe high standards of business and personal ethics in the course of their duties and responsibilities. As Representatives of the College, they must practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations.

A. REPORTING RESPONSIBILITY

Curry College handles complaints about ethics violations, accounting fraud, theft, violation of laws and regulations, including safety regulations (collectively called "Violations") seriously and expeditiously. All Representatives should report suspected Violations or concerns in accordance with this Whistleblower Policy.

B. NO RETALIATION

No Representative who in good faith reports a Violation shall suffer harassment, retaliation, or adverse employment consequences. An employee who retaliates against a Representative who has reported a Violation in good faith is subject to discipline, up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns so that the College may address them promptly.

C. REPORTING VIOLATIONS

Suspected Violations should be reported promptly. In most cases, the Violation can be reported to your supervisor. In the case of suspected Violation by the President or a Trustee, the Violation can be reported to the Chair of the Board of Trustees.

If you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with the Vice President of Human Resources or any manager with whom you are comfortable approaching. Supervisors and managers are required to report suspected Violations to the College's Chief Financial Officer, who serves as the compliance officer and has specific responsibility to investigate all reported Violations. Individuals may contact the College's Chief Financial Officer directly. Any theft of physical assets should be reported to Campus Safety at ext. 2232.

Suspected Violations should be submitted in writing and while the signature of the person reporting the Violation is recommended, it is not required. The person reporting a Violation shall receive an acknowledgement of receipt of the reported Violation as soon as is reasonably possible, provided the report is not submitted anonymously.

All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

The College has the authority to retain outside legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of the allegations.

D. COMPLIANCE OFFICER

The College's Chief Financial Officer is responsible for investigating all reported Violations and, as appropriate, shall advise the President and/or the Finance and Physical Facilities Committee of the College's Board of Trustees of the alleged Violation.

E. ACTING IN GOOD FAITH

The College's Whistleblower Policy shall not be intentionally misused. Intentional misuse includes, but is not limited to, knowingly frivolous claims, attempts to treat a personal grievance or personnel dispute as an allegation of wrongdoing, lack of good faith in invoking the policy or any known false, malicious or misleading statements made at any time under the procedures of the policy. Intentional misuse is subject to discipline, up to and including termination.

F. CONFIDENTIALITY

Reports of Violations, and investigations pertaining thereto, shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation and to meet legal requirements and other reporting obligations.

Disclosure of reports of Violations to individuals not involved in or necessary to the investigation will be viewed as a disciplinary offense and may result in discipline, up to and including termination of employment.

3.3 GRIEVANCE PROCEDURE

The College encourages the resolution of grievances on an informal basis whenever possible. However, when a complaint that is work related cannot be resolved informally, the employee may address the issue through the following grievance procedure:

First Level: An employee may initiate the formal grievance procedure by submitting the grievance in writing to his or her immediate supervisor within five (5) working days following the event on which the grievance is based. The request for a formal review should include (a) the nature of the grievance and the facts upon which it is based; (b) any bylaw, governance, legislation, regulation, or policy of the College which you claim has been violated; (c) the remedy or relief requested. The supervisor will consider the grievance and typically will respond within 14 business days. The grievance will be reviewed by the supervisor and his/her senior manager. If because of the nature of the grievance, an employee has concerns about confidentiality/sensitivity, an employee can file the grievance with the Vice President of Human Resources directly.

Second Level: Within seven calendar days after receiving the first-level response from the immediate supervisor (or, if no response is received, within 21 days of the submission of the grievance), an employee may make a written request for review of the grievance by the Vice President of Human Resources. The Vice President typically will respond within 14 business days.

Third Level: Within seven calendar days after receiving the second-level response from Human Resources (or, if no second-level response is received, within 21 days after the request for the second-level review), the employee may submit to the College's President a written request for final review. The request should include the grievance and any prior written responses to it. The President shall render a decision on the grievance as soon as practicable and the decision shall be final. An informal or formal resolution of a grievance will be handled by all involved: the complainant, supervisor and others, in a manner that is confidential and respectful.

3.4 EXIT INTERVIEWS

The College interviews all employees upon completion of their employment with the College. At the interview, the College will provide information regarding an employee's right to continue health insurance benefits, procedures regarding 403(b) and other relevant topics. Employees will have the opportunity to suggest ways the College can improve its management, training or other functions.

All College property, including keys, must be turned in to the employee's supervisor on the final day of employment.

SECTION IV WORKPLACE CONDUCT

4.1 ALCOHOL AND DRUG-FREE SCHOOL AND WORKPLACE POLICY

Curry College established this Alcohol and Drug-Free School and Workplace Policy in response to and in conformity with the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701) and the Drug-Free Schools and Communities Act Amendments of 1989 (20 U.S.C. § 1011i). Curry College is committed to maintaining a drug-free workplace to promote and protect the health and safety of our employees, faculty, students and the general public. The abuse of alcohol and drugs undermines the College's educational mission by endangering the members of our community, tarnishing our reputation, and by lowering our productivity and the quality of our services. Employees of the College shall receive a copy of this Policy on an annual basis.

Alcohol, marijuana and illegal drugs are prohibited in the workplace.

A. DEFINITIONS

The term "drugs" as used in this Policy means (a) any "controlled substance" as defined by state or federal law, (b) any substance whose manufacture, distribution, sale or possession or use is restricted or prohibited by law, or (c) any substance whose manufacture, distribution, sale or possession or use by the specific employee is prohibited by law (for example, a prescription drug which is not prescribed for the employee who uses it).

The term "alcohol" as used in this Policy means distilled spirits (such as whiskey, vodka, and gin), beer and other malt beverages, wine, and all other intoxicating liquors.

B. POLICY

Drugs: Any use, possession, manufacture, sale or distribution of drugs, whether or not such activities occur during working hours, is prohibited. Working for the College while under the influence of drugs is prohibited.

Marijuana use and possession remains prohibited at Curry College. In 2016, Massachusetts legalized the growth, possession and personal recreational use of marijuana by adults 21 years of age or older. As a recipient of federal funding, however, Curry College must comply with current federal drug laws that classify marijuana as a controlled substance and prohibit use and possession. Accordingly, the use, possession, cultivation and sale of marijuana is prohibited at Curry College, on any other College property, or at College sponsored activities, whether on or off campus. Additionally, working for the College while under the influence of marijuana is prohibited. Possession of marijuana paraphernalia is prohibited at Curry College, on any other College property, or at College sponsored activities, whether on or off campus.

Prescription and Over-the-Counter Drugs: College employees and contractors are, of course, permitted to use prescription drugs or over-the-counter medications as necessary, but not if such drugs or medications impair job safety or performance.

Alcohol:

- **On-duty employees:** The consumption of alcohol by an on-duty College employee or contractor, whether or not the consumption occurs on the College's premises, is prohibited. An employee who appears to be under the influence of alcohol when reporting for duty or at any time while on duty is subject to discipline whether or not the consumption has occurred on the College's premises.
- **Off-duty employees:** Alcohol consumption by off-duty employees which impairs on-duty performance is prohibited.
- **Possession:** Possession of alcoholic beverages in or on the College's premises (including parking lots and recreation areas) is prohibited.
- **Limited Exception:** The only limited exception to this policy is that employees may be permitted very moderate consumption of alcohol at College events if the College authorizes alcohol at the event. In no event shall the consumption of alcohol impair the individual's ability to perform his or her job safely or conduct him or herself in a professional manner.

C. DRUG OR ALCOHOL USE MAY RESULT IN TERMINATION

Discipline: Violation of the prohibitions contained in paragraphs above will result in discipline ranging from a warning, suspension without pay, reassignment, and/or other disciplinary measures up to and including immediate termination, depending on the circumstances.

D. THE COLLEGE MAY REPORT YOUR ILLEGAL ACTIVITY

Reporting: Evidence of possession, manufacture, use, sale or distribution of drugs may be turned over to the appropriate law enforcement agencies. The College will fully cooperate with all federal and state law enforcement agencies in their investigation of such activities.

Criminal Convictions: Personnel must notify the College of any criminal drug statute conviction (including guilty pleas and pleas of "no contest" or "nolo contendere") for a violation occurring in the workplace no later than five (5) days after any such conviction. The College, in turn, will notify any federal agency with which it is doing business or receiving grants of such a conviction within ten (10) days after receiving actual notice of the conviction from the employee or otherwise. Personnel who are convicted of any criminal drug statute violation may (depending on the circumstances), be terminated immediately, or may be required to satisfactorily complete a drug rehabilitation program as a condition of employment.

E. ALCOHOL AND DRUG TREATMENT PROGRAMS ARE AVAILABLE

Treatment: The College strongly encourages employees with drug or alcohol problems to seek professional help. Employees may check with their health plan or with Human Resources to determine what types of help are available and/or covered by the employee's insurance.

Campus Assistance: The Curry Counseling Center is available for consultation and referral (not treatment). They may be reached at (617) 333-2182.

Contact Person: Your manager should be your first point of contact concerning this Policy. However, the Vice President of Human Resources or designee will be principally in charge of the implementation, monitoring, and enforcement of this policy. You may contact the Vice President of Human Resources at (617) 333-2193 if you have any questions, suggestions, comments or concerns.

F. HEALTH RISKS ASSOCIATED WITH DRUG USE AND ALCOHOL ABUSE

The Drug Free Schools and Communities Act Amendments of 1989 requires that a description of health risks associated with drug use and alcohol abuse be distributed to Curry Employees. Potential health risks of alcohol and drug abuse include, but are not limited to, the following:

Irritability	Fluctuating Moods and Emotions
Sleep Problems	Problems with Relationships
Aggressive Behavior	Delirium Tremens
Ulcers	Cirrhosis of the Liver
Impotency	Pancreatitis
Brain Damage	Physical Dependence
Pneumonia	Cancer of the Esophagus
Malnutrition	Respiratory Arrest
Bronchitis	Hepatitis
Heart Attack	Pregnancy Complications
Meningitis	HIV/Aids

G. LEGAL SANCTIONS COVERING ALCOHOL AND DRUG ABUSE

Local, state and federal laws make illegal use of drugs and alcohol serious crimes. Conviction can lead to imprisonment, fines and assigned community service. Courts do not lift prison sentences in order for convicted persons to attend college or continue their jobs. A felony conviction for such an offense can prevent individuals from entering many fields of employment or professions.

H. ALCOHOL

Cities and towns in Massachusetts, specifically Milton, prohibit public consumption and sale of alcohol and impose fines for violation. The Department of Conservation and Recreation also prohibits public consumption of alcohol in its parks.

Massachusetts laws prohibit sale or delivery of alcoholic beverages to persons under 21, with a fine of up to \$2000 and six months imprisonment, or both. Misrepresenting one's age or falsifying an identification to obtain beverages is punishable by a fine of \$300. First convictions of driving under the influence of alcohol has a penalty of \$1000 fine, one-year revocation of driver's license, up to two years in prison, and mandatory alcohol rehabilitation.

In addition to the above, courts are increasingly willing to hold those who serve intoxicating beverages liable for damage or injury caused or suffered by the individuals to whom the beverages were served. This could include, in appropriate circumstances, the College, organizations sponsoring events where alcohol is served, the officers, members and advisors of such groups, and the individuals serving the beverages.

I. DRUGS

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

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

Although Massachusetts law permits the use of medical marijuana and the possession, use, distribution, and cultivation of marijuana in limited amounts, federal law, including the Federal Controlled Substances Act of 1970, the Drug Free Workplace Act of 1988 and the Drug Free Schools and Communities Act of 1989, prohibits the possession, use, distribution and/or cultivation of marijuana at educational institutions. Further, as marijuana remains classified as an illegal narcotic under federal law, institutions of higher

education that receive federal funding are required to maintain policies prohibiting the possession and use of marijuana on their campuses. Accordingly, the possession, use, distribution or cultivation of marijuana (even for medical purposes) is prohibited on all Curry College property or at College sponsored events and activities. Working for the College while under the influence of marijuana is also prohibited. Also prohibited is the operation of a motor vehicle while under the influence of marijuana on Curry College property, or at College sponsored events and activities. Further, this policy prohibits the possession, use, or distribution of all marijuana accessories and marijuana products. Marijuana accessories shall include, but not limited to, any device or equipment used for ingesting, inhaling, or otherwise introducing marijuana into the human body. Marijuana products shall include, but not limited to, products that are comprised of marijuana and other ingredients and are intended for use or consumption, such as, but not limited to edible products.

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

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

Under Federal law, distribution of drugs to persons under age 21 is punishable by twice the normal penalty, with a mandatory one year in prison; a third conviction is punishable by mandatory life imprisonment. These penalties apply to distribution of drugs in or within 1000 feet of a college or school. Federal law sets greatly heightened prison sentences for manufacture and distribution of drugs if death or serious injury results from use of the substance.

4.2 NO SMOKING POLICY

In recognition of its public health hazards, smoking is prohibited in College buildings and within 25 feet of all building entrances. An employee wishing to smoke must exit the building and maintain this 25 foot distance. Employees found smoking in College buildings or within the buffer zone will be subject to disciplinary action, up to and including termination of employment. **Smoking is prohibited in all Curry College vehicles.**

4.3 CONFLICT OF INTEREST POLICY

Faculty and staff of Curry College, whether employees or independent consultants (collectively called “Representatives”) are required to fulfill their responsibilities with care and loyalty. All decisions are to be made for the sole purpose of advancing the best interests of the College. The integrity of Curry College must be protected at all times, and the fiduciary relationship of Representatives to Curry College must be respected.

A conflict of interest exists when a Representative’s direct or indirect personal interests are inconsistent with or interfere in any way with the best interests of the College.

In general, it is the policy of the College that it will not seek to engage in business or financial relationships with its Representatives. Any proposed business or financial relationship between the College and a Representative, or a member of a Representative’s immediate family, or any entity with which the Representative or a member of his or her immediate family is affiliated, is subject to the prior review and approval of the Chief Financial Officer (or other designee of the President). The Chief Financial Officer (or other designee of the President) shall report to and be subject to the oversight of the Finance and Physical Facilities Committee of the Board of Trustees on these matters.

Any offer of full-time employment at Curry College to a member of the immediate family of a Curry College Representative is subject to the prior review and approval of the Vice President of Human Resources (or his/her designee).

Any Curry College Representative who serves at the College’s request as a Vice President, trustee, officer, employee, or other agent of another organization shall turn over to the College any compensation received from such other organization for such service, except reasonable reimbursement payments for direct expenses for travel, lodging, and food.

Effective implementation of this policy requires, first, the full disclosure of individual interests that might conflict with the best interests of the College. Second, the interested Representative must refrain from participating in College decision making with respect to any transaction or relationship in which he or she is interested. Finally, an independent determination must be made that the transaction or relationship meets the applicable standard and should be entered into or continued.

A. DISCLOSURE

A Conflict of Interest Disclosure Form is available in the Finance Office and in Human Resources. All Representatives are required to disclose on the Conflict of Interest Disclosure Form any business or financial relationship they or members of their immediate families have or propose to have with the College, either directly or through another entity, in which they have a significant interest. The disclosure form is to be filed annually; an amended form must be filed promptly in the event of a material change in circumstances.

The following guidelines are provided to help determine whether a relationship should be disclosed:

- A business or financial relationship with the College: This includes the sale or acquisition of goods, property, or services; the commitment of resources to a common venture; or, in the case of a Representative's immediate family, an employment relationship. It does not include attending Curry College as a student.
- A member of a Representative's immediate family: This includes (1) a spouse; (2) a child, grandchild, parent, grandparent, sibling, uncle, aunt, nephew, or niece, or the spouse of any such person; (3) a person having a step-relationship described in (2) above; (4) a parent-in-law or a brother- or sister-in-law; or (5) any other person who resides in the same household as the Representative.
- A significant interest in another entity: This includes service as a trustee, Vice President, partner, or management-level employee; the actual or beneficial ownership of more than 5% of the entity; or a compensation arrangement that is dependent upon a business or financial relationship with the College.

The foregoing guidelines are not intended to be exclusive; other relationships or interests that might conflict with the best interests of the College should also be disclosed. If a Representative is uncertain whether to disclose a particular business or financial relationship, the Chief Financial Officer (or other designee of the President) should be consulted.

All Representatives are expected to avoid activities, agreements, business investments or interests, or other situations that materially conflict or appear to conflict with the interests of the College or interfere with the Representative's duty to loyally serve the College to the best of his or her ability.

B. RESTRAINT ON PARTICIPATION

Representatives who have disclosed a potential conflict of interest shall refrain from participating in the College's consideration of any proposed business or financial relationship in which he or she is interested, except to respond to questions or to provide further information. If a transaction or relationship requires a vote of some body, the interested party cannot vote and should not be present at the time of the vote.

C. APPROVAL OF TRANSACTION INVOLVING BUSINESS OR FINANCIAL RELATIONSHIP

The Chief Financial Officer (or other designee of the President) will determine whether a transaction involving a business or financial relationship of a Representative should be entered into or continued. The Chief Financial Officer (or other designee of the President) shall provide such reports as may be requested by the Finance and Physical Facilities Committee and may request advice or direction from the Finance and Physical Facilities Committee.

4.4 GIFTS AND GRATUITIES

The College expects its employees to exercise objectivity and good judgment in dealing with the College's vendors, supplies, contractors and agencies. No employee shall accept any gift or gratuity from any person or entity doing business or seeking to do business with the College without prior disclosure to and approval of the Vice President of Human Resources.

