



STUDENT HANDBOOK

2012-2013

USM MISSION STATEMENT

The University of Saint Mary educates students of diverse backgrounds to realize their God-given potential and prepares them for value-centered lives and careers that contribute to the wellbeing of our global society.

The University of Saint Mary believes in the dignity of each person's capacity to learn, to relate, and to better our diverse world.

We value: **COMMUNITY, RESPECT, JUSTICE, and EXCELLENCE.**

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The policies and procedures in this Student Handbook are subject to review and revision annually. If changes, additions, or deletions are made during the academic year, they will be announced and posted by the Student Life Office. All changes are effective immediately after being announced. It is the student’s responsibility to note changes to the Student Handbook.

University of Saint Mary maintains a non-discriminatory policy in compliance with applicable law in the administration of all its educational policies, admissions policies, school and loan programs, athletic, and other school-sponsored programs, and in all hiring and promotion practices. The University of Saint Mary Non-Discrimination Policy is printed in the USM catalog.

CAMPUS SERVICES

ACADEMIC RESOURCE CENTER (ARC)

The primary goal of the Academic Resource Center or ARC, (located in Miega Hall, Room 101) is to aid students in becoming effective learners. The ARC helps students improve their performance in the critical areas of reading, writing, and all levels of mathematics. In addition, the ARC strives to provide tutors to assist students in a wide range of academic disciplines, including business, accounting, chemistry, and biology.

The ARC also hosts seminars on “student survival skills” which include time management, stress management, note-taking, and test-preparation. These small-group seminars introduce students to the wide range of abilities needed to succeed in university life. In addition to these seminars, students are encouraged to meet with ARC staff members to discuss any concerns that may be impeding their academic progress. The ARC provides students with a comfortable, distraction-free environment for studying that includes computer and Internet access. In addition, the ARC is certified by Educational Testing Service and Brigham Young University to proctor exams for high schools, colleges, and universities throughout the country.

AMERICANS WITH DISABILITIES ACT/SECTION 504 (ADA)

USM makes every effort to comply with the Americans with Disabilities Act. In order to assist students with disabilities in maximizing their capabilities, the ARC provides support. The office assists students with obtaining academic accommodations according to Americans with Disabilities Act, Section 504. All USM students who qualify for services are required to register their documentation with the ARC. After the paperwork is submitted and evaluated, the student and the director of the ARC create a detailed action plan specifying the measures that will be implemented and the academic support that will be provided for the semester. Students who do not register their paperwork and create their plan are not eligible for academic accommodations.

CAMPUS MINISTRY

Mission of the Department of Campus Ministry:

The University of Saint Mary Campus Ministry cultivates passionate, faith-filled student leadership by providing hospitality, fostering spiritual growth, and promoting service opportunities.

“Campus Ministry is an expression of the Church’s special desire to be present to all who are involved in higher education” (Empowered by the Spirit: A Pastoral Letter on Campus Ministry, Nov. 15, 1985). At the University of Saint Mary, this presence is expressed in a variety of ways and by many different people. Campus Ministry serves the Saint Mary community by providing opportunities for prayer, spiritual growth, development of religious and moral understanding, and participation in the sacraments. Other opportunities for spiritual growth include Scripture sharing, ecumenical prayer services, retreats, communal penance services, and sacramental preparation. Individuals seeking spiritual guidance are encouraged to contact the campus minister or Chaplain. The Eucharist is celebrated on Sunday evenings and other times as posted.

Campus Ministry also offers opportunities for the Saint Mary community to serve others through a variety of volunteer activities. These opportunities include serving at a local food kitchen, prison ministry, on-campus projects, work with the United Way, Alliance Against Family Violence, the City of Leavenworth, and other non-profit organizations. Campus Ministry participates in service trips during Thanksgiving, Christmas, and Spring Breaks.

CAREER SERVICES

Career Services is located within the Office of Student Success in the Student Life Office, and is committed to assisting students at all stages of the career planning process. Students can receive assistance with major selection, careers exploration, internship placement, resume writing, interview preparation, and networking. Career Services also promotes off campus job opportunities, maintains a resource library, and supports students in preparation for taking graduate school entrance exams and navigating the application/selection process. Career Services frequently partners with First Year Experience (FYE) and capstone courses to directly assist students at the beginning and completion of their undergraduate experience. Additionally, Career Services sponsors career fairs and coordinates mock interview opportunities for students.