Employees are not prohibited, however, from accepting advertising novelties such as pens, pencils, calendars, coffee mugs or other gifts of nominal value (less than \$25) when the gift has not been solicited and is not being made in return for special consideration, favor or decision.

4.5 CONFIDENTIALITY

In the course of their work, employees may learn or come into contact with confidentiality issues related to employees sharing confidential information with others. Employees are strictly prohibited from disclosing such confidential information to anyone outside the College without the written consent of the College in each instance, unless it is an explicit function of their position to release such information.

Confidential information means any and all information, other than information that is in fact lawfully available to the general public, relating to the management, operations, finances and products or services of the College or any student or employee of the College, including, without limitation, any and all personnel and financial data; student information; medical information; business plans and projections; information concerning existing or proposed projects or investments; trade secrets; information concerning operations and manufacturing processes; techniques and methods; manuals; supplier lists; customer lists; purchase and sales records and information; and contracts.

All such confidential information will at all times be the property of the College. Upon termination of employment, and at any other time upon request of the College, an employee must promptly deliver to the College any and all physical records in the employee's possession or control that contain confidential information of the College or its students, whether those records were supplied to the employee or prepared by the employee. These records include hard copy, data stored on discs, thumb drives, etc.

A. FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Education Rights and Privacy Act of 1974 (FERPA), as amended, is a federal regulation that sets forth requirements regarding the privacy of student records. FERPA governs the release of information contained in these records maintained at an educational institution and access to these records. Curry College is required to comply with this regulation. Particular information regarding the regulation may be found in the current Curry College Catalog in the Academic Policies and Procedures section. Questions regarding the release of student information and/or access to student records should be directed to the College Registrar.

4.6 PERSONAL RELATIONSHIPS

Employees should always conduct themselves professionally in their dealings with co-workers and students and others. The College expects the employees involved to exercise discretion and maturity in the manner in which they relate to each other at work with co-workers and students.

Personal/romantic relationships between employees of different levels of authority within the College may affect the morale of co-workers by creating actual or perceived favoritism. Therefore, neither party to a romantic relationship should participate in formal or informal supervision, review or evaluation of the other. The College may alter the work responsibilities of parties engaged in a romantic relationship in order to limit their professional contact with one another. Employees may not engage in any conduct which violates the College's prohibition against sexual harassment and/or unlawful discrimination (refer to the full policy on page 10 – Policy 1.2).

Romantic relationships between employees and students are strictly prohibited.

4.7 COPYRIGHTED MATERIALS

Members of the Curry community are expected to be mindful of the restrictions imposed on them by copyright law, and are expected to comply with all provisions. Information on the law, and on "fair use" exemptions, can be found on the Curry portal. Reports of possible copyright infringement should be made to the Office of Academic Affairs. Violations of copyright policy may result in disciplinary action, among other penalties. If the College is notified by a copyright owner, publisher, distributor, or law enforcement agency of possible infringement, the Office of Academic Affairs will investigate the complaint, require correction of any infringement found, and may take disciplinary action.

4.8 SOLICITATION POLICY

For safety and privacy reasons, the College has established rules restricting solicitation of individuals and distribution of literature and other materials on College property and/or through the use of College equipment. Staff are prohibited from soliciting for any outside activity or organization during work time unless such solicitation is in accordance with the requirements and restrictions of this Policy. The College defines solicitation as including verbal or written communication, raffle tickets, for sale merchandise, e-mail distributions, circulars, handbills, or other kinds of literature.

Furthermore, staff should not use the College Network or Computing Facilities including inter-department mail, e-mail, telephone, fax, supplies or other related workplace equipment for any purposes not directly related to workplace business and/or activities, unless such use is in accordance with the provisions within this Employee Handbook. Posting or distribution of non-work related materials, with the exception of authorized charitable giving campaigns, is prohibited, unless authorized under this Policy. Non-work times include break periods, meal times, or other specified periods during the workday when the staff are not expected to be performing their work tasks.

This Policy applies to all departments, all employees, vendors, sales representatives, or anyone else doing business with or visiting the College.

Persons who are not employed by the College, except those vendors and sales representatives who do business with the College, may not solicit individuals, including, but not limited to students, staff, visitors, or distribute literature or other materials for any purpose or any time within College buildings, or on College property, or through College equipment.

Employees may not distribute material or otherwise solicit to promote non-charitable or commercial business or memberships in outside organizations.

Employees may not distribute literature or other materials for any purpose during working time, unless part of a work assignment.

The College prohibits solicitation or other commercial activity through the use of the College's electronic communication systems to employees or non-employees. Electronic communication systems include, but are not limited to, e-mail, internet services, computers, telephones, voicemail, or any other related equipment. Electronic information systems are not to be used to solicit or proselytize for commercial ventures, religious or political causes, outside organizations (including all organizational notices, or other non-job related solicitation).

This Policy does not restrict employees from sending and receiving short, personal electronic communications, so long as those communications do not interfere with the work of another employee; or the College from soliciting and distributing literature concerning its own or other charitable campaigns such as the United Way.

In order to protect employees from interference with their work and from direct or inadvertent pressure, the College prohibits solicitation by employees for any cause, or distribution of literature unrelated to College programs or events during working time. Neither may an employee who is on lunch or on break solicit any employee who is on working time for any cause, or distribute literature to that person. Non-employees may not distribute literature or solicit employees on College property at any time.

4.9 PERSONAL USE OF NETWORK AND COMPUTING FACILITIES

Curry College provides computer network facilities, hereinafter “CurryNet,” and computing facilities in order to promote its educational mission, here excerpted from the Curry College Catalog:

... the institutional mission of the College is to develop liberally educated persons who are able to gain and to apply knowledge humanely, intelligently, and effectively in a complex, changing world. To achieve its mission, Curry College promotes individual, intellectual and social growth by engaging its students in thinking critically, communicating effectively, understanding context, appreciating aesthetic experience, defining a personal identity, examining value systems, and adapting and innovating.

Use of the CurryNet and academic facilities is limited to registered students, staff, and administrators of Curry College except by special permission of the Technology Policy Council. This Policy applies to all users of the Curry College electronic information systems, including those who access these resources from off-campus. Persons whose use of the CurryNet and computer facilities violates this policy are subject to the “Sanctions” section below.

Definitions:

- The CurryNet consists of the entire campus network, its hardware, applications, and programs, and all accessing computers, privately owned or owned by the College. Thus, privately owned computers accessing the CurryNet become part of the CurryNet and are subject to this Policy.
- Computer facilities consist of all computers owned by the College and the rooms and peripheral equipment that promotes their usefulness.

Acceptable Use: The College’s electronic communication systems are intended to be used only for conducting College business. As a limited exception, employees may send and receive short, personal electronic communications, so long as those communications do not interfere with the work of others. Any abuse of this privilege may result in suspension of such privilege. Use of the CurryNet must be consistent with the mission of Curry College; the Curry College Policy on Use of Network and Computing Facilities; and all federal, state, and local laws.

Unacceptable Use:

- Any use of the CurryNet that does not comply with federal, state and local law or with the Curry College Policy on use of Network and Computing Facilities is illegal and unacceptable. Some examples of prohibited uses include sexual harassment; unlawful discrimination; profanities; gambling or copyright infringement.

- No unauthorized computer programs of any kind, including those in the public domain, may be installed, removed, downloaded or operated on the CurryNet or any academic or administrative computer or system owned by Curry College without the permission of the Technology Policy Council.
- Use of the CurryNet for purposes of personal financial gain is prohibited. Education-related use that may appear to be commercial in nature must be approved in writing and in advance by the Technology Policy Council.
- Persons who interfere with or disrupt the CurryNet or its users are subject to sanctions presented in Article V and/or the Curry College Judicial Code. Examples of such interference or disruption include, and are not limited to distribution of unsolicited advertising, propagation of computer “worm,” “virus,” or “Trojan horse” programs, unauthorized access to or distribution of any software or information on the CurryNet, overloading the network, excessive use of recreational games, or attempts to modify system facilities.
- Unauthorized use or attempted use of any CurryNet account other than your own, or sharing your private password(s), encrypted or otherwise, is unacceptable. CurryNet accounts are not transferable to other employees including college work study and college student workers.
- Distribution or use of the electronic information systems to promote non-charitable or commercial business.
- The electronic information systems are not to be used to solicit or proselytize for commercial ventures, religious or political causes, membership in outside organizations (including all organizational notices), or other non-job related solicitations.

Qualifications:

- Curry College assures the right to freedom of expression and equal protection within the limits of the law and College policy.
- All users are responsible for ensuring the contents of their electronic communications are in compliance with this Policy. The College reserves the right to investigate and monitor usage for compliance and to apply sanctions.
- The CurryNet system (including the e-mail system) is the property of Curry College, and the College retains the right to inspect any hardware or software on or accessing the network, to copy any data or file stored on the network; to intercept, disclose, and use network communications in the normal course of providing network service or to protect the rights or property of Curry College. Thus, users do not have an expectation of privacy in the information they access or input on the CurryNet system.

- Interpretation, application, and modification of this Policy shall be within the sole discretion of Curry College; modifications of this Policy will be posted on the CurryNet.
- Curry College makes no warranties of any kind, expressed or implied, regarding CurryNet resources or services, or the contents of resources or electronic messages over the CurryNet, nor shall Curry College be liable in any event for incidental or consequential damages, direct or indirect, resulting from the use, suspension, restriction, or denial or computing facilities or the CurryNet.
- Curry College makes no warrantee of any kind, expressed or implied, regarding Internet resources or services, or the contents of resources or electronic messages over the Internet, nor shall Curry College be held liable in any event for incidental or consequential damages, direct or indirect, resulting from the use, suspension, restriction, or denial of any connection to the Internet.
- In cases where communications originating on the CurryNet are carried across other regional networks or the Internet, CurryNet users are advised that acceptable use policies of those networks apply and may limit use. The College accepts no responsibility for electronic communications originating on the CurryNet that violate acceptable use policies of another network.

Sanctions: Curry College reserves the right to restrict, suspend or deny the use of the CurryNet and/or computing facilities, or to take further disciplinary action, up to and including immediate termination, and/or legal action regarding, any person or persons whose actions do not comply with this Policy.

Questions about this Policy or the applicability of this Policy to a particular situation should be referred to the Technology Center at 333-2158.

4.10 PERSONAL USE OF TELEPHONES, FAX MACHINES, MAIL FACILITIES, AND PHOTOCOPY MACHINES

The College discourages the use of its telephones, fax machines, mail facilities and photocopy machines by employees for other than College business. The College recognizes, however, that there may be limited occasions when employees must make personal use of such equipment. Such use should be kept to a minimum and must not interfere with the employee's work.

Abuse of the College's telephones, fax machines, mail facilities and photocopy machines for personal reasons may result in disciplinary action, up to and including immediate termination.

Whenever possible, employees should make personal telephone calls only during breaks or lunch time. Employees must reimburse the College for all personal long distance calls, fax transmissions, postage and photocopies.

4.11 WORK ATTIRE POLICY

In addition to complying with any safety regulations or uniform requirements that may apply to your particular job, we ask that you dress in a manner that is professional and appropriate for your job and not distracting to other employees or students. Office staff members should dress in a neat, professional manner. Blue jeans and athletic wear are not permitted in office settings. If you have any questions regarding proper dress, please see your supervisor.

4.12 WORK AREA EXPECTATIONS

The College places a high priority on keeping the premises neat and orderly. All employees should keep work areas clear of debris and clutter at all times.

Specifically, employees should properly dispose of trash in the appropriate receptacle and, at the end of each business day, should clear papers and files off counters and clear boxes and files from corridors. Buildings and Grounds employees should also return tools and unused materials to their proper storage area, sweep their work areas, and properly store all hazardous materials (refer to Policy 5.1c on page 43).

4.13 PERSONAL PROPERTY

The College does not assume liability for missing or damaged personal items. Employees are encouraged to leave valuable personal property at home. Personal property that employees bring to work, such as wallets and purses, should be stored in a safe place.

4.14 REMOVAL OF COLLEGE EQUIPMENT

The removal of College equipment from the campus is prohibited except with explicit authorization from your supervisor. The transfer of furniture, equipment, or office machines from one room to another must be approved in the same manner. Removal of equipment or furniture without prior authorization will result in disciplinary action.

SECTION V WORKPLACE SAFETY

5.1 HEALTH, SAFETY AND ENVIRONMENTAL AFFAIRS

It is the responsibility of the College and its employees to ensure that its educational programs and other activities protect and promote the health and safety of our students, our employees, and the environment. A safe and healthy place to work, learn and live is more than an expectation it is the goal that we must all strive to maintain.

Employees shall receive, as part of the orientation to the job from their supervisor, appropriate training for all operations involving hazards at the time of initial employment and whenever the nature of these hazards change. College employees are expected to follow College health and safety regulations, to report all unsafe or unhealthy conditions and practices, incidents, accidents, and injuries, and to perform only those tasks, which they personally believe, can be conducted safely. Any conditions that may present a hazard to people or property should be directed to the Public Safety Department, i.e.; an automobile accident, unsafe driving, etc., or to Human Resources.

The College strives to maintain a safe and secure work environment. Toward this goal, an employee should keep his or her work area safe and clean and should promptly report any problems or concerns related to work space and or the building to the Buildings and Grounds Department.

The College has a Health and Safety Committee composed of a cross-section of employees who meet once per month to work on safety issues. The Chair of the Committee is the Health and Safety Coordinator, housed in the Department of Buildings and Grounds. Safety issues may also be addressed to this group.

A. EMERGENCIES

All emergencies are to be reported immediately by calling extension 2222.

Emergency Alert System: All internal community members - students, faculty and staff – are automatically enrolled in the Emergency Alert System which transmits College communication in the case of an emergency. Your Curry email address and one phone number are required. You are able to opt-in or opt-out any other additional personal contact points to the system. You may also store up to three numbers for voice messages, one number for a text message, and two email addresses for email alerts.

Siren System: A Siren/Loudspeaker system has been installed on the campus, and will sound if an extreme emergency occurs and “lockdown” is necessary. If it does sound, remain in place, secure doors, turn off lights, keep occupants calm, quiet and out of sight, and listen for further directions. All “all-clear” signal, different from the first, will sound when the area is safe.

Notification and Disclosure of Annual Security Report:

The Curry College Department of Public Safety's mission is to provide a safe and secure environment for the entire community. This encompasses all students, employees and everyone that visits the campus.

Information regarding campus crime statistics as mandated by the 1990 Jeanne Cleary Disclosure of Campus Security Policy & Campus Crime Statistics Act (federal law) along with all our safety policies and procedures can be obtained from the Public Safety Office and are also provided on the Public Safety website by clicking here: www.curry.edu/publicsafety. All prospective employees are notified of the annual security report via the website and may get a copy of this report from Public Safety upon request.

B. BLOODBORNE PATHOGENS PROGRAM

In accordance with the OSHA Bloodborne Pathogens standard, Curry College has established a Bloodborne Pathogen Program. The full policy is available in the Human Resources Office, is on the Common Drive, and is distributed to all employees that are at risk of being exposed to Bloodborne pathogens in the course of their regular work.

A key element in this program is to identify those job classifications that may have some exposure or may be expected to incur occupational exposure to blood or other potentially infectious materials. The job classifications are listed below and will be reviewed from time to time by the Curry College Health and Safety Committee.

- Health Clinic Nurse, Vice President
- Athletic Trainers
- Public Safety Officers, Vice President
- Early Childhood Teachers, Vice President
- Residence Life Staff, Vice President
- Laundry workers (approx. 20 student employees)
- Nursing Faculty (training and compliance provided by clinical sites)
- Housekeeping Services (contracted service, training and compliance reviewed only)
- Student Activities Vice President & staff
- Plumber
- Intramural Vice President
- Athletic Equipment Manager
- Coaches

The College will make available, free of charge and at a reasonable time and place, the Hepatitis B vaccine to all employees who are at risk of occupational exposure. Human Resources will offer the vaccination series to any newly hired employee, who has been determined to be at risk, in accordance with applicable legal requirements.

The College will also provide training and personal protective equipment at no charge.

Precautions that will be taken to minimize your risk of exposure are detailed in the full policy, as are procedures we will follow if you are exposed to Bloodborne pathogens while at work.

C. HAZARDOUS MATERIALS COMMUNICATION

Hazardous materials may be found in a number of areas in the College, i.e. Buildings and Grounds, Science Laboratories, Copy Center, etc. It is the responsibility of each area and its supervisor that has hazardous materials, to review the correct procedures for handling these products, review accident procedures and to have the Material Data Sheets readily available.

5.2 SAFE DRIVER POLICY

All employees driving Curry vehicles on a regular basis will be required to supply driving records. Driving records will be screened and drivers qualified based on the Curry College standard. A copy of the standard, and all procedures for driving vehicles will be supplied to all drivers.

All qualified drivers will also be required to satisfactorily complete a safe-driver course. Details will be provided by the department manager.

A. SAFE MOTOR VEHICLE USE AND PARKING

The College has specific procedures governing the sign-out, use and maintenance of all College vehicles. Employees are expected to follow those procedures at all times. Only authorized employees possessing a valid driver's license may use College vehicles. Vehicles may be used for College purposes only.

Employees who use College vehicles in the course of their job duties are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines. Speed limits must be obeyed and seat belts must be worn. Smoking is prohibited in College vehicles. Employees must notify the appropriate supervisor if any vehicles appear to be damaged, defective or in need of repair.

Employees who have regular use of vehicles in the course of their employment will be asked to allow Curry College to check the validity of their driver's license as well as their driving record. Employees must have an acceptable record (less than four points on the Caravan for Commuters schedule) in order to be qualified to drive a Curry vehicle. Drivers must also take a mandatory safety course prior to being qualified.

An employee who engages in improper, careless, negligent, destructive or unsafe use or operation of vehicles or who receives excessive traffic and/or parking citations, may be subject to disciplinary action. Employees are obligated to pay any fines they are assessed for motor vehicle citations and parking tickets, on or off campus.

Parking automobiles on campus must be in accordance with designated parking areas. The haphazard parking of automobiles causes blockage of fire lanes as well as pedestrian difficulties. The Milton Fire Department regulations require access to all roads for fire apparatus. Violations will be subject to parking fines, and possible disciplinary action if severe or repeated.

Using a private vehicle for an authorized business trip entitles the employee to reimbursement per the College's policy. Expenses must be submitted promptly on the appropriate form and approved by the budget manager. Mileage expenses should be based upon additional miles driven in excess of normal commuting miles. Please consult with Financial Services for the per mile reimbursement allowance.

Drivers should not transport students in their own vehicles, even if they are authorized to drive a College vehicle. If they chose to do so, they do so at their own risk.

5.3 BUILDINGS AND GROUNDS

Problems with heat, air conditioning, power, keys, broken furniture, etc. should be entered into "School Dude", the college work order system. Emergencies should be called into Buildings & Grounds at ext. 2228 and followed up with a confirming School Dude work request. The office is staffed from 7:00 a.m. – 4:30 p.m., Monday through Friday. If you have an emergency after 4:30 Monday through Friday or on Saturday or Sunday, call Public Safety at ext. 2222 and they will notify the night mechanic. The night mechanic is here until 11:00 p.m. If the call comes in after 11:00 p.m. they will notify the on-call person.

If the fire alarm sounds, leave the building immediately and call Buildings & Grounds from an outside phone.

5.4 WORKERS COMPENSATION/NOTICE OF COVERAGE

Pursuant to state law, employees are eligible for workers' compensation insurance for job-related illnesses or injuries. Worker's compensation pays medical costs and a portion of the employee's regular pay for all approved claims. All employees are eligible for this benefit from the date of employment.

Injury Reporting Requirements: If an employee is injured at work, the employee must report the accident immediately to his/her supervisor. Use the Curry College Accident Report form. **All accidents must be reported - even those not requiring medical treatment.** A "near miss" often provides useful information. If we can correct a hazardous condition based on this information, we may prevent a future injury. Send the Accident Report Form to Human Resources within 24 hours of the accident. We will complete any additional paperwork necessary. The Accident Report itself will be reviewed by the Health and Safety Committee at a later date for input members may have on corrective action.

Treatment: Our current Worker's Compensation insurer, Futurecomp TPA (through Independent Schools Compensation Corporation), has a network of preferred providers for medical treatment of work related injuries. Although we strongly recommend that an employee seek treatment at one of these facilities, it is not required. Employees may go to their own doctor for treatment if they prefer, and the cost will be covered by the College's insurance (presuming the claim is approved). The preferred provider nearest Curry is Milton Hospital. The employee should take the "Letter to Treatment Provider" (available in Human Resources), which contains insurance information, to Milton Hospital, or to their own doctor.

Payment: If an employee requires medical treatment or loses time at work, a claim is submitted to our insurer. If the claim is approved, Worker's Compensation pays **60% of salary during the period of disability, as well as all medical expenses related to the injury. The income benefit starts on the 6th calendar day** of disability. If an employee is still unable to return to work after 21 days, benefits for the first 5 days are paid retroactively. The State of Massachusetts mandates these rules.

Medical/Dental Benefits during disability: Medical and Dental benefits may continue during a period of disability for up to one year, or until you qualify for Medicare benefits if earlier, as if you were still an active employee. During that time, any premiums paid by the employee through payroll deduction must continue to be paid (e.g.: family health insurance, supplemental life insurance). Arrangements can be made with Human Resources to reimburse the College if the period of disability is expected to last more than one payroll period.

If the injury is severe, and an employee may be out of work for more than 90 days, the employee may also wish to file a **Long-Term Disability** claim. Please contact Human Resources regarding these benefits.

Employees should frequently update their department and the Human Resources office on the progress of their recovery. The College encourages employees to return to work for some form of modified duty if available.

Notice of Intent to Return: When employees return to work after a lost time injury, a note from their treatment provider is required indicating that they can either return to full duty, or specifying any limitations in their functional capacity. That note should be sent to Human Resources no later than two business days prior to the return date.

All claims of work-related injury or illness will be investigated thoroughly. Fraudulent claim representation is a crime and punishable by law as well as discharge.

5.5 SAFETY OF MINORS ON THE CURRY COLLEGE CAMPUS

Policy Statement

Curry Programs serve children under 18 years of age (“Minors”¹), and the College provides use of its facilities to third-party vendor Summer Camps and Programs that include Minors. At Curry, a safe environment is of utmost importance for all individuals on campus, especially children.

Curry strictly observes all applicable laws, statutes and regulations relating to the safety and protection of Minors on campus. To protect the safety of Minors in Curry Programs and on Curry’s campus, the College takes the following additional steps:

- ❑ Provides Guidelines for **all members of the Curry community** to follow when interacting with Minors on campus.
- ❑ Mandates that **all members of the Curry community** report suspected abuse, neglect or inappropriate activity involving Minors to Public Safety.
- ❑ Mandates additional training and background screening for **certain Curry staff and faculty** who participate in Programs that include Minors.

Guidelines for All Members of the Curry Community Who Interact with Minors

All Curry community members (including faculty, staff and third-party vendors) must observe the following Guidelines for Interacting with Minors on the Curry College campus. These Guidelines are intended to promote a safe environment when members of the Curry College community interact with Minors. **All members of the Curry community must abide by these Guidelines.**

Be Mindful of Boundaries: Children can be vulnerable. When interacting with Minors, be particularly aware of the importance of maintaining appropriate physical and emotional boundaries. Members of the Curry community must not engage in any behavior, including speech, gestures, depictions or physical contact that exploits, abuses or harasses Minors.

Physical Contact: A Minor or bystander may misinterpret an individual’s intentions when physical contact occurs between a member of the Curry community and a Minor. Therefore, physical contact should be rare, limited in nature and should occur only when necessary or appropriate. Be aware of how physical touch with Minors can be perceived or received, and show prudent discretion in determining whether physical contact would be an appropriate expression of greeting, care, concern, instruction or celebration.

Acceptable forms of physical contact with a Minor include high fives, handshakes, fist bumps, pats on the back or shoulder and side hugs.

Types of physical contact to be avoided include tickling, rough-housing, wrestling, piggyback rides, any type of massage, and any form of unwanted affection.

Discipline: Although at times limit-setting with Minors may be necessary for safety reasons, physical discipline is not acceptable behavior in the Curry community. Similarly, speech, gestures or other

¹ Minors who are enrolled as students at the College are excluded from coverage under this Policy.

behaviors that are bullying, demeaning, belittling, hurtful, meant to embarrass or make gratuitous reference to the Minor's physical development or appearance are never appropriate.

One-on-one Interactions: One-on-one meetings with a Minor should be avoided, but if necessary should be held in a public area, in a room where the interaction can be (or is being) observed, or in a room with the door left open. Practically speaking, Curry community members should make a reasonable effort to have another adult colleague present when meeting with a Minor. If a private, one-on-one meeting with a Minor cannot otherwise be avoided, a supervisor or another staff member should be notified about the meeting at the same time as the interaction or as soon as is reasonably practicable thereafter.

Drug and Alcohol Use; Other Prohibited Items: Consistent with the College's Drug-Free Workplace and Alcohol Policy (see section 4.1 of the Employee Handbook) the possession and/or use of illegal drugs (including marijuana) and the use of tobacco products or alcohol is prohibited when interacting with Minors. Members of the Curry community, including vendors, are prohibited from providing a Minor with alcohol, drugs, tobacco products, inappropriate materials (including materials accessed digitally or virtually) or other such items.

Gifts: Consistent with Section 4.4 of the Employee Handbook, members of the Curry community should not accept gifts from or give gifts to Minors without the knowledge of their parents or guardians, and in no case should the value of such gifts exceed \$25.

Communicating with Minors: Communication with Minors is only allowed for the purpose of conducting the Curry Program or otherwise furthering Summer Camp or vendor Program-related objectives. Do not call, text or engage with Minors using personal devices, email or social media, and do not engage with Minors about any personal subjects unless otherwise consistent with Program mission and objectives.

For the protection of all concerned, the key safety concept that will be applied to such communications is "*transparency*" – use limited means of electronic communication (normally, Curry phones and emails), limit your in-person communication with minors (private, one-on-one meetings should be avoided if at all possible, as described above), and keep your communications related to the Summer Camp or Program and related mission and/or objectives (as applicable).

Reporting Abuse

All members of the Curry community, including vendors, must act when there is evidence of, or there is reasonable cause to suspect, that Minors are being abused in any way, whether in a Curry Program, a vendor Summer Camp or Program or elsewhere (for instance, in the Minor's home).

Suspected, observed or self-disclosed abuse or neglect must be reported to the

appropriate Curry and civil authorities as follows:

Who Must Report

All members of the Curry community, including vendors, are required to report immediately any instances of suspected abuse or neglect of a Minor, including self-disclosed abuse or neglect, as well as situations involving inappropriate activity with a Minor.

Reports may be made through Public Safety as described in this Handbook (dial 2222 from any campus phone, or (617) 333-2222), or directly to the Massachusetts Department of Children and Families (DCF) as described below under “How to make a report.”

In an Emergency, or if you believe a Minor to be in imminent danger, call 9-1-1.

If you are a Mandated Reporter² under state law, the failure to make a required report may result in criminal penalties. Whether or not you are a statutory mandated reporter, filing a report in good faith protects the reporter from liability even if the report is deemed unfounded after investigation. The name of the reporter is not disclosed by DCF to the parents/guardians of a child who is the subject of the report. If you have questions about whether your position classifies you as a statutory Mandated Reporter, contact Human Resources or Public Safety. For convenience, a copy of the 51A report form is attached here: www.mass.gov/eohhs/docs/dcf/can-reporting-form.pdf.

If you make a report directly to emergency services (9-1-1) or DCF, also notify Public Safety as soon as possible that you have made the report.

Pursuant to the [Clery Act](#), please report to Public Safety any crimes that take place on or near campus, including crimes involving the abuse or neglect of children. The Clery Act is a federal law that requires colleges and universities to disclose annual information about campus crime.

What Must Be Reported

Suspected abuse or neglect: You must report any situation where you have reasonable cause to believe that a child is suffering physically or emotionally from abuse or neglect, whether the abuse or neglect has taken place on campus or off-campus, and whether it involves a Curry-affiliated individual or not. Child abuse is the deliberate emotional, physical or sexual injury of a child by an adult or older child. Neglect is harm caused by withholding life’s necessities: food, clothing, shelter, medical care, and education (see below for complete definitions of abuse and neglect).

Inappropriate activity: You should also report any instance where you observe or believe there may be inappropriate treatment of a Minor, while the Minor is on-campus or involving a Curry-affiliated individual whether on or off-campus. Examples of inappropriate activity would include violations of the Guidelines for Interacting with Minors (use of tobacco products, drugs or alcohol where children are present; physical boundary violations like tickling, rough-housing, wrestling, massage, or any form of unwanted affection; illicit communication; and, speech, gestures, or other behaviors that are demeaning, belittling, hurtful, meant to embarrass, or make reference to the child’s physical development or appearance).

When you contact emergency services (9-1-1), DCF and/or Public Safety with a report of suspected abuse or neglect, or other inappropriate activity involving Minors, you should be prepared to provide

² “*Mandatory Reporters:*” Individuals holding certain positions referenced in Massachusetts G.L. c. 119,

§51A should be aware that they may be considered *Mandated Reporters* under state law and required by law to report suspected abuse or neglect to the [Massachusetts Department of Children and Families \(DCF\)](#). See

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter119/Section51a>. A full statutory listing of “mandatory reporters” is located in Massachusetts G.L. c. 119, §21. See <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleXVII/Chapter119/Section21>.

as much of the following information as possible. **Do not delay making the report in order to gather all of this information.** Partial reports are encouraged.

Reports should include the following information:

- The names and addresses of the child and the child's parents or other person responsible for the child's care, if known
- The child's age and sex
- The nature and extent of the child's injuries, abuse, maltreatment, or neglect, including any evidence of prior injuries, abuse, maltreatment, or neglect
- The circumstances under which the person reporting first became aware of the child's injuries, abuse, maltreatment, or neglect
- Whatever action, if any, was taken to treat, shelter, or otherwise assist the child
- The name of the person or persons making the report (required for statutory Mandated Reporters, but optional for other members of the Curry community)
- Any other information that the person reporting believes might be helpful in establishing the cause of the injuries
- The identity of the person or persons responsible for the neglect or injuries if suspected or known
- Other information required by DCF (if known): whether the child seems afraid to go home, names and ages of siblings, if they have similar injuries or signs of abuse or neglect, etc.

When to Make a Report

This Policy, as well as the state [Mandated Reporter law](#), requires an immediate oral report to be made when the reporter has “*reasonable cause to believe*” that a child is being or has been abused in some way. The benefit of the doubt is given to the child.

Waiting for conclusive proof may put a child at further risk. Oral reports must be followed by the filing of a written report [\(51A\)](#) with DCF within 48 hours. Direct disclosures warrant an immediate call to Public Safety or DCF. If the situation is an emergency (for example, the child does not want to go home) call Public Safety for immediate assistance.

It will often be appropriate to discuss concerns about suspected abuse, neglect or inappropriate activity with a supervisor or Human Resources, who can then assist in making the report to Public Safety and/or DCF as warranted.

How to Make a Report

In an Emergency, or if you believe a Minor to be in imminent danger, call 9-1-1.

Public Safety: Call 2222 from any campus phone (or 617-333-2222). Public Safety will act as the College's designated agent for purposes of filing a report of suspected abuse with DCF if Public Safety determines that a report is warranted.

Department of Children and Families: During business hours call the [area office nearest your campus](#). Otherwise call the 24-hour Child at Risk hotline: 1-800-792-5200.

DCF Offices Near Milton:

Hyde Park Area Office
1530 River St.
Hyde Park, MA 02136
(617) 363-5000
fax (617) 363-5175

Coastal Area Office
220 Forbes Road\Rear, Suite 117
Braintree, MA 02184
(781) 794-4400
fax (781) 794-4507 and
(781) 794-4510

DCF Plymouth Office:

Plymouth Area Office
61 Industrial Park Road
Plymouth, MA 02360
(508) 732-6200
fax (508) 747-1239

Definitions

For your reference, the Massachusetts Department of Children and Families (DCF) regulations (110 CMR, Section 2.00) offer the following definitions of child abuse and neglect:

Abuse: The non-accidental commission of any act by a caretaker upon a child under age 18 which causes or creates a substantial risk of physical or emotional injury; or an act by a caretaker involving a child that constitutes a sexual offense under the laws of the Commonwealth; or any sexual contact between a caretaker and a child under the care of that individual. This definition is not dependent upon location (i.e., abuse can occur while the child is in an out-of-home or in-home setting).

Neglect: Failure by a caretaker, either deliberately or through negligence or inability, to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth or other essential care; provided, however, that such inability is not due solely to inadequate

economic resources or solely to the existence of a handicapping condition. This definition is not dependent upon location (i.e., neglect can occur while the child is in an out-of-home or in-home setting).

Emotional Injury: An impairment to or disorder of the intellectual or psychological capacity of a child as evidenced by observable and substantial reduction in the child's ability to function within a normal range of performance and behavior.

Physical Injury: Death or fracture of a bone, subdural hematoma, burns, impairment of any organ, and any other such nontrivial injury; or soft tissue swelling or skin bruising, depending on such factors as the child's age, circumstances under which the injury occurred, and the number and location of bruises; or addiction to drugs at birth; or failure to thrive.

Additional Requirements for Curry Staff and Faculty in Programs that include Minors

Who Must be Trained and Screened³

All Curry staff and faculty that have access to College Programs with Minor participants that meet the following requirements:

- ☐ A Program where the individual may have one-on-one contact with a Minor, or contact with a group of Minors without another adult present, in a non-public setting; or
- ☐ A Program that has a residential component and the individual has access to the residence(s); or
- ☐ A Program that involves physical contact and/or disrobing; or
- ☐ Any athletics Program that makes use of a locker room or other facility that includes showering and/or disrobing.

Required Training for Staff and Faculty that meet this Definition

If a Curry staff or faculty member meets the above criteria, he or she will be required to complete mandated online training on the safety and protection of Minors, as mandated by the College, prior to the commencement of the Program. Such training shall be renewed every three years, so long as the individual meets the above criteria.

Additional Background Screening Requirements

All Curry staff and faculty undergo a criminal background screening (including Sex Offender Registry Information (SORI) review) at the time of hire (as provided by Section 2.7 of the Employee Handbook). If a Curry staff or faculty member meets the above criteria, he or she shall be rescreened prior to the commencement of the Program if he or she has been a College employee for more than three years. Rescreenings shall take place every three years after an individual commences participation in a Program, so long as the individual meets the above criteria.