CHECKS AND CHANGE

The Business Office cashes checks up to \$50 during regular business hours. Students must provide their student ID card or other form of identification. A \$25 service fee will be charged for returned checks. If two (2) or more checks are returned in an academic year, check-cashing privileges will be forfeited for the remainder of the academic year or until restitution has been made, whichever is earlier.

COMPUTING SERVICES

Students bringing their own computers will have internet access. In order to access student printers the student will need a computer with the Windows 7 Professional or Ultimate Operating System. With one of those operating systems we can add them to the Saint Mary domain and give them access the printers in the math lab, ARC, library, and English Nook. Computer assistance can be provided by calling the Help Desk at ext. 6420.

COUNSELING SERVICES

The mission of Campus Counseling:

Campus Counseling provides professional mental health assessment counseling, referral and outreach services to students at the University of Saint Mary and contributes to the safety and well-being of students through educational and social programming.

Counseling services are available to all full and part-time students. The Campus Counseling Office is staffed full-time by a licensed clinical professional counselor and by part-time counseling practicum students from universities. In general, counseling services are available 9 a.m. – 5 p.m. Monday through Friday. When needed, arrangements can be made for services outside of normally-scheduled hours. Students may schedule appointments by stopping by the counseling office, emailing counseling@stmary.edu, or calling 913-758-6143.

Campus Counseling also assists students by referring to local community mental health providers and physicians when there is a need for medication or other specialized mental health services.

FERPA (Student Education Records)

University of Saint Mary complies fully with the *Family Educational Rights and Privacy Act of 1974 (FERPA)*. FERPA permits students' access to their education records while protecting the privacy of education. In accordance with FERPA, students have the right to inspect and to review their education records, to seek correction of errors or misleading information in their education records, and to consent to or limit disclosure of information from their education records.

Directory information concerning students may be released unless the student specifically requests that such information be withheld. University of Saint Mary recognizes the following student information as directory information: name, address, telephone listing, electronic mail address, date and place of birth, level of education, major field of study, participation in officially recognized activities and sports, full or part-time status, height and weight of athletic team members, dates of attendance, grade level, degrees and awards received, the most recent previous educational agency or institution attended by the student, electronic mail address, and photograph. All students must inform the Office of the Registrar in writing before the end of fourteen business days following the first day of class of each semester if they wish the university to withhold and not release any or all of the information designated as directory information.

A copy of the University of Saint Mary policy that informs students of their rights under FERPA is published in the current University of Saint Mary catalog. University of Saint Mary does not assume a duty or responsibility to notify the parent(s)/guardian(s), or anyone acting in absence of either, of the student in regards to the above or other matters.

FOOD SERVICE

University of Saint Mary contracts with Aramark to provide students with quality and nutritionally balanced meals in Saint Joseph Dining Hall. All meals are served cafeteria style. Aramark cooperates with students in accommodating medically necessary diets. Sack meals are provided upon request made three (3) days in advance, for students needing to miss a meal due to student teaching, class schedule conflict, or scheduled activity as a member of a university sports team or other university-sponsored activity, program, or event.

All students participating in the meal plan must show ID cards for service. Students not on the meal plan, faculty, staff and guests may purchase meal tickets from the Spire Spirit Shop during operating hours. Meal costs are posted in the dining hall.

Students may return to the service line for unlimited seconds, provided they remain in the dining area. No meals may be shared with another person. Meal sharing will be considered theft and the student who provided the meal and the student who ate the meal will both be referred to the discipline process.

Students are expected to clear their dishes and trash from the dining area when meals are completed. All dining hall dishware must remain in the dining hall. Students should not remove dishes, glasses or silverware from the dining hall. A charge of \$10 will be assessed for each item removed and found outside the dining hall in a student's possession.

Disruptive behavior is not tolerated in the dining hall.

If a residential student has been seen by a doctor for an illness and does not feel well enough to go to the dining hall for meals, a friend may pick up a “sick tray” request from student life. The friend may then go through the cafeteria line and take a tray to the sick student.

Failure to follow expectations may result in disciplinary sanctions, up to and including denial of dining hall privileges.