Staff in the Curry Early Childhood Center (CECC)

³ Similar requirements apply to third-party vendors operating Summer Camps and Programs on the Curry campus, as described in the Massachusetts Department of Public Health Minimum Standards for Recreational Camps for Children, 105 CMR 430.000 *et seq.* (Code of State Sanitary Code, Section IV; viewable at <http://www.mass.gov/eohhs/docs/dph/regs/105cmr430.pdf>). Curry contracts obligate vendors to comply with applicable laws and regulations, and vendors must also comply with the College's Conference and Events Handbook (which includes similar provisions relating to the safety and protection of Minors on Curry's campus).

CECC staff may undergo additional training and background screening as required by law and/or Commonwealth of Massachusetts Department of Early Education & Care (DEEC) regulations.

5.6 MANDATORY COVID-19 VACCINATION POLICY

We appreciate how much our Students, Faculty, and Staff have adapted during this challenging time. As part of our commitment to safety and to reduce the risk of COVID-19, we have adopted a mandatory COVID-19 Vaccination program for our Students, Faculty, and Staff. For the safety of everyone, Curry College seeks to become a fully vaccinated community in all our campuses and teaching outlets, where all Students, Faculty, and Staff have completed their vaccination series to protect against COVID-19 prior to returning to campus, except those people who are unable to get the COVID-19 vaccine due to medical or other reasons.

I. Definitions

1. The term **“Students”** shall mean all persons who are enrolled full-time and/or part-time at Curry College, including those auditing classes, irrespective of their academic standing, who seek education and shall include all returning, new, and transfer students, Undergraduate students, Continuing Education students, Graduate students, International students, and Dual Enrollment Program students (high school students studying at Curry College).
2. The term **“Faculty”** shall mean all persons employed full-time and/or part-time by Curry College to teach subjects matter, as defined in the Curry College-Curry College Chapter AAUP Agreement (Collective Bargaining Agreement).
3. The term **“Staff”** shall mean all employees and all persons performing any work directly for Curry College, whether, full-time, part-time, part-time casual, temporary, exempt, non-exempt, intern/internship, or volunteer. The staff of third-party vendors, who appear on Curry College’s campuses on a weekly basis or more frequently, including Sodexo, McGarr, and Follett, are subject to all requirements applicable to Staff under this Policy. Nothing in this Policy creates an employment relationship with Curry College for staff of vendors.
4. The term **“Fully Vaccinated”** shall mean a Student, Faculty member, or Staff member who has been injected with/received either: two (2) shots of Pfizer-BioNtech or Moderna, or one (1) shot of the Johnson & Johnson (Janssen) COVID-19 vaccine, and for whom at least 14 days have elapsed since the date of their required dose of the vaccine and who has received a completed COVID-19 Vaccination Record Card (“Vaccination Card”), a small white card completed by the health care provider who administered the shots. Information can be found at <https://www.fda.gov/emergency-preparedness-and-response/coronavirus-disease-2019-covid-19/covid-19-vaccines> and at <https://www.cdc.gov/coronavirus/2019-ncov/vaccines/different-vaccines.html>.

For international Students, Faculty, and Staff, who do not have access to the Pfizer-BioNtech,

Moderna, or Johnson & Johnson (Janssen) COVID-19 vaccines, until further notice, Curry College will treat as “Fully Vaccinated” those who have received one of the other vaccines presently authorized for emergency use by the World Health Organization (“WHO”)—authorization is subject to change by WHO—in the required dose(s) and also had their final dose several weeks earlier. Covaxin and Sputnik V are not WHO approved vaccines. Information can be found at <https://www.who.int/emergencies/diseases/novel-coronavirus-2019/covid-19-vaccines/advice> and at <https://covid19.trackvaccines.org/agency/who/>.

For all persons vaccinated with authorized vaccines, booster shots may be required in the future per guidance of CDC, United States Food and Drug Administration (“FDA”), federal and state departments of health, and/or WHO; accordingly, the definition of “Fully Vaccinated” may then be expanded to encompass booster doses of vaccine.

5. Currently and until further notice, Curry College is a closed campus (Milton and Plymouth campuses). All Visitors and Vendors not subject to the requirements of “Staff” as defined in Paragraph 3, above, will be required to follow all current Curry College safety processes and procedures in effect to be admitted to campus, including being sponsored or hosted on campus by a particular department of Curry College and submitting a completed screening questionnaire (available on-line and/or through the department to be visited).

II. Rationale for this Policy

The leadership team of Curry College has reviewed recommendations concerning mandatory COVID-19 vaccinations. The Centers for Disease Control and Prevention (“CDC”) has recommended COVID-19 vaccinations as a primary way of reducing the risk of transmission. “Vaccination is the leading prevention strategy to protect individuals from COVID-19 disease and end the COVID-19 pandemic. Current COVID-19 vaccines authorized for use in the United States are safe and effective, widely accessible in the U.S., and available at no cost to all people living in the U.S.” (CDC, Guidance for Institutions of Higher Education (IHEs), content source, National Center for Immunization and Respiratory Diseases (NCIRD), Division of Viral Diseases, updated June 4, 2021, available at <https://www.cdc.gov/coronavirus/2019-ncov/community/colleges-universities/considerations.html>).

The new COVID-19 vaccines have been evaluated in tens of thousands of individuals who volunteered to be vaccinated and participate in clinical trials. The information from these clinical trials allowed the U.S. Food and Drug Administration (FDA) to determine the safety and effectiveness of the vaccines. These clinical trials were conducted according to rigorous standards set forth by the FDA. The FDA has determined that the newly authorized COVID-19 vaccines meet its safety and effectiveness standards.

Thank you for your commitment to this very important issue.

III. What is Required

We require all Students, absent an approved exemption, to be fully vaccinated no later than 14 days prior to their return to campus (return dates vary for some Students , e.g., Resident Assistants and

some Student athletes will be returning on or about August 15, 2021, while most Students arrive back by the beginning of the 2021-2022 school year on August 27, 2021).

All Faculty and Staff are required, absent an approved exemption, to be fully vaccinated no later than August 27, 2021, the start of the 2021-2022 school year.

If you are not already vaccinated or scheduled to be vaccinated, we are requiring our Students, Faculty, and Staff to make appointments for vaccination at an approved vaccination site or vaccination provider as soon as possible to become fully vaccinated prior to the above deadlines.

International Students may face different conditions for being vaccinated in their home country, some without the ability to receive a WHO-approved vaccine. Such students should make arrangements for visa, travel, lodging, and medical assistance to get the vaccine when they arrive in the United States consistent with the deadlines set out above, if such international Student(s) has/have not already been fully vaccinated before arrival.

The following resources may be available to assist you in scheduling a vaccination or locating a vaccination site or provider:

1. For Massachusetts residents: vaxfinder.mass.gov or MaCovidVaccines.com;
2. For residents of other states: <https://www.vaccines.gov/>; and,
3. For International Students: <https://www.who.int/>.

IV. Process of Reporting

A Student, Faculty member, or Staff member who has received either: two (2) shots of Pfizer-BioNtech or Moderna, or one (1) shot of the Johnson & Johnson (Janssen) COVID-19 vaccination will have received a completed COVID-19 Vaccination Record Card ("Vaccination Card"), a small white card completed by the health care provider who administered the shots. If you have lost your COVID-19 Vaccination Record Card, you should contact the medical office or provider where you received your vaccination and ask for a replacement card immediately as this is an important medical record.

Student, Faculty, and Staff members are required to follow the process of reporting their vaccination as set out in this section.

The easiest means of meeting the obligation to report one's vaccination status is through the CoVerified application. COVID-19 vaccination record information must be entered into the CoVerified application. Additionally, one must upload into the CoVerified application a photograph/digital image of one's vaccination card. [Instructions for how to upload your vaccination status may be found here.](#)

If the CoVerified application is not operational and/or not being utilized at Curry College, or the Student, Faculty, or Staff member does not have access to a working, active CoVerified application, a Student, Faculty, or Staff member is required to submit such confidential vaccination information and copy of vaccination card to either Health Services (Student) or Human Resources (Faculty and Staff) and follow these steps to report vaccination status to Curry College:

1. **Students who are fully vaccinated are required to provide proof of COVID-19 vaccination to Health Services.** Once a Student has a completed Vaccination Card, the Student is to make a copy of the vaccination card and submit the copy (NOT the original) to Health Services, which will maintain this copy of the Student's Vaccination Card in a confidential medical file. Only the supervisor of Health Services and designated Health Services personnel will have access to this medical file, and it will be maintained in a locked file cabinet. Health Services will make a notation in the College's confidential database that the Student has been fully vaccinated against COVID-19 and note the date the Student has been

fully vaccinated. Health Services will communicate to the Vice President of Student Affairs that the Student has been fully vaccinated.

2. **Faculty and Staff members who are fully vaccinated are required to submit proof of COVID-19 vaccination to Human Resources.** Once a Faculty or Staff member has a completed Vaccination Card, the member is to make a copy of the vaccination card and submit the copy (NOT the original) to Human Resources. Human Resources will maintain this copy of the member's Vaccination Card in a confidential medical file separate from your personnel file. Only certain personnel will have access to this medical file, and it will be maintained in a locked file cabinet. Human Resources will make a notation in the College's confidential database that the Faculty or Staff member has been fully vaccinated against COVID-19 and note the date the member has been fully vaccinated. Human Resources will communicate to the Faculty or Staff member's manager that the person has been fully vaccinated.

V. Request for Exemption for Medical/Disability or Religious Reason or Accommodation

The College hereby notifies all Students, Faculty, and Staff that it will consider all requests for exemptions and/or reasonable accommodations based on (1) disability or medical issues contraindicating vaccination, including written medical opinion and direction of their personal primary care physician for the exemption or accommodation sought, and (2) sincere religious belief. Such requests for exemptions and/or accommodations will be assessed on an individualized basis, including any undue hardship posed to the College by granting such exemption or accommodation. Curry College will not discriminate or retaliate against anyone in genuine need of an exemption or accommodation.

Curry College's policy is motivated to bring about a safe college community. The Massachusetts Department of Public Health recognizes vaccination waivers in other circumstances, which gives some guidance to Curry College in developing this mandatory COVID-19 Vaccination Policy with medical/disability or religious exemptions.

The Massachusetts Department of Public Health, Immunization Division states in its publication on school vaccinations titled "Massachusetts School Immunization Requirements 2021-2022" (effective on May 26, 2021), in the section labeled "College (Postsecondary Institutions)**†", relating to vaccinations for Tdap, Hepatitis B, MMR, Varicella, and Meningococcal: "†Medical exemptions (statement from a physician stating that a vaccine is medically contraindicated for a student) must be renewed annually at the start of the school year and religious exemptions (statement from a student, or parent/guardian if the student is <18 years of age, stating that a vaccine is against sincerely held religious beliefs) should be renewed annually at the start of the school year." (Available at <https://www.mass.gov/doc/immunization-requirements-for-school-entry-0/download>). While this relates to different vaccines than the COVID-19 Vaccine being mandated herein, it does illustrate that waiver of policy provisions due to medical/disability or religious exemptions may be appropriate under certain circumstances.

If you are a **Student** and are unable to receive the vaccine due to a medical/disability reason or a religious reason, please submit a [Request for Exemption Form](#) to Health Services.

If you are a member of the **Faculty or Staff** and are unable to receive the vaccine due to a medical/disability reason or a religious reason, please submit a [Request for Exemption Form](#) to Human

Resources.

The respective electronic exemption request forms for Students and for Faculty and Staff will be distributed to all with an electronic copy of this policy, and the forms will also be available on the myCurry Portal.

For any individual, Student, Faculty, or Staff, who has had SARS-CoV-2 infection and according to the written advice and direction of the person's primary care physician is unlikely to benefit from COVID-19 vaccination, such person should present a medical request for waiver of the vaccination requirement (Student submits to Health Services and Faculty or Staff submits to Human Resources).

VI. Current COVID-19 Exposure or Illness

Individuals with current COVID-19 infection will have vaccination deferred until recovery from acute illness and the criteria has been met to discontinue isolation. Individuals who have a current known COVID-19 exposure must defer vaccination until their quarantine period has ended to avoid exposing others during the vaccination visit.

Students should report COVID-19 symptoms, exposures, and hazards to Health Services within 24 hours of becoming aware of the potential symptoms, exposures, or hazards.

Faculty should report COVID-19 symptoms, exposures, and hazards to the Academic Affairs Office within 24 hours of becoming aware of the potential symptoms, exposures, or hazards.

Staff should report COVID-19 symptoms, exposures, and hazards to their respective supervisors within 24 hours of becoming aware of the potential symptoms, exposures, or hazards.

No Student, Faculty, or Staff member will be subject to any form of reprisal for a required deferral or for reporting symptoms, exposures, or hazards.

In addition to the requirements of the foregoing paragraph, as long as the Symptom Tracker in the CoVerified application is operational and utilized at Curry College, Students, Faculty, and Staff may also be also required to report such symptoms in the CoVerified application.

VII. Confidentiality

The College maintains the confidentiality of all information and documentation related to COVID-19 vaccinations, medical treatment and conditions, and all exemption requests. All such confidential information will be kept in individual Confidential Student Medical Files or Confidential Employee Medical Files. **Confidential information is only used and disclosed to those who need to know the information or possess it to perform a job-related function for the College, as described below:**

1. The Director of Health Services and limited designees (approximately +/- 5 people) will have access to the **Student vaccination information** and will communicate to the Vice President of Student Affairs the names of those Students (1) who have been fully vaccinated, and (2) those Students who are required to continue to wear masks indoors in Curry College facilities and/or engage in other safety precautions until further notice. The Vice President of Student Affairs may communicate to appropriate Curry College Department Heads and/or their designees, including the Provost and Academic Affairs, with **need-to-know information** as to Students, the names of Students who will be required to wear masks indoors for educational activities, use of school facilities, and other school activities to ensure individual Students who are required to wear masks or follow other safety procedures do so.

2. The Vice President of Human Resources and limited designees (approximately +/- 5 people) will have access to **Faculty and Staff vaccination information** and will communicate to the respective Supervisors of Faculty and Staff the names of those Faculty or Staff members who are required to continue to wear masks indoors in Curry College facilities and/or engage in other safety precautions until further notice. This information will be supplied to supervisors and/or other authorized persons with such **need-to-know information** to help ensure the individual wears a mask during indoor educational/academic activities or indoor work activities.

Nothing in this section changes the rights, duties, and responsibilities of Curry College's authorized administrators of/to the CoVerified application system and their authorized access to confidential information contained/held therein.

VIII. Safety Rules Applicable to Students, Faculty, and Staff who are not Vaccinated

Following guidance from the CDC in June 2021 and in order to off-set the risk to co-workers, students, and visitors to Curry College, those Students, Faculty, and Staff who are **not fully vaccinated, including those persons who have received an exemption from the Vaccination Policy**, must continue to engage in Curry College's existing COVID-19 Safety Protocols (and as may be amended from time to time), including without limitation: masking, social distancing, surveillance or prevalence testing, isolating when positive for COVID-19 or quarantining when exposed to COVID-19 per CDC or Curry College protocols, etc.

The College will continue to monitor guidance from the CDC, Mass. Department of Public Health, Occupational Safety and Health Administration and other federal, state, and local government authorities to determine if and when the preventative and safety measures for those that are not vaccinated and participating in campus life and the workplace might be modified.

Persons who are fully vaccinated are not subject to the provisions of this policy section.

IX. Applicants for Employment

As of June 14, 2021, all job offers will be made on a conditional basis pending proof of COVID-19 Vaccination in accordance with the terms of this Policy.

X. Separation of Student from Curry College

In the event that a Student refuses to be vaccinated against COVID-19 and does not receive an exemption for this policy, the College may, after a thorough assessment of the individual's situation, have to terminate that Student's enrollment with the College.

XI. Separation from Employment

In the event that an employee refuses to be vaccinated against COVID-19 and does not receive an exemption for this policy, the College may, after a thorough assessment of the individual's situation, have to terminate that employee's employment with the College and/or seek termination through any relevant provisions of any applicable collective bargaining agreement.

XII. Retaliation is Prohibited

Discrimination and Retaliation are prohibited at Curry College.

Those persons who have received an exemption from COVID-19 Vaccine requirements under this policy may be members of a protected class or otherwise may have exercised rights under federal and

state laws; accordingly, such persons are to be free of discrimination and retaliation in the workplace and the academy.

An employment supervisor for employees or teaching professionals for students will be made aware of persons who are subject to continuing safety protocols, e.g., masking, in order to ensure compliance of such safety measures. The College intends to have the smallest group of persons possible with **need-to-know information** of exemptions granted and/or unvaccinated status of persons subject to this policy to effectuate the College's safety protocols to reduce transmission of COVID-19 in our college community. It is impermissible to ask why a person is subject to continuing masking requirements or other safety measures except by those persons identified in Section VII, Confidentiality, above.

There may be people who choose to continue to wear masks and/or distance from others for personal safety, illness, or allergies. Assumptions and speculation as to why a person is wearing a mask should not be made; moreover, such matters should not be the subject of discussion or comment in the workplace or in the academy. **See Section VII, Confidentiality, above.**

Treating Students, Faculty, and Staff differently because they wear a mask or may be labelled as not having taken the COVID-19 Vaccine may be viewed by the College as discriminatory conduct and/or retaliatory conduct subject to discipline under workplace and academy rules, including applicable collective bargaining agreements.

XIII. Notice of Curry College's Right to Modify Vaccination Policy

COVID-19 has created challenges for all of us. News of developments in science and medicine regarding COVID-19 and variants is frequently occurring and being updated. Accordingly, Curry College reserves the right to update or modify this Mandatory COVID-19 Vaccination Policy as often as the leadership team of Curry College considers it in the best interests of the safety of our College community and campuses.

SECTION VI COMPENSATION ADMINISTRATION

6.1 SALARY ADMINISTRATION

A. PAY PRACTICES

Exempt and Non-exempt employees will be paid on a bi-weekly basis. Payday is normally on a Friday. The pay period is Sunday through Saturday, for a two week period. The paycheck represents earnings for the two week period preceding the week in which the paycheck is dated.

B. SALARY REVIEW

Salary review may be conducted periodically. Changes in salary depend on a number of factors, including the employee's performance and the business needs of the College.

C. SALARY INCREASES

Full-time regular staff and part-time regular staff are eligible to receive the annual increase.

An employee must be hired prior to March 1 to be eligible to receive the annual increase.

Salary increases will be generally effective September 1.

D. PAYROLL DEDUCTIONS

The College is required by law to make the following payroll deductions based on the W4 form submitted by the employees:

- Federal Income Tax
- Social Security Tax (FICA)/Medicare
- Massachusetts Income Tax

Other deductions on a voluntary basis which may be arranged are:

- Direct Deposit
- Medical and Dental Insurance
- TIAA/CREF, Fidelity or Supplemental Retirement Accounts
- Dependent care reimbursement account
- Voluntary Supplemental Life insurance
- Medical expense reimbursement account

Questions regarding payroll deductions should be directed to the Human Resources Office.

E. DIRECT DEPOSIT

Currently, employees may request that the College deposit their pay checks to a bank of their choice. Authorization forms are available in Human Resources, and should be submitted to the Payroll Office. Deposits may be made into as many as three different personal accounts. Bank information necessary for direct deposit:

- Checking Account: A voided copy of a check.
- Savings Account: The bank's name, routing number and your personal account number.
- Dollar amount to be deposited each pay date. One account may be established as "net check" amount. Other accounts need to be a specific amount.

Questions regarding Direct Deposits should be directed to the Payroll Office.

6.2 OVERTIME PAY AND OTHER PAY DIFFERENTIALS

From time to time, the College may require employees to work overtime to meet operational requirements. **A non-exempt (hourly) employee must obtain the approval of his or her supervisor before working overtime. Overtime must also be approved in advance by a Senior Staff member. All overtime hours worked must be recorded by the employee in the ADP system and approved by supervisor.**

Employees who are exempt under federal or state wage and hour laws (professional, executive or salaried administrative employees) are expected to spend whatever time is required of them to meet their commitments to the College, without additional or overtime pay. An exempt employee who is also employed, on a part-time basis in an hourly position will be paid on a straight time, hours worked basis for the part-time, non-exempt position.

Non-exempt employees will be paid as follows: Hours worked through 40 hours will be compensated by paying employees at straight-time at his/her regular rate. Hours worked in excess of 40 hours per week will be paid at one and a half times the employee's regular rate.

The following fringe benefit time is not included in "hours worked": Paid lunch/meal breaks, summer days-off, sick time, personal time, vacation time, jury duty, bereavement leave, maternity leave, paternity leave, emergency closures, or the following holidays: New Year's Day, President's Day, Memorial Day, Thanksgiving Day, Friday after Thanksgiving, Christmas Day, holiday break. **Work hours do include** Martin Luther King Day, Patriot's Day, Independence Day, Labor Day, Columbus Day and Veteran's Day.

There is no "automatic overtime" for any particular events.

Example 1: Joe works on Sunday at an Orientation program, but takes a paid sick day on Wednesday. His normal schedule includes paid lunch hours. He would be paid as follows:

Total paid hours = 48
Sick time = 8
Paid lunch hours = 5 (including Sunday)
Actual hours worked = 35
All 48 hours will be paid at straight time.

Example 2: Joe works on Sunday at an Orientation program, and works his regular hours the rest of the week. He would be paid as follows:

Total paid hours = 48
Paid lunch hours = 6
Actual hours worked = 42
Two hours would be paid at time and a half, and 46 hours would be paid at straight time.

An employee's hours within a work-week (Sunday through Saturday) may be **rearranged** so that he/she does not work more than 40 hours.

Example: Joe works on Sunday, but is scheduled not to work on Tuesday. Total 40 hours paid, all at straight time.

This may only be done within the same work week. "Compensatory time" granted to hourly employees, to be taken after the week is over, is prohibited.

Double-time: The College will pay to full-time hourly employees double-time under the following circumstances:

- Hourly employees who voluntarily work the 2 days following their regularly scheduled 5th day of a work-week, will receive double-time for the 7th day. The 7th day must be preceded by 6 days in which eight hours or more are worked each day.
- Hourly employees who work on a normal paid day off for the College (holiday, holiday break), will receive holiday pay, plus regular compensation for hours worked.
- Hourly employees who are designated by the College as essential staff (Buildings and Grounds, and Public Safety) who are required to work during emergency (usually storm) events will be paid at double-time for all work performed during the emergency event. An official beginning and end of the emergency will be announced and communicated to all essential staff.

While the College currently pays double-time payments in these limited circumstances, the College is not required to do so by law and this practice may change at any time at the discretion of the College.

If an employee plans to take a vacation day, but agrees to come in on that day, pay will be at the regular rate. The vacation day will be deferred to another day.

“On-call” Pay: If an “on-call” hourly employee (in Buildings and Grounds) is called in to work (for emergency repairs, meetings, etc.), pay will be at the regular rate, unless these hours result in over 40 hours of work in the week, in which case time & half would be paid. There is a minimum of 4 hours paid for any call-in for an on-call employee. “On call” is defined as work outside the normal schedule for which the employee is called-in (results in additional commute to/from Curry).

“Detail” Pay: “Detail” pay (in Public Safety) will also be at the regular rate, unless the detail results in more than 40 hours worked in the week, in which case time & half would be paid. There is a minimum of 4 hours paid for any detail. A “detail” is defined as work outside the normal schedule for which the employee is called-in (results in additional commute to/from Curry).

“Beeper” Pay: Compensation for carrying a beeper and being on-call 24 hours/day is \$75 per week for hourly Buildings & Grounds, and hourly Technology staff.

Shift Differential: A shift differential of \$0.50 will be added to an employee’s hourly base wage when an employee works an eight-hour shift that starts after 2:00 PM, and \$0.75 addition to the employee’s hourly base wage if an employee works an eight-hour shift that starts after 10:00 PM. If an additional consecutive shift is worked, the shift differential will only be applied to those hours worked prior to 7:00am.

Budgeting for Overtime: Overtime expenses are charged to each employee’s home department salary account, even if the work performed is not related to that department. For example: Joe works all day at Commencement; his home department is the Registrar’s Office. All pay for Commencement day is charged to the Registrar. Each department manager is responsible for budgeting for this additional expense, based on historical patterns.

Compensatory Time: The granting of compensatory time to exempt (salaried) staff can only be done by the Senior Management of an area. Compensatory time should be used rarely and granted when the time demands of the position are consistently beyond the normal day to day routine. The College does not accrue compensatory time and will not pay for it at the time of termination/resignation of an employee.

Compensatory time cannot be granted to a non-exempt employee in lieu of overtime pay.

Procedures for reporting your overtime: All overtime must be reflected on the electronic timesheet for the bi-weekly period in which the overtime was worked.

A non-exempt employee assigned to two or more different jobs with different rates during the workweek will be paid overtime based upon the regular rate for the job performed during the overtime hours. The maximum overtime rate the College will pay is one and one-half times the regular hourly rate. There will be no pyramiding of overtime.

If an employee has any questions regarding this policy, please check with the Human Resources Department for clarification.

6.3 WORK SCHEDULE AND MEAL BREAKS

The College office hours are generally Monday to Friday 8:30-4:30. Departments that have different schedules will discuss these schedules with impacted employees.

All employees are expected to follow the work schedule of the department in which they work. Changes in schedules will be discussed with affected employees as they occur. Full-time non-exempt employees (see page 7 employee classifications) have a one hour paid lunch break to be scheduled normally between 12:00 noon and 2:00 p.m. This break schedule will vary in some departments where the schedule is different from 8:30 to 4:30. The work schedule for part-time and temporary employees varies depending on the needs of their department.

Employees working 5 or more hours in a day will generally receive a half-hour paid lunch or dinner break. Employees working less than 5 hours on a day are not eligible for a paid lunch or dinner break.

Under Massachusetts law, no employee shall be required to work for more than six hours during a calendar day without an interval of at least 30 unpaid minutes for a meal.

6.4 TIME AND ATTENDANCE REPORTING

The College uses electronic time and attendance software, ADP Workforce. All employees, exempt and non-exempt, must complete a timesheet on a bi-weekly basis. A user name and password will be assigned to each employee upon employment.

Timesheets should accurately reflect all worked hours and benefit-time used. Time is calculated in quarter hour increments. Each timesheet must be approved by the employee's supervisor at the end of each pay period. In the case of unscheduled absences, supervisors will adjust the employee's timesheet to reflect the absence.

Time may be recorded on College authorized devices only. Falsifying hours or approvals may result in termination of employment.

SECTION VII EMPLOYEE BENEFITS PROGRAM

7.1 BENEFITS SUMMARY AND ELIGILITY

Curry College recognizes the significant contribution that our employees make to the College and the College works hard to ensure that our benefit offerings remain generous and competitive. Eligible employees are offered a wide range of benefits and a number of the programs, such as workers' compensation, social security and unemployment insurance, cover all employees in the manner prescribed by law. Human Resources can identify the programs for which an employee is eligible based on their position classification. Generally, upon hire, new employees have a specified period of time in which to enroll in many of the benefits offered. The College holds an open enrollment period annually to afford employees the opportunity to make changes in their plan selections and/or become a new enrollee into one of the offered benefit plans. Some benefit programs require contributions from the employee, but many are fully paid for by the College. The Benefit Plan Documents are the ultimate determinant of benefits. **Full-time Administrators and Staff Employees are eligible for the benefit offerings listed below.**

Please contact HR for any questions regarding these benefits. For detailed information regarding all of the benefits offered, including eligibility criteria and enrollment deadlines please log onto the Curry Web Portal and visit the Human Resources page at <https://my.curry.edu/group/mycampus/human-resources>.

7.2 INSURANCE COVERAGE PLANS

A. STATUTORY INSURANCE COVERAGE

Social Security: Your payroll deductions for Social Security (FICA) are matched dollar for dollar by Curry College. The total amount is paid to the Federal Government to fund the Social Security benefit programs.

Continued Health Insurance Coverage (COBRA): Federal law permits an employee, whose group insurance terminates due to reduction of hours or termination of employment (other than for gross misconduct), to continue medical insurance coverage for the employee and insured dependents. A surviving, a divorced or legally separated spouse, and a child no longer eligible for group insurance by reason of age or marriage, may also elect continuation. Coverage may not be continued if the person is eligible for Medicare or group coverage, if the group plan terminates, or if the person stops paying the premium.

In order to continue the medical insurance benefits under the group plan, the employee must complete a COBRA election form and return it to the Human Resources Office in a timely manner. The individual who elects continuation of health coverage through COBRA is required to pay the full monthly premium plus 2% to the employer. This amount may change in

accordance with any premium rate changes for the group plan. Payments are due as of the first of each month.

If an employee wishes to convert his/her life insurance, it must be done within 31 days of termination of employment. **Details concerning your COBRA rights are available through the Human Resources Office.**

B. MEDICAL AND DENTAL INSURANCE PLANS

Full-time employees are eligible to receive individual and family health and dental coverage on a cost share basis. The College also offers family coverage to domestic partners. Appropriate forms are available in the Human Resources Department. The decision to enroll must be made within thirty days of employment as a full-time employee or when there are specific changes in family circumstances (a “qualifying event”).

An employee who does not wish to be covered by any of the College’s health insurance programs must sign a statement to that effect.

On an annual basis during open enrollment, individuals who did not join the medical/dental plans when initially eligible, may make an election to participate. Also, open enrollment allows already enrolled individuals to change coverage. Each eligible employee may obtain a copy of the summary booklets for the College’s medical insurance plan from the Human Resources Department. Participating employees may also review the governing documents for the plan in the Human Resources Department.

C. GROUP LIFE INSURANCE

Full-time employees are eligible to receive group life insurance coverage. The premiums are paid by the College. Currently, coverage is in the amount of two times your annual salary rounded to the next highest \$1,000 to a maximum of \$200,000, with a minimum of \$45,000. A copy of the summary booklet for the College’s life insurance plan is available from the Human Resources Department. Participating employees may also review the governing documents for the plan in the Human Resources Department.

D. ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE

Full-time employees are eligible to receive group accidental death and dismemberment insurance coverage. The premiums are paid by the College. Coverage is in the amount of two times your annual salary rounded to the next highest \$1,000 to a maximum of \$200,000 with double indemnity. A copy of the summary booklet for the College’s accidental death and dismemberment insurance plan is available from the Human Resources Department. Participating employees may also review the governing documents for the plan in the Human Resources Department.

E. SUPPLEMENTAL LIFE

The College provides additional options for supplemental life insurance to be paid for by the employee. Participation is voluntary. A summary of the plan is contained in the Basic Life

Insurance booklet, and rates are available in the Human Resources Office. The decision to enroll must be made within thirty days of benefit eligibility in order to guarantee issue. It may also be purchased at a later date, but evidence of insurability must be provided.

F. LONG-TERM DISABILITY INSURANCE

The College offers a group disability insurance plan for full-time employees and is paid for by the College. Benefits are payable on the 91st day of disability and insure that employees will receive, from all sources, 70% of their monthly salary. Each eligible employee receives a copy of the summary booklet for the College's long-term disability insurance plan. Participating employees may also review the governing documents for the plan in the Human Resources Department.

G. LONG-TERM CARE INSURANCE

The College offers a voluntary Long-Term Care Insurance plan available to all employees. Rates are discounted for Curry participants. Plans are customized by the carrier, and premiums are paid entirely by the employee.

7.3 RETIREMENT PLAN

Employees may enroll on a voluntary basis in the Voya retirement plan which are offered by the College. Eligibility begins on the first of the month after the completion of 1000 hours *and* one year of continuous employment. If a new employee had worked 1000 hours in the last 12 months for an organization that offered a 403(b), they will be immediately eligible. A letter from his/her previous employer verifying hours worked will be required.

Employees can make contributions on a tax-deferred basis electing the investment options offered under Voya.

The College currently contributes 200% of the employee's contribution up to 3.5% of base salary (yielding a 7% maximum College contribution). Details regarding the Plan are set forth in plan documents, which are available from the Human Resources Department. The terms set forth in the Plan should be reviewed, as they are controlling over other descriptions.

7.4 SUPPLEMENTAL RETIREMENT PLAN

The College also offers Supplemental Retirement and Savings Plans with the same investment options which are *not* matched by the College, but allow employees added saving potential for retirement on a tax-deferred basis. There is no waiting period for the Supplemental Plan. It is available to all employees working at least 20 hours per week on a regular basis.

A Summary Plan Description of the retirement plan is available in the Human Resources Office.

7.5 DEPENDENT CARE ASSISTANCE PLAN

The College currently has a dependent care assistance plan which allows employees with eligible dependents to elect to pay certain costs of caring for those dependents with pre-tax dollars. This Plan is controlled by federal regulations, which, of course, are subject to change.

A summary of the Dependent Care Assistance plan, containing additional information to help employees decide whether the plan or the federal tax credit is better for them, is available from the Human Resources Department.

To use the College's dependent care assistance plan, employees must provide proof of their qualifying expenses and the name, address and Social Security number or other tax identification number of each person or entity that they pay with pre-tax dollars under the plan.

The Internal Revenue Service requires that benefits offered to participants in the College's dependent care assistance plan to be provided on a "use-it-or-lose-it" basis. This means that all amounts withheld from pay for an expense reimbursement account during a particular year cannot be returned unless and until the employee provides proof of matching expenses incurred during that year. For example, if an employee has \$5,000 withheld during a particular year in order to participate in the plan, but incurs only \$4,500 of eligible dependent care expenses during the year, the remaining \$500 will have to be forfeited.

Employees may normally start, stop or change their payroll withholding election for the dependent care assistance plan only during each annual election period (December 1- 31). However, an employee or spouse who changes employment status or experiences a significant life event, as defined in the plan, may also make appropriate changes in a payroll withholding election at that time. Doing so may possibly help to reduce this risk of forfeiture under the plan.

7.6 MEDICAL EXPENSE REIMBURSEMENT PLAN

The college currently offers a Medical Expense Reimbursement Plan. It allows you to contribute up to \$2,500 per year from your salary, on a pre-tax basis, into an account from which you can pay for eligible non-reimbursed medical, dental and vision expenses (such as acupuncture, orthodontia, chiropractic expense, eyeglasses, excess dental expenses, etc.) You may also use this to pay for private individual health premiums (if you are paying for non-Curry coverage for a spouse or dependent). The maximum per year for the individual premium account is \$5,000.

The plan is administered by the P&A Group located in Buffalo, NY. A summary of the plan and additional information is available in the Human Resources Department. When you contribute pretax dollars to a flexible benefits plan, you lower your taxable income; therefore, you pay fewer taxes and increase your spend able income.

The IRS has established strict guidelines for monies not used by the end of the plan year. If you contribute dollars to a reimbursement account and do not use all the monies you contribute, you will lose any remaining balance in the account at the end of the plan year.