HEALTH SERVICES

Routine Health Care and Emergency Room Service

Students are responsible for their own health care – so students should be informed consumers. Understand health insurance to ensure students get the care needed, when needed, and at the appropriate cost. For routine health care, USM has a good working relationship with Associates in Family Health Care, located at 712 1st Terrace, in Lansing (913-727-6000).

Health and Accident Insurance Care and Coverage

It is the student's responsibility to pay for off-campus medical and/or hospital treatment. **University of Saint Mary does not provide health insurance coverage.** If you do not have primary health insurance under your parents' health plan or some other health insurance plan, you must obtain your own individual health care coverage. **Students involved in the athletic program must have coverage that includes collegiate athletics.** Insurance plan information may be obtained in the Student Life Office.

All residential students, all international students, and all student athletes are required to maintain current health insurance. Students must present current proof of health insurance to the university when entering the university. In addition, residential students and all international students enrolled at University of Saint Mary are eligible for and included in the student accident insurance program that will be added to the student's bill unless coverage has been specifically waived due to other coverage. This coverage is for medical expenses arising from accidents on or off campus.

All residential students, athletes, and international students are required to have an updated health history, physical examination, health/medical insurance, and an immunization record on file with Student Life or the athletic trainer. All health forms must be on file before a residential student can move into the halls or an athlete can begin practice or participate in games. The athletic trainer system for submitting health records can be accessed at <http://www.stmary.edu/studentlife/medforms.asp>.

Instructions to activate student accident insurance for accident or injury:

1. During normal business hours, seek regular medical care.
2. For injuries that occur during a game or athletic practice, see trainer for evaluation, treatment, and/or referral.
3. After evaluation by the trainer, student should verify coverage and pick up a claim form from Student Life or the trainer. Take the claim form and personal insurance card to physician's office or hospital emergency room.
4. Return completed claim form and copy of all forms from the physician or emergency room to the Student Life Office or to the trainer.
5. For injuries of a serious or life-threatening nature, call 911 or proceed to the nearest emergency room. Upon return to school, please bring copies of all paperwork received to the Student Life office or trainer to receive a claim form to complete.
6. For questions on this procedure, please contact the Student Life Office at ext. 6120 or the athletic trainer at ext. 4334.

Accident insurance is also available to commuter students enrolled at University of Saint Mary. Arrangements can be made and accident insurance paid for at the Business Office during the first two weeks of each semester.

Medical Transportation

For liability reasons faculty and staff are not allowed to transport a student via their personal vehicle to a medical doctor or in the event of a medical emergency. Staff may assist in calling an ambulance or other transportation options but all related responsibilities and fees will be incurred by the student and/or transportation provider. At no time will a member of the staff, faculty, or student staff of the University of Saint Mary transport a student via their personal vehicle to a medical provider.

Emergency Room Service

Saint John's Hospital is conveniently located to the north of the campus. Cushing Memorial Hospital is located at 711 Marshall in Leavenworth. Both hospitals provide emergency room service.

Infectious Diseases/Immunizations

Failure to provide the required health form/information will result in a "health hold," and the student will not be allowed to live in the residence halls, participate in athletics, or register for the next semester's classes until he/she is in compliance.

The immunization portion of the health record requires the following:

- Tetanus-Diphtheria booster within the last 10 years
- Two (2) MMR (measles, mumps, rubella) vaccines (persons born before 1957 are considered immune)
- Proof of a negative tuberculosis (PPD) skin test or chest X-ray within the past year (12 months)
- The State of Kansas now requires all incoming residential students to have a meningitis vaccination

A health care provider must validate the immunization record, or a copy of school/health department/military records is acceptable. For those who will not or cannot be immunized for medical, religious, or other reasons, the university will engage in dialogue with the student to reach a reasonable accommodation. Immunization records may be obtained from the student's personal physician, high school, or local health department.

In addition to the required immunizations, the American College Health Association recommends the following: hepatitis B, chickenpox, polio, and influenza.