To comply with IRS regulations, you may only make a change in your election at the beginning of each plan year. The plan year is April 1st through March 31st. You may not make a change in your elections after the open enrollment period, unless you experience a family status change. Examples include marriage, divorce, birth, adoption, death, loss of spouse's employment, etc.

7.7 EMPLOYEE ASSISTANCE PLAN (EAP)

Our Life, and Long Term Disability Insurance carrier partners with Horizon Health EAP Services to provide a comprehensive resource for a wide range of personal and work-related issues. The service is available to employees and their family members twenty-four hours a day, 365 days a year, and provides resources to help employees find solutions to everyday issues. Services include: toll-free phone access to master's-level consultants, up to four face-to-face sessions to help with more serious issues; and unlimited online resources. There is no additional charge for utilizing the program. Participation is confidential and strictly voluntary, and employees do not have to have filed a disability claim or be receiving benefits to use the program.

7.8 CURRY COLLEGE TUITION

Eligibility for benefit: Full-time Staff members working at least 40 hours per week (including paid meal breaks), at least 9 months per year, are eligible themselves after completing one year of service. If the course is job-related, this one year wait may be waived.

Spouses and dependent children of these Full-time Staff members are eligible for this benefit after three years of full-time service.

Staff members hired on or before 8/31/08 who work at least 30 hours per week, 12 months per year (or 35 hours per week, 9 mos. per year) are eligible for this benefit for themselves, and for spouses and dependents, after one year of service.

Part-time Staff members (unless cited above) are **not** eligible.

Dependent Children: "Dependent children" are defined as biological or adopted children who are under the age of twenty-five and have been listed as dependent on employee's tax returns for the past year, or step-children under twenty-five who have been listed as a dependent on the employee's tax returns for the past three years. Please refer to <http://www.irs.gov> for additional guidance. You may be asked to provide tax documents that confirm this status.

What is Waived: Tuition only (this award supersedes any other Merit and/or need based Scholarships or Financial Aid offered by Curry College and the amount of any federal and state grants you receive may also reduce this Tuition Scholarship). Fees are not included.

Number of Courses: Six credits per term for staff members. Only three (3) of these six may be taken during the work day, and only if approved by the employee's supervisor. Any work time lost due to class attendance must be made up or deducted from the employee's lunch hour.

Spouses or dependents enrolled are limited to 18 credits per term.

In all cases, enrollment is conditional on space availability. Seats will be given to regular paying students before tuition waiver students. The minimum class size must be met through regular enrollment. Tuition Waiver employees enrolled in a class may not be counted towards the minimum enrollment requirement.

If minimum enrollment is not met, but the class is given, a fee of \$400 (for undergraduate courses) or \$500 (for graduate courses), will be charged to Tuition Waiver employees who wish to participate. The employee is responsible for paying this fee if he/she decides to enroll in the class. In the case of a three credit tutorial or internship type arrangement, the course may be taken for this fee, or the amount paid to the faculty member teaching the tutorial (if higher). For internships, practicums, etc., that are less than three credits, a fee of \$125 per credit, or the amount paid to the faculty member supervising the practicum, if higher, will be charged. These amounts may be re-determined each year. Employees are asked to elect in or out of under- enrolled courses on the Tuition Waiver/Registration form.

Taxability of Tuition Benefits: A complex set of tax rules and regulations controls whether educational benefits provided by Curry to its employees and their families are taxable. In general, there are three categories of tax treatment of tuition benefits.

- **Undergraduate** program benefits to **employees, spouses and dependents are not currently taxable.**
- **Graduate** program benefits to **spouses and dependents are always taxable.**
- **Graduate** program benefits to **employees** that total over **\$5250** per year **may be taxable.** In order to be excluded from taxation, they must meet specific criteria defined in the tax code. The College will consider tuition in excess of \$5250 per calendar year as taxable income. We suggest you contact your tax advisor for more specific advice.

In cases where these benefits are taxable, the College is required to impute the earnings, and will **withhold taxes** (Federal and State Income, FICA, FUTA and SUTA) over the course's period of study.

Procedure: Tuition Waiver/Registration forms are available in the Human Resources office and should be completed by the employee, signed by his/her supervisor, and returned to Human Resources for final signature 30 days prior to the start of the class. Human Resources will submit the form to Continuing Studies, or to Student Financial Services if applying for the regular day

program. In no event will it be accepted in lieu of payment after the end of the “add period” (first week of class).

Emails from Continuing Studies will confirm enrollment, and notify employees of disposition if the course is under-enrolled.

Employees whose dependents are enrolled as full-time day students must complete Tuition Waiver forms prior to the beginning of each semester.

In addition, there is a non-refundable \$15 per course waiver fee.

Cohort based programs (Accelerated Nursing and All Graduate Programs): The College provides two waivers of tuition in each cohort-based program for qualified applicants (one designated for Faculty, and one designated for Staff). The process for applying for those waivers is as follows:

- Regular applications must be completed and submitted to the program by the published application deadline.
- A Tuition Waiver form must also be completed and submitted to Human Resources by the **program’s application deadline**.
- Employees seeking a waiver for a spouse or a dependent must have at least three years of service as of the date of projected enrollment.
- Applications are competitive, and will be reviewed on their merits. All candidates must meet deadlines and admissions standards. Admission committee decisions will be made without regard to tuition waiver status.
- If there is more than one admitted applicant for each tuition waiver, the waiver will be awarded based on seniority (but in the case of the MBA, preference will be given to employees over spouses, children, or domestic partners). Procedures will be the same as those used in the awarding of Tuition Exchange scholarships.
- Human Resources will notify all Tuition Waiver applicants of the status of their waiver no later than two weeks prior to the Deposit Deadline for the program.
- Approved Tuition Waiver applicants must decide to accept or reject the Tuition Waiver no later than one week prior to the Deposit Deadline. If rejected, the Tuition Waiver will go to the next admitted applicant on the appropriate (Staff or Faculty) seniority list.

7.9 TUITION EXCHANGE PROGRAMS

The College also participates in **Tuition Exchange** and **C.I.C.** programs for undergraduate education of dependent children. Applications for both programs are due on **October 1st preceding the Academic year for which you are applying**.

Dependent Children: “Dependent children” are defined as biological or adopted children who are

under the age of twenty-five and have been listed as dependent on employee's tax returns for the past year, or step-children under twenty-five who have been listed as a dependent on the employee's tax returns for the past three years. Please refer to <http://www.irs.gov> for additional guidance. You may be asked to provide tax documents that confirm this status.

Tuition Exchange Eligibility: Full-time employees are eligible after completion of three years of full time service (at least 40 hrs./wk., 9 mos./year) as of September 1 of the Academic year for which they are applying.

Part-time employees hired 8/31/08 or earlier, who work at least 30 hours per week, 12 months per year are also eligible after three years of this service. Part-time employees hired 9/1/08 or later are not eligible.

Meeting these criteria does not guarantee a TE scholarship. Each year, the number of available TE scholarships will be determined by the Vice President of HR, the President of the AAUP, and the President of the College.

All staff members meeting the above requirements may apply for the benefit. Final awarding of available scholarships will be determined by seniority. The seniority calculation includes credit for part-time service, and deductions for previous TE usage. If an employee has multiple dependents in the same qualifying year, there is a limitation to the participation in the Tuition Exchange program. In addition, acceptance into the program is dependent upon acceptance by the host institution to which you apply.

C.I.C. Eligibility: Completion of three years of full-time service as of Sept. 1 of the Academic year for which you are applying. For employees hired prior to 9/1/08, completion of one year of full-time service, or one year of part-time service of 30 or more hours per week, 12 months per year.

Acceptance into the program is dependent upon acceptance by the host institution to which you apply.

Information may be obtained from the Human Resources Department regarding details of how these programs work. Additional information may be found at these websites: www.tuitionexchange.org and www.cic.edu.

7.10 BENEFIT TIME

A. VACATION

Each year, an employee who has completed the orientation period is entitled to vacation with pay which is scheduled at his/her request, subject to the approval of his/her supervisor.

Employees in their orientation period, the first three months of employment, do not accrue vacation benefits, however upon successful completion of the orientation period, an employee will begin to accrue vacation days and the accrual of these days will be retroactive to the date of hire. Otherwise, vacation eligibility is determined by job classification and length

of service. Length of service is computed from the date of hire. In the case of a break in service, prior service will only be counted if the break in service is less than one year, and the prior service is one year or more.

No vacation leave accrues (a) during periods of leave without pay or unexcused absence, or (b) for any month an employee receives pay for less than half the total work hours in the month. There is no vacation accrual for ten month employees when working on a temp/casual basis during months that are not included in their primary position.

If you are requesting vacation time, which is greater than the number of days earned, the College may decide to advance up to five days of time to you. If your request is allowed, you will be required to sign an agreement. The agreement indicates that should you terminate/leave the College before earning enough vacation days to cover the advance, you owe the advanced amount to the College, and you authorize the College to deduct this amount from your last paycheck.

All vacation taken should be recorded in ADP Workforce.

Non-exempt Employees: The following accrual calculations are based on an employee who works a forty (40) hour workweek (including paid lunch hour, if applicable). Employees who work less than forty (40) hours per week accrue vacation time on a pro-rated basis according to the average number of hours they work per week. Casual part-time employees, those working less than 20 hours per week, do not accrue vacation hours.

An employee who has completed at least three (3) months but less than three (3) years of continuous employment, is entitled to: .83 days (6.67 hours) accrued upon completion of each month worked which equals up to ten (10) days (80.0 hours) per year for a twelve (12) month employee or up to eight and two thirds (8.66) days (66.75 hours) per year for a ten (10) month employee.

An employee who has completed at least three (3) years of continuous employment but less than fifteen (15) years of employment, is entitled to: 1.25 days (10.0 hours) accrued upon completion of each month worked which equals up to fifteen (15) days (120.0 hours) per year for a twelve (12) month employee, or 1 day (8 hours) each month up to ten (10) days (80 hours) per year for a ten (10) month employee hired on or after September 1, 2008.

An employee with at least fifteen (15) years of continuous employment is entitled to: 1.66 days (13.33 hours) accrued upon completion of each month worked, which equals up to twenty (20) days (160.0 hours) per year for a twelve (12) month employee. Nine or ten month employees hired on or after September 1, 2008 have a maximum of ten vacation days per year.

Exempt employees: Full-time Administrators (exempt staff) accrue 1.66 days (13.33 hours) vacation upon completion of each month worked which equals up to twenty (20) days (160.0 hours) per year. Nine or ten month employees hired 9/1/08 or later, who are exempt, accrue 1 day (8 hours) vacation each month, which equals up to ten (10) days per year.

Scheduling: To help the College ensure adequate staffing, employees should request vacation time as far in advance as possible, but in any case no less than two weeks' notice must be given. The employee's supervisor must approve all requests for vacation time in ADP. The College is not always able to accommodate each request, so it reserves the right to deny requested vacation time to meet the needs of the College.

It is the policy of the College to encourage all eligible employees to take their vacation during the traditional vacation period (June-August). However, vacation may be scheduled at other times with prior specific approval of the employee's immediate supervisor. A week of vacation taken in the summer during the four-day work week period or one which includes a recognized holiday, will be counted as a four-day vacation week.

Cap on Vacation Accrual: You may only carry over into the new fiscal year, one year's equivalent of unused/accrued vacation. The fiscal year begins on the first of June. Upon separation of employment employees are paid for unused accrued vacation days.

COVID-19 Pandemic Unused and Accrued Vacation Use Accommodation (in Effect June 1, 2021 to July 31, 2021):

Curry College appreciates the efforts of its employees through the COVID-19 Pandemic and empathizes with challenges for employees in trying to utilize accrued vacation time during the COVID-19 crisis. Curry College's "Cap on Vacation Accrual" policy of Section 7.11 remains in effect. However, as a one-time accommodation for employees who would otherwise lose/forfeit unused and accrued vacation time in excess of the "one year's equivalent of unused/accrued vacation" ("excess vacation"), the college will permit employees to use excess vacation through July 31, 2021, instead of the usual deadline of May 31, 2021. As of August 1, 2021, any excess vacation will be forfeited as it would be on June 1, 2021 under the Cap of Vacation Accrual policy. The College encourages employees to make use of this two-month extension from the usual May 31, 2021 deadline to use excess vacation.

B. PERSONAL DAYS

Employees will sometimes have personal business, religious commitments or unanticipated obligations that require their attention during the workday, such as funerals or wakes not covered under Bereavement Leave. The College accommodates these needs by providing personal day benefits to **full-time, twelve-month employees who have successfully completed the orientation period**. Employees receive no interruption in pay when they use a personal day.

Personal days are not intended to be used to add to other time off, such as legal holidays or vacations.

Eligible employees receive two personal days per year. Personal days are allocated on a calendar year basis and are only available for use during that calendar year.

Employees hired after January 1 receive pro-rated personal day benefits during the first year of employment (Hire date January 1 – May 31 = 1 personal day, Hire date June 1 or later = no personal days).

Employees may take personal days under the following conditions:

- Personal days may be granted when requested in advance and approved by the head of the department or office or by the supervisor designated for this purpose.
- Personal days may be granted only when such absence will not involve the payment of overtime as a consequence or cause inconvenience to the department.
- Personal days may be taken in half day increments with the approval of his/her supervisor.

Except in an emergency, eligible employees must obtain the approval of their supervisor at least one week in advance. In the case of an emergency, employees are expected to notify their supervisor as early as possible and in any event in advance of the absence.

Unused personal days do not carry-over from year to year, and employees are not paid for unused personal days upon termination.

Once notice of termination has been given, employees are not entitled to any unused personal days.

C. RECOGNIZED HOLIDAYS

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

Full-time employees are eligible for these paid holidays. Part-time employees (including Part-time Casual employees) who normally would have worked on a recognized College holiday will be paid for that holiday. The amount paid will be based on the hours they normally work. Temporary employees do not receive holiday pay. If a recognized holiday falls on a Saturday, the College typically recognizes Friday as the holiday, and if a holiday falls on a Sunday, the College typically recognizes Monday as the holiday. If a Part-time employee's normal work schedule includes week-end days, holiday pay is received for the actual holiday only.

D. HOLIDAY BREAK

The College closes its Administrative offices for the holiday period beginning December 24 through January 1. All employees will be paid for this time off based on their regular full and part time schedule (provided they work between academic semesters).

If an hourly employee, because of the nature/requirements of their position, works on one of his/her days off during the holiday break, that hourly employee will receive holiday pay plus payment for the hours they worked on their day off.

Please consult the College Academic Calendar for specific information concerning the beginning date and time of the holiday break and the date that administrative offices will re-open.

E. SUMMER HOURS

Beginning in July and continuing usually through early August, the College has a Summer Hours program. Offices will schedule their eligible staff to allow the opportunity for a four day work week. The celebration of July 4th will serve as the day off in that week. Days off during the other weeks in this period will be determined by the needs of each office. The specific weeks that the program begins and ends will be announced by Human Resources annually. Those eligible to participate are full-time and part-time (five days a week) employees, who work year round, whether exempt or non-exempt.

7.11 CURRY COLLEGE POLICY ON COHABITATION FOR STAFF IN RESIDENCE

Curry College permits Staff Members in Residence Life & Housing positions, who as a condition of Staff Member's employment are required to live in a Curry Housing unit, to request that the Staff Member's partner and/or minor dependent child(ren) (collectively referred to as "Family Occupants") may reside in the Staff Member's assigned Curry Housing unit.

To view the complete policy, please click on the [Curry College Policy on Cohabitation for Staff in Residence](#) and the [Curry College Residence Life and Housing Staff Occupancy Agreement](#).

7.12 ADDITIONAL BENEFIT OFFERINGS

A. PARKING

Employees may park in designated "Staff and Faculty" spaces in designated lots with a valid parking sticker displayed in the left rear window of your vehicle. Parking stickers can be obtained in the Public Safety Office (bring your auto registration).

Car-pooling is encouraged, and designated car-pool parking spaces are available with a permit. If two or more staff or faculty members commute to work together on a daily basis, they may apply for a car-pool permit at the Public Safety Office. This permit must be displayed on the

vehicle's dashboard in order to park in the space. Additional car-pool spaces will be added to meet demand.

Parking violations such as parking in handicapped spaces, fire lanes, carpool spaces or other, will result in ticketing. Parking fines must be paid within 30 days of issue. Excessive parking violations, or failure to pay parking fines on a timely basis, may result in disciplinary action. It may also result in loss of parking privileges in designated lots.

For more information on parking, please see the Public Safety webpage.

B. CAFETERIA

There are four facilities available to our employees. The Commuter Café located in the Hafer Building, the Smart Café located in the AAPC, and the Kennedy Snack Bar located in the Kennedy Building provide lighter fare. Employees can also dine in the cafeteria in the Student Center's Market Place. The Student Center facility offers a wider range of meal selection and the cost to the employee is price fixed and subsidized by the College. Further discounts are available through a prepaid volume purchase program (15% for values of \$51 or more, and 20% for values of \$100 or more). Purchases may be made at the Dining Services office in the Student Center.

C. FITNESS CENTER

Yearly memberships to the Fitness Center, located on the second floor of the Student Center, are available at a discounted rate to full-time staff members. The Fitness Center offers high quality equipment and personalized instruction. Applications for membership are available at the Fitness Center, or in Human Resources.

- The fee for a 12-month Fitness Center membership is \$300 for eligible employees.
- The fee for a summer membership (June, July & August) is \$75 for eligible employees. Fees cannot be pro-rated.
- Fitness Center memberships are non-refundable
- Membership enrollment is rolling and runs 12 months from the date you enroll.
- Membership payments must be made in full and verified prior to using the Fitness Center.

D. AUTO INSURANCE DISCOUNT PROGRAM

As a service to employees, the College offers a voluntary auto insurance program through Safety Insurance, with discounted rates for employees and their family members. ***To find a Safety Auto agent visit: www.safetyinsurance.com***

E. EMPLOYEE TRAVEL ASSISTANCE PROGRAM

The Travel Assistance Program is a comprehensive program of information, referral, assistance, transportation and evacuation services designed to help employees respond to medical care situations and many other emergencies that may arise during travel. As a participant in Curry's Group Life Insurance Plan through Standard Insurance Company, employees are automatically covered.

F. BOOKSTORE

Non-book items such as sweatshirts, gift items, etc., are discounted to the employees in the College bookstore which is located in the Student Center. Employees must present their Curry Employee Identification Card to receive a discount.

G. ASSISTANCE ANIMALS POLICY

Curry College ("Curry" or the "College") is committed to providing reasonable accommodations to qualified individuals with disabilities to facilitate equal access to the College's programs and activities. In compliance with relevant federal and state law, including the Americans with Disabilities Act of 1990 and amendments (the "ADA"), Section 504 of the Rehabilitation Act of 1973 ("Section 504"), the Fair Housing Act ("FHA"), and Massachusetts General Laws (Chapter 129, section 39F), individuals with disabilities who require the use of assistance animals as a reasonable accommodation due to their disability may be permitted to bring such animals to limited and defined areas of College property provided they comply with this Policy.

College employees who seek to bring an assistance animal to campus must first contact the Office of Human Resources ("HR") at 617-333-2263. HR will determine, on a case-by-case basis, and in collaboration with other departments on campus (as needed), whether to approve the individual's request for an assistance animal on campus. In making this determination, HR will consider the needs of the individual, as well as the impact of the animal on the campus community.

To view the complete policy, please click on [Assistance Animals Policy](#).

H. PETS POLICY

The presence of pets on Curry College campuses may create health, safety and sanitation concerns and may pose an increased risk of harm and damage to persons and property. Therefore, the College restricts the presence of pets on its property. This Policy applies to all members of the College community, including students, faculty, staff, contractors, visitors and vendors. This Policy is in effect on all College property, including the main campus in Milton and the Plymouth campus.

To view the complete policy, please click on [Pets Policy](#).

SECTION VIII Leave of Absence (LOA)

8.1 SICK LEAVE

The College expects regular attendance by its employees but recognizes that illness and non-work related injury may occur. Accordingly, the College provides paid sick leave to all employees and, at a minimum, provides sick leave in accordance with M.G.L. c.149 §148 and 940 CMR 33: Earned Sick Time.

Definitions: For the purposes of this policy, the College applies the definitions as provided in M.G.L. c.149 §148 and 940 CMR 33: Earned Sick Time, and specifically incorporates the following definitions:

“Employees” are defined as: any person, faculty and/or staff, who performs services for Curry College for wage, remuneration, or other compensation, as further defined by M.G.L c.149 §148B, including full time, part time, seasonal, and temporary employees except:

- (1) A student attending Curry College who is:
 - a. Participating in a federal work study program or a substantially similar financial aid or scholarship program;
 - b. Providing support services to residents of a residence hall, dormitory, apartment building, or other similar residence operated by the College at which the student is matriculated in exchange for a waiver or reduction of room, board, tuition, or other education-related expenses; or
 - c. Exempt from Federal Insurance Contributions Act (FICA) tax pursuant to 26 U.S.C §3121 (b)(10)

“Day” is defined as a calendar day, unless otherwise written as a work day or regularly scheduled day.

“Year” is defined as the Fiscal Year beginning June 1 and ending May 31 of each year.

“Break in Service” is defined as a period of time extending from the date an employee last worked for the College until the employee returns to employment with the College, whether the separation was voluntary or involuntary.

“Domestic Violence” is defined as abuse committed against an employee or the employee’s child by (1) a current or former spouse; (2) a person with whom the employee shares a child in common; (3) a person who is cohabitating with or has cohabitated with the employee; (4) a person who is related to the employee by blood or marriage; or (5) a person with whom the employee has or had a dating or engagement relationship. Except as otherwise specified herein, this term shall be consistent with M.G.L.c. 151A, §1(g)(1/2), including any amendments thereto.

Accrual of Earned Sick Time:

Employees are eligible to use earned sick time 90 days following their first day of work.

Thereafter, employees may use earned sick time as it accrues. No sick leave accrual is credited to an employee during periods of leave without pay or unexcused absence. Accrual rates are outlined below:

- Full-time benefits eligible staff employees are credited with eight (8) hours of sick leave for each calendar month of full-time pay. Part-time staff employees working 20 or more hours per week on a regular basis and at least 1000 hours per year will be credited with sick leave on a pro rata basis. Eligible employees may accumulate unused credited sick leave up to a total of 90 days. Sick leave accrual is credited at the completion of each month.
- Casual, Seasonal, and Temporary Employees, including Part-time staff employees in positions with fewer than 20 regularly scheduled hours per week, earn one hour of sick time for every 30 hours worked, including overtime hours. Employees may accumulate unused accrued sick leave up to a total of 40 hours. Employees may carry over up to 40 hours of unused and accrued sick time into the next year, but cannot accrue or use more than 40 hours in a year regardless of how many hours worked. Sick leave accrual is credited at the completion of each pay period.
- Non- union Faculty members will earn at a minimum one hour of sick time for every 30 hours worked. Non-union Faculty may accumulate unused credited sick leave up to a total of 40 hours. Non-union Faculty may carry over up to 40 hours of unused and accrued sick time into the next year, but cannot accrue or use more than 40 hours in a year regardless of how many hours workers. Sick leave accrual is credited each month.
- Non- union Faculty compensated on a fee-for-service or “per course” basis shall be deemed to work for 3 hours for each contact hour. Sick leave accrual is credited each month.
- Faculty covered under a collective bargaining agreement will receive the sick leave benefits as specified by the current agreement as long as it meets or exceeds this minimum.

Notice of Use of Earned Sick Time:

Employees, both staff and faculty, must notify their supervisor before they use earned sick time as outlined in the Attendance Policy, and/or the Collective Bargaining Agreement except in emergency situations. For unforeseeable absences, notification to supervisors must be reasonable under the circumstances and at a minimum follow department communication practices and/or call-out procedures. For foreseeable or pre-scheduled use of earned sick time, the employee must provide seven (7) days advance notice, except where the employee learns of the need to use earned sick time within a shorter period.

All sick time used by staff employees must be reported on their electronic timesheet bi-weekly. For staff employees not using electronic timesheets, supervisors must report sick time use to the Payroll Office bi-weekly. Faculty must report used sick time to the Academic Dean's Office as it is used.

For a multi-day absence, an employee must provide expected duration of the leave with periodic updates upon request or, if unknown, provide notice on a daily basis, unless the circumstances make such notice unreasonable. For absences more than three days, federal Family and Medical Leave Act provisions may apply.

Use of Earned Sick Time:

Acceptable uses of sick time include an employee's inability to work because of illness or injury, necessary medical or dental appointments, and serious illness or injury in an employee's immediate family that requires his or her absence from work. "Immediate family" includes employee's spouse, children, parents, parents-in-law, brothers, sisters, grandparents, grandchildren, or other family member dependent on the employee and living in his or her household. An employee may also use sick time to receive assistance related to domestic violence as defined in the State law.

Employees may not use earned sick time prior to accruing the sick time. Sick time cannot be used as an excuse to be late for work without advance notice of a proper use. Fraud or abuse by engaging in an activity that is inconsistent with the allowable purpose for earned sick time may result in disciplinary action. For example, if an employee is exhibiting a clear pattern of taking sick leave on days just before or after a weekend, vacation, or holiday, the employee may be disciplined for misuse of earned sick time, unless the employee provides verification of authorized use.

Documentation of Use of Earned Sick Time:

The College reserves the right to request written documentation for an employee's use of earned sick time that:

- extends beyond a period of 24 consecutively scheduled hours,
- exceeds three consecutive scheduled work days, or
- occurs within two (2) weeks prior to an employee's separation of employment.

Such written documentation signed by a healthcare provider indicating the need for the earned sick time must be submitted upon request and no later than seven (7) days after the use of earned sick time, unless for good cause shown, the employee requires more time.

Fitness-for-duty documentation is required prior to an employee's return to work upon written request in accordance with the College's current practice, and if reasonable safety concerns exist regarding the employee's ability to perform the essential functions of his/her job. For the purposes of this policy, "reasonable safety concerns" means a reasonable belief of significant risk of harm to the employee or others.

With regard to indicating a need to use earned sick time related to domestic violence, the College reserves the right to require documentation as outlined in 940 CMR 33.06: Earned Sick Time.

All such documentation is kept confidential in the Human Resources office.

Payment of Earned Sick Time:

If the employee lacks sufficient accrued earned sick time to cover such time away from work, the employee absence will be unpaid. Earned sick time is paid at the "same hourly rate" as defined by State law. Unused accrued sick time is not paid when an employee terminates.

When an employee is unable to work due to an illness or injury and is receiving sick pay, and a paid holiday falls during his/her regularly scheduled shift, the absence will be paid as a holiday. If an employee is hospitalized or confined to bed by medical direction while on vacation, the period of disability should be charged to accumulated sick leave and, if appropriate, a claim should be filed for disability plan benefits.

If an employee fails to comply with documentation requirements the College may, upon notice to the employee, recoup the sum paid for the earned sick time from future pay as an overpayment.

Breaks in Service:

Following a break in service of up to four months, an employee shall maintain the right to use any unused earned sick time accrued before the break in service.

Following a break in service between 4 and 12 months, an employee shall maintain the right to use earned sick time accrued before the break in service if the employee's unused bank of earned sick time equals or exceeds 10 hours.

Interaction with Other Types of Leave:

If any time off provided under this policy is also covered under the College's FMLA, Domestic Violence Leave, SNLA leave, or other leave of absence policies, sick time use shall run concurrently

with such leave. The College requires employees to use earned sick time to receive pay for approved absences under other leave policies if those absences would otherwise be unpaid.

8.2 FAMILY AND MEDICAL LEAVE

In compliance with the Family and Medical Leave Act of 1993, the College will grant up to 12 weeks of unpaid leave during a 12-month period to an "eligible employee" for one or more of the following reasons:

- The birth, adoption or foster care placement of the employee's child, and in order to care for that child during the 12-month period after birth or placement;
- To care for the employee's child, spouse or parent, if that child, spouse, or parent has a serious health condition; and
- To attend to the employee's own serious health condition that renders the employee unable to perform the functions of his or her job.
- For qualifying exigencies arising from the active duty, or call to active duty status as a member of the National Guard or reserves, of the employee's son, daughter, or parent in support of a contingency operation.

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

Except as outlined below, if an employee wishing to take family or medical leave is entitled under existing College policy to take paid leave (for example, vacation, personal, or sick leave), the College will require that all available paid leave be taken and applied to FMLA leave, concurrent with the start of any family or medical leave. For example, present College policy allows employees to take paid sick leave when they have a serious health condition that prevents them from working. Therefore, employees with such a condition must exhaust all accrued paid sick leave to which they are entitled during the start of family or medical leave period and then take unpaid leave for any **balance** of the FMLA period. However, an employee who takes leave in order to care for a healthy child during the 12-month period after birth would not be required (or allowed) to substitute any accrued paid sick leave available to the employee because College policy does not permit the use of sick leave for that purpose.

If an employee is on FMLA leave for one job, they cannot work for the College in any other capacity.

Employees who are "eligible": Employees are "eligible" to take family or medical leave only if they have worked for the College for at least 12 months and for at least 1,250 hours over the previous 12 months.

Meaning of "12-month period": The 12-month period during which an eligible employee can take a leave under this policy is measured backward on a "rolling" basis from the date when an employee uses any such leave. An employee's leave entitlement consists of any balance of the 12 weeks that has not been used during the immediately preceding 12-month period.

Advance notice requirement: Whenever the need for leave is foreseeable, an employee must give the College at least 30 days advance notice before leave will commence. A form for requesting leave is available from the Human Resources Department.

When the need for a leave is not foreseeable 30 days in advance, an employee must give notice to the College within our usual call-in requirements, unless extraordinary circumstances prohibit. If an employee knew about the need for leave, but failed to give timely notice to the College, the College may deny the taking of leave until 30 days after the date of the employee's request.

Mandatory medical certification: Any employee requesting leave because of a serious health condition of the employee or the employee's parent, spouse or child must furnish the College with appropriate medical certification. The certification must be signed by the appropriate health care provider on the form provided by the Human Resources Department. Employees should submit the medical certification form along with their leave request, and the College may deny the taking of leave until the required certification is provided. In cases of unforeseen leave, medical certification must be submitted to the College as soon as possible, but no later than 15 days after the beginning of the leave, absent unusual circumstances. The College may, in its discretion, require any employee seeking leave because of a serious health condition to obtain a second, and possibly a third, opinion at the College's expense.

When an employee is on leave, subsequent re-certifications of a medical condition may be required every 30 days (unless a minimum duration of incapacity has been specified in the certification), or when the College requests certification in appropriate circumstances, such as when an employee seeks to extend the leave or there is a change in the serious health condition for which the leave is taken.

Intermittent or reduced leave: When medically necessary, an employee may take "intermittent" leave (two or more separate leave periods) or "reduced" leave (where an employee continues to work, but for fewer hours per day or per week). In such cases, the total number of hours or days of leave taken by the employee is limited to the equivalent of 12 work weeks for that employee. Employees must make a reasonable effort to schedule the leave in a manner that will not unduly disrupt the College's operations. The College may transfer an employee to an available alternative position with equivalent pay and benefits for which the employee is qualified if that position can accommodate recurring periods of leave better than the employee's regular job.

Benefits: Employees who take leave will not lose employment benefits that were accrued prior to the date the leave commenced. However, employees will not accrue seniority or benefits, i.e. accrual of additional vacation, sick time, etc. during any unpaid leave period and will not be entitled to rights or benefits that the employees would have gained only had they not taken the leave. With the exception of health insurance coverage (see below), no employee benefits will be provided by the College while an employee is on unpaid leave.

Health insurance coverage: Employees who are out on leave will be maintained on the College's group health insurance plan at the same level, with the same coverage and under the same conditions as if they had not taken leave. For employees on paid leave, their share of premium payments will be deducted from their salary in the usual manner. In order to avoid cancellation of health insurance coverage employees on unpaid leave are responsible for making timely payments to the College for the employee's share of premium payments. The College provides a payment schedule prior to when the unpaid leave commences.

If an employee fails to return to work at the end of the leave period and the failure to return is not due to circumstances beyond the employee's control (including the continuation, recurrence or onset of a serious health condition), the employee must reimburse the College for health insurance premiums paid by the College while the employee was on leave. The College will require sufficient medical certification of an employee's inability to return to work because of a serious health condition before the employee will be released from the requirement to reimburse the College for health insurance premiums paid during the employee's leave period.

Employee reporting requirements during leave: Employees on leave must report to the College every 30 days on their status and intent to return to work. In addition, employees must give prompt notice of any change in circumstances resulting in a need for more or less leave time than originally anticipated. The College's obligations under the Family and Medical Leave Act of 1993 (including maintenance of health insurance coverage and restoration to an equivalent position) cease when an employee gives the College notice of his or her intention not to return to work.

Medical certification of fitness to return to work: If an employee takes an FMLA leave due to his/her own serious health condition or injury, the College requires the employee to submit not less than two business days prior to returning to work medical certification that the employee is able to resume work.

Restoration to position: Upon return from leave, employees will be restored to either the same position they held when the leave commenced or to an equivalent position with equivalent employment benefits, pay, and other terms and conditions of employment. However, this guarantee of restoration shall not apply to certain highly compensated employees, if necessary, to avoid substantial and grievous economic injury to the College's operation.

Husband and wife both employed by the College: If both husband and wife are employed by the College, they are together entitled to a maximum of 12 work weeks of leave during any 12-month period for the birth, adoption or foster care placement of a child or to care for a parent with a serious health condition.

8.3 MATERNITY/PATERNITY LEAVE

The Family Medical Leave Act guarantees 12 weeks of unpaid leave for the birth or adoption of a child in a twelve-month period. It covers employees who have been employed for at least one year and have worked at least 1250 hours in that year.

Massachusetts Parental Leave

The College provides Parental Leave in accordance with the Massachusetts Parental Leave Law, formerly known as the Massachusetts Maternity Leave Act.

An employee is eligible for up to eight weeks of unpaid Parental Leave under the Massachusetts law if:

- The employee has completed the initial probationary period and has been employed for at least three consecutive months as a full-time employee and
- If the eligible employee requests leave for the purpose of:
 - The birth of the employee's child;
 - Adopting a child under the age of 18;
 - Adopting a child under the age of 23, if the child is mentally or physically disabled; or
 - Having a child placed with the employee pursuant to a court order.
- This leave may be taken during the time immediately surrounding the birth of the child. It is not intended to cover bonding time months after the child's birth or for leave as a result of pregnancy related illness or disability unrelated to giving birth.
- The employee gives at least two weeks' notice of her/his anticipated date of departure and intention to return. (We will waive this notice requirement if exigent circumstances leave the employee unable to provide the required notice. In that case, the employee is expected to give us as much notice of the leave as is possible.)