University of Saint Mary, including its trustees, administrators, faculty, staff, and agents, is not, and will not be held liable should a vaccine-preventable disease be contracted on campus. In the event of a disease outbreak on campus, those individuals who have elected not to be immunized or those who have not provided health records may be treated as susceptible to the disease and may be barred from university services, programs, activities, and facilities whether leased or owned, including, but not limited to, classrooms and classes, libraries, residence halls, sporting events, food services, athletic facilities, and clubs and organizations, until such time as it is specified by the Leavenworth County Health Department and University of Saint Mary that the student is no longer at risk for acquiring the disease. Experience from around the country indicates that in instances of disease outbreak, the time away from campus for students who are not immunized could be three (3) months or longer. A disruption of this magnitude would impact the pace of studies. Tuition or other costs will not be refunded in the event a student is unable to attend class because of lack of immunization.

The university will keep information related to applicants or students with infectious disease confidential except that (i) administrators, faculty, and staff may be informed regarding a restriction on the academic, social, athletic, or other educational activity or program of individuals with infectious disease and regarding any accommodation, (ii) first aid and safety personnel may be informed, when and to the extent appropriate, if the condition might require emergency treatment, and (iii) government officials investigating complaints under law shall be informed.

Within this context, University of Saint Mary may:

- Refer, when necessary, any person affiliated with the university who may have an infectious disease to appropriate qualified individuals for health care or counseling services in order to educate them about the disease, teach

appropriate hygiene, and the importance of not engaging in behaviors that are known to be likely means of transmitting the disease to others;

- Suspend, when necessary, general university housing regulations to accommodate appropriate living arrangements for persons with an infectious disease or their roommates;
- Require persons with an infectious disease to take precautions with others when they have had or will have especially close contact, e.g. residence hall roommate or suitemate, which could pose an unacceptable risk of transmission of the disease. The vice president for student life will verify such precautions. Precautionary requirements may be waived if alternative housing arrangements are accepted or if recommended by a health care provider satisfactory to the university; or
- Restrict or terminate the enrollment or participation in university-related educational programs or activities or the housing status of any student known to have an infectious disease. Notice of restriction or termination will be in writing.

IDENTIFICATION (ID) CARDS

Each new student receives an identification (ID) card at registration. This ID should last the student until graduation. The student must present their paid receipt from the Business Office to obtain the ID. The ID card is necessary for residence hall access, access to other campus buildings when required, food service, some campus events, use of the library, and access to sports facilities and equipment. Every student must carry a USM ID card at all times and present it when requested by any university staff member, including administrators, faculty, staff, public safety, or, an agent of the university when acting in performance of their duties and within the scope of their authority.

Important information about your USM ID card:

- The USM card is your official identification card and is valid as long as you are a student at the University of Saint Mary;
- If your USM card is lost, stolen, thrown away, demagnetized or damaged, there is a \$8 replacement fee;
- Once a USM card is reported lost or stolen it is cancelled and it CANNOT be reactivated if found;
- Each student, faculty, and staff member is entitled to carry only one active card.

Please do not cut, scratch, or otherwise deface or mutilate your USM card. Cell phones can deactivate IDs so keep them separate. Such damage may render your card invalid and may also cause damage to card access equipment. Falsification, theft, lending a card to someone, or other improper use of a USM ID or use of an inappropriate card to receive university services may result in disciplinary action.

LOST AND FOUND

The USM Public Safety Office, located on the ground floor of Berchmans Hall is the central location for all lost and found items. If the owner of the items is known, public safety officers will attempt to contact that person. A valid ID will be required to claim all lost and found items. All property will be held in the Public Safety Office for one semester. After that time, any unclaimed items will wither be destroyed or donated to local charity.

MEDIA RELATIONS

Students or student organizations seeking news coverage of their events, programs, or activities in other than campus media, must contact the vice president of marketing and communications at ext. 6308 at least four (4) weeks prior to their event.

PHOTOCOPYING SERVICES

A copy machine for student use is located in De Paul Library.

PUBLIC SAFETY AND SECURITY

The University of Saint Mary is committed to providing a safe environment to all individuals who visit, work, and live on this campus. The university has adopted policies and procedures as a means of informing and guiding individuals concerning steps they can take to report criminal activity and crime prevention. The university maintains its own security staff. The Student Right to Know and Campus Security Act of 1990 is a federal law that requires colleges and universities participating in the student financial aid programs under Title IV of the Higher Education Act of 1965 to disclose campus crime statistics and security policies. The primary purpose of the Campus Security Act is to make campuses safer by ensuring that students, employees, and visitors are informed about campus security. Based upon the university's commitment to providing students, faculty, staff, and visitors with a safe and secure campus environment and its obligations under the Campus Security Act, the university president, vice president for finance and administrative services, the vice president for student life, and the environmental health and safety engineer are designated responsible for campus security and are charged with the responsibilities of developing, administering, and updating procedures to comply with the Campus Security Act.