Under the Massachusetts Parental Leave Law, Parental Leave is unpaid and such leave time will not be included in the computation of eligibility for benefits or rights and advantages incident to employment. The employee on Parental Leave may use accrued time off concurrently with the Parental Leave. The leave will run concurrently with FMLA Leave where applicable.

The employee on such leave will be restored to her/his previous or similar position upon her/his return to employment following the leave.

Two employees of the College (birth or adopting parents) are entitled to a combined total of eight (8) weeks of Parental Leave for the birth or adoption of the same child.

Paid Maternity / Paternity Leave under College Policy

Curry College's policy is to grant 8 weeks of paid Maternity Leave to birth mothers or 2 weeks of paid Paternity leave to non-birth mothers and fathers who are full time employees and who have been employed by the College for at least one year. This paid leave time runs concurrently with FMLA / Massachusetts Parental leaves.

While the College has decided to make certain Paid Maternity and Paternity Leave available, it is not required by law to do so.

Using Family and Medical, Parental, Maternity and Paternity Leave at the College

All of these periods are counted in calendar weeks, not work days. Neither is stretched beyond their respective calendar periods by adding holidays (or, if accrued, summer days off) that occur within them (except that holidays are not charged against intermittent leave if taken in increments of less than one week).

If the employee wishes to continue the leave for the full 12 week FMLA period (beyond paid Maternity or Paternity time), paid personal time and then vacation time will be charged until exhausted for the balance of the period. Vacation and personal time will only be charged for days in which the employee would normally come to work (so holidays and, if accrued, summer days off will not be charged). Sick time cannot be used to cover additional days when an employee is on a paid Maternity or Paternity leave with the College.

In all granted paid Maternity or Paternity leaves, paid Maternity and Paternity leave time will be charged first, then personal time, then vacation time.

Employees who are eligible for the Massachusetts Parental Leave, but are not eligible for the Curry College paid Maternity / Paternity Leave, will be paid utilizing accrued Sick, Personal and Vacation time until exhausted. Once paid time off benefits have been exhausted, the balance of the leave will be unpaid.

Insurance benefits continue throughout the 12-week FMLA period as if the employee were actively employed. Fringe benefit time (sick, vacation) will continue to accrue during paid leave. It does not accrue during unpaid periods.

Applications for FMLA/Maternity leave are available in Human Resources, and must be returned to that office prior to the commencement of leave.

At the conclusion of Maternity leave, the employee will be reinstated to her previous or a similar position with the same salary that she received at the commencement of the leave. The College, however, reserves the right not to reinstate an employee on Maternity leave to her previous or similar position if other employees of equal seniority and status in the same or similar position have been laid off due to economic conditions or have been otherwise affected by changes in employment conditions during the period of maternity leave, in accordance with federal and state law.

8.4 MASSACHUSETTS PREGNANT WORKERS FAIRNESS ACT

All employees of the College have a right to be free from discrimination due to pregnancy or a condition related to pregnancy. This includes an employee's right to reasonable accommodations for conditions related to pregnancy.

The College will not discriminate on the basis of pregnancy and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child. Employees, or

applicants for employment, will not be treated less favorably than other employees/applicants based on pregnancy or pregnancy related conditions.

Further, the College will provide pregnant women and new mothers with reasonable accommodations for their pregnancies and any conditions related to their pregnancies unless such accommodation will impose an undue hardship on the College's operations. Conditions related to pregnancy, include lactation or the need to express breastmilk.

Reasonable accommodations may include (but are not limited to):

- More frequent or longer paid or unpaid breaks;
- Time off to recover from childbirth with or without pay;
- Acquisition or modification of equipment or seating;
- Temporary transfer to a less strenuous or hazardous position;
- Job restructuring;
- Light duty;
- Private non-bathroom space for expressing breast milk;
- Assistance with manual labor; or
- Modified work schedules.

Pregnant and lactating employees are encouraged to notify Human Resources as early as possible to arrange for appropriate accommodations.

Please find the College's Pregnancy Accommodation Policy and the College's Breastfeeding Accommodation Policies below:

PREGNANCY ACCOMMODATION

The Massachusetts Pregnant Workers Fairness Act ("the Act") prohibits employment discrimination on the basis of pregnancy and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child.

The law provides pregnant and lactating employees with specific protections. Specifically, these employees or job applicants may not be treated less favorably than other employees based on pregnancy or pregnancy related conditions.

In compliance with this law, the College will provide pregnant women and new mothers with reasonable accommodations for their pregnancies and any conditions related to their pregnancies unless such accommodation will impose an undue hardship on the College's operations. Conditions related to pregnancy, for purposes of this policy include lactation or the need to express breastmilk.

The College will not require employees who are pregnant or have a pregnancy-related condition to accept an accommodation (including but not limited to taking a leave of absence)

but will whenever possible provide the employee with accommodations that will help her perform the essential functions of the job.

Reasonable accommodation, for purposes of this policy may include (but is not limited to):

- More frequent or longer paid or unpaid breaks;
- Time off to recover from childbirth with or without pay;
- Acquisition or modification of equipment or seating;
- Temporary transfer to a less strenuous or hazardous position;
- Job restructuring;
- Light duty;
- Private non-bathroom space for expressing breast milk;
- Assistance with manual labor; or
- Modified work schedules.

Benefits

Disabilities caused or contributed to by pregnancy, miscarriage, abortion, childbirth, and recovery therefrom are, for all job-related purposes, considered temporary disabilities and will be treated as such under any health or temporary disability insurance or sick leave plan available in connection with employment.

Written and unwritten employment policies and practices involving matters such as the commencement and duration of leave, the availability of extensions, the accrual of seniority and other benefits and privileges, reinstatement, and payment under any health or temporary disability insurance or sick leave plan will be applied to disability due to pregnancy or childbirth on the same terms and conditions as they are applied to other temporary disabilities.

BREASTFEEDING ACCOMMODATION

As part of our family-friendly policies and benefits, Curry College supports breastfeeding mothers by accommodating the mother who wishes to express breast milk during her workday when separated from her infant.

When the College is made aware that an employee is breastfeeding, it will engage with the employee to determine appropriate accommodations that will allow the employee to express breastmilk for her baby, and continue to perform the essential functions of her job.

Sample Breastfeeding Accommodations

Breaks

Any employee who is breastfeeding her child will be provided reasonable break times to express breast milk for her baby, as required by state and federal law.

For the first year following the birth of a child, federal law provides that nursing mothers are provided up to 30 minutes of paid break time per eight-hour workday for this purpose. This

time will be deducted from the 60 minutes of paid meal break time provided. Any break time used in excess of 30 minutes for this purpose will be unpaid.

For nursing mothers that continue to express breast milk more than one year following the birth of a child, state law provides that any break of more than 20 minutes in length for this purpose will be unpaid, and the employee should indicate this break period on her time record. Where applicable, the break time should coincide with the employee's paid break or meal time.

Space

The College will make a reasonable effort to provide employees with a room or other locations in which to express milk. This space must not be a bathroom, and will be private, and – where possible – will be in close proximity to the employee's work area. Ideally, the space will have a door that locks. If this is not possible, a room can be made private by placing a message on the door that the room is in use, drawing blinds or curtains, covering windows without curtains, or setting up a portable partition.

The space should be clean and equipped with an electrical outlet, and contain seating and a table or other flat surface to hold a breast pump. It should also be located near a sink with running water for hand washing and cleaning of equipment.

For non-traditional worksites, the department and supervisor will work with the employee to create a mutually acceptable solution.

Storage

The College will allow employees to use existing refrigerators to store breastmilk. However, employees are responsible for making sure breastmilk is appropriately labeled. Additionally, the College will not be responsible for any problems with milk resulting from temperature fluctuations or improper refrigeration.

Process for Requesting a Pregnancy and / or Breastfeeding Accommodation

1. Pregnant and lactating employees should notify Human Resources as early as possible to arrange for appropriate accommodations.
2. Upon request for an accommodation, the College will communicate with the employee in order to determine a reasonable accommodation for the pregnancy or pregnancy-related condition.

A reasonable accommodation is a modification or adjustment that allows the employee or job applicant to perform the essential functions of the job while pregnant or experiencing a pregnancy-related condition. However, it is important to note that an accommodation that imposes an undue hardship on the College will not be considered

reasonable. “Undue hardship” means that providing the accommodation would cause the employer significant difficulty or expense.

3. As part of the communication with the employee, the College may require an employee to provide documentation from an appropriate healthcare or rehabilitation professional with regard to certain requests for accommodation but will not require documentation for the following accommodations: (1) more frequent restroom, food, or water breaks; (2) seating; and (3) limits on lifting over 20 pounds.
4. When presented with a request for accommodation, the College will engage in a timely, good faith and interactive process to determine effective reasonable accommodations to enable the employee to perform the essential functions of the employee’s job.

Additional Accommodation

Absent undue hardship to the College, the College will provide additional reasonable accommodations as required by state law.

End of Accommodation

The College will, absent undue hardship, reinstate the employee to the original employment status or to an equivalent position with equivalent pay or accumulated seniority and benefits when the need for reasonable accommodation ceases.

Notification

A copy of this policy will be disseminated to every incoming and current employee with the employee handbook; and will be provided to employees prior to their maternity leave.

Retaliation

The College will not retaliate or take adverse action against an employee who requests or uses a reasonable accommodation in terms, conditions, or privileges of employment. Pregnancy and pregnancy related conditions, including breastfeeding will not constitute a source of discrimination in employment or in access to employment. It is prohibited under this policy to harass a pregnant employee or an employee with a pregnancy related condition or exercise any conduct that creates an intimidating, hostile or offensive working environment. No employee may be retaliated against for requesting pregnancy, pregnancy related condition, or breastfeeding accommodation. Any incident of harassment of a pregnant or breastfeeding employee or employee with a pregnancy related condition will be addressed in accordance with policies and procedures for discrimination and harassment.

Breastfeeding will not constitute a source of discrimination in employment or in access to employment. It is prohibited under this policy to harass a breastfeeding employee or exercise

any conduct that creates an intimidating, hostile or offensive working environment. No employee may be retaliated against for requesting breastfeeding accommodation. Any incident of harassment of a breastfeeding employee will be addressed in accordance with policies and procedures for discrimination and harassment.

8.5 MILITARY LEAVE

The College provides unpaid leaves of absence to the extent required by law to employees who leave the College's employment to join the Armed Forces of the United States (including the Reserves) for active duty or for training. Employees are permitted to use accrued vacation or personal leave during the period of military service if they wish. If the employee is called to service for more than 30 days, they may elect to continue to participate in health insurance for up to 24 months, as under COBRA.

Employees called to active duty must notify the Human Resources Department in writing, before they leave for active duty, of their expected dates of leave from and return to the College. An employee may be eligible for reemployment to the position that the employee held prior to entering the armed forces, or to a position of similar seniority, status and pay, provided that:

- The employee was discharged or released under honorable conditions;
- The employee is qualified for the job;
- The employer's circumstances have not so changed as to make it impossible or unreasonable to rehire the person;
- The employee's total service in the armed forces is no more than five years (except for additional amounts required by law); and
- The employee applies for reemployment within 90 days of the conclusion of military service.

Re-employed persons are considered to have been on a leave of absence during their period of military service and are eligible for all benefits offered to others returning from a leave of absence.

Employees who are required to miss work to fulfill their military training obligations (including annual reserve training) may take unpaid leaves of absence for that purpose (or may use accrued vacation or personal time during the leave). Employees who learn that they must attend military training must notify the Human Resources Department in writing, in advance of their training, of the expected duration of the training and their anticipated date of return.

8.6 SMALL NECESSITIES LEAVE ACT (SNLA)

The "Small Necessities Leave Act" is a Massachusetts law that became effective on August 4, 1998. The following is a summary of the law, and how it is administered at Curry College.

The law provides 24 hours of **unpaid** leave in a 12 month period for the following purposes:

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

The leave may be taken in small increments such as one or two hours.

If the leave is foreseeable, the employee should provide notice to their manager with no less than 7 days. If the reason for the leave is unforeseeable, notice should be provided as soon as possible.

This leave is in addition to leave available under the Family and Medical Leave Act.

Procedures:

- Fringe benefit time (personal, vacation or sick time) must be substituted for unpaid "Small Necessities" time until exhausted. Personal time should be charged first, then vacation, then sick time.
- The "12 month period" cited in the law will begin with the first use of "Small Necessities" time.
- Small Necessities Leave should be noted the ADP timesheet, along with the fringe benefit time category to be charged.
- If the leave will have to be without pay (no fringe benefit time available), please call Human Resources before docking any pay (special rules apply to salaried employees).

8.7 SYMPATHY LEAVE

In the event of a death in the immediate family (parents, step-parents, grandparents, a person who acted as a guardian during the employee's childhood, child, spouse, mother-in-law or father-in-law, brother or sister, brother-in-law or sister-in-law) full-time employees who have completed the orientation period will be given up to three (3) consecutive days of sympathy leave with pay. Personal or vacation time may be used to attend services for other family members, with your supervisor's approval.

8.8 JURY AND WITNESS DUTY

Non-exempt employees who are summoned to serve on a jury will be paid by the College for the first three days of jury service at their regular rate of compensation. Thereafter, the College typically pays employees the difference between their regular compensation and any compensation they receive from the government for such service. Exempt employees will be compensated at their regular weekly rate for any week in which they are on jury duty and perform any work for the College. Compensation received from the Court must be reported to the College, and will be deducted from your paycheck. Employees are expected to report to work if they are released from jury duty before the end of the regular workday. Employees called for jury duty must give their supervisor a copy of the jury summons as soon as possible after receiving it. Employees are expected to keep their supervisor informed of the anticipated length of their jury service. Time spent on jury duty does not count for purposes of computing overtime.

Employees subpoenaed to appear as a witness at trial may use accrued vacation or personal leave to cover their absence. Employees who have no unused, accrued leave may take unpaid leave for the purpose of complying with the subpoena. Employees subpoenaed to be a witness at trial must give their supervisor a copy of the subpoena as soon as possible after receiving it and are expected to make a reasonable effort to minimize the duration of their witness leave.

8.9 VOTING UNDER MASSACHUSETTS LAW

An employee who applies for a leave of absence for the purpose of voting during the period of two hours after the opening of the polls in the voting precinct, ward or town in which the employee is entitled to vote will be allowed an unpaid leave for the purpose of voting.

8.10 DOMESTIC ABUSE LEAVE

Effective August 8, 2014, Massachusetts' domestic violence leave law requires covered employers to provide leave to employees who are victims of domestic violence. Pursuant to the law, an employee will be allowed to take up to 15 days of leave from work in any 12 month period if the following requirements are met:

- The employee, or a family member of the employee, is a victim of abusive behavior.
- The employee is using the leave from work to:
 - Seek or obtain medical attention, counseling, victim services, or legal assistance.
 - Secure housing.
 - Obtain a protective order from a court.
 - Appear in court or before a grand jury.
 - Meet with a district attorney or other law enforcement official.
 - Attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee.
- The employee is not the perpetrator of the abusive behavior against such employee's family member.

An employee seeking leave under the law must exhaust all sick, personal and vacation time prior to requesting or taking leave.

As used in the law:

Abuse means any of the following:

- Attempting to cause or causing physical harm.
- Placing another in fear of imminent serious physical harm.
- Causing another to engage involuntarily in sexual relations by force, threat, or duress, or engaging or threatening to engage in sexual activity with a dependent child.
- Engaging in mental abuse, which includes threats, intimidation, or acts designed to induce terror.
- Depriving another of medical care, housing, food, or other necessities of life.
- Restraining the liberty of another.

Abusive behavior means any behavior constituting domestic violence, stalking, sexual assault, or kidnapping.

Domestic violence means abuse against an employee or the employee's family member by:

- A current or former spouse of the employee or the employee's family member.
- A person with whom the employee or the employee's family member shares a child in common.
- A person who is cohabitating with or has cohabitated with the employee or the employee's family member.
- A person who is related by blood or marriage to the employee.
- A person with whom the employee or employee's family member has or had a dating or engagement relationship.

Family member means any of the following:

- Persons who are married to one another.
- Persons in a substantive dating or engagement relationship and who reside together.
- Persons having a child in common regardless of whether they have ever married or resided together.
- A parent, step-parent, child, step-child, sibling, grandparent, or grandchild.
- Persons in a guardianship relationship.

A. Procedures:

- Fringe benefit time (personal, vacation or sick time) must be substituted for unpaid “Domestic Abuse Leave” time until exhausted. Personal time should be charged first, then vacation, then sick time.
- The “12 month period” cited in the law will begin with the first use of “Domestic Abuse Leave” time.
- Domestic Abuse Leave should be noted on the ADP timesheet, along with the fringe benefit time category to be charged.
- If the leave will have to be without pay (no fringe benefit time available), please call Human Resources before docking any pay (special rules apply to salaried employees).

A CONCLUDING STATEMENT

The Curry College community believes that an open, fair and honest flow of communication within an atmosphere of mutual trust is of prime importance to its employees and the future of the College. The College will do its best to keep employees as well informed as possible in order for employees to meet their objectives. At the same time, realizing that effective communication is always a two-way street, the College values employees' constructive opinions and positive suggestion. If you have any questions or concerns regarding any of the policies and procedures contained in this handbook you may contact any member of the Human Resources team.

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CURRY COLLEGE
Human Resources
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King Academic Administration Building
55 Atherton, Garden Level
Milton, MA 02186-2395
hr@curry.edu  (617) 333-2263