Public Safety works towards maintaining a safe living and learning environment. Public Safety maintains a regular patrol, enforces policies pertaining to safety and security, issues vehicle citations, and addresses and controls disorderly conduct, loitering, prowling, and other similar and improper conduct along with local law enforcement.

Public safety is not a guarantor of the safety of students and their property at Saint Mary. Campus safety depends on everyone. Student attitudes and actions can help protect the entire Saint Mary community. Students must take precautions to prevent injury, harm, or damage to persons or property including such things as avoiding dark and vacant areas, closing and locking doors and windows, not propping doors open, and reporting suspicious persons, misconduct, and acts that may cause harm or pose a threat to persons or property.

The Public Safety Office is located on the ground floor of Berchmans Hall. The public safety officer on duty may be contacted through the following methods:

- The primary number is **(913) 683-5201** (cell phone). The cell phone is always carried by on duty officers.
- The office number is **(913) 758-4346** (ext. 6446 on campus). Officers may not always be in the office, the best option is the cell phone.

RECREATION SERVICES

Recreational Facilities

Students are encouraged to utilize the recreational facilities at University of Saint Mary when they are not being utilized for academic or athletic purposes. Among the facilities at University of Saint Mary are a swimming pool, racquetball courts, an indoor jogging track, and a fitness room. Schedules for the use of these facilities are posted in the Ryan Sports Center, on eSpire, and/or campus bulletin boards. The swimming pool schedule will vary each semester, please contact Janet Lowenstein, aquatics instructor, at ext. 6622 for more information. Use of the athletic fields, including baseball, football, soccer, and softball, and Ryan Sports Center is permissible only with the approval of the athletic director.

Genesis Fitness and Wellness

All students currently enrolled full-time at the University of Saint Mary for the academic year will have full access to Genesis Fitness and Wellness facility located at 3400 South Fourth Street, Leavenworth, free of charge with the presentation of a current year USM ID.

Ryan Sports Center and McGilley Field House

Ryan Sports Center is a multi-purpose athletic facility. Ryan contains basketball and volleyball courts, a running track, and racquetball courts. In addition, there is a training room and locker rooms that are utilized by the Spire student-athletes. Ryan Sports Center houses some of the offices of athletic department staff members and serves as both the practice and game

facility for the volleyball and basketball teams. McGilley Field House has three regulation-sized basketball courts also lined for tennis, volleyball, and futsal. Also within the field house is the varsity weight room and full service athletic training room.

Both facilities are available for general activities for students, faculty, staff, and Sisters of Charity when academic and athletic activities are not scheduled or otherwise restricted. Students, faculty, staff, Sisters of Charity, and anyone else permitted to use both facilities are required to sign a waiver of liability form. Waiver of liability forms may be obtained in the Student Life office. Students are allowed access to Ryan once their student identification card has been coded in the Student Life office. Hours and regulations for Ryan Sports Center and McGilley Field House are posted in the facility.

Usage Policy for McGilley Field House/Ryan Sports Center

Any member of the University of Saint Mary community may use these facilities and may host a maximum of two (2) guests to use the McGilley Field House/Ryan Sports Center. Use of the Ryan Sports Center basketball courts is allowed by permission only. Any guest must be accompanied by the host at all times while using the facilities. Absent permission of the university, persons other than members of the Saint Mary community and their guests trespassing on private property and will be asked to vacate the facilities and the university campus.

SPIRIT SHOP

Sodas, juices/snack items, school supplies, personal necessities, and University of Saint Mary gifts/apparel are available at the Spire Spirit Shop (first floor Mead Hall). Discover, MasterCard, VISA, and American Express are accepted. You may purchase textbooks online at <http://bookstore.mbsdirect.net/univofsaintmary.htm>.

STUDENT LIFE OFFICE

The Mission of the Office of Student Life:

The University of Saint Mary Student Life Office strives to assist students in realizing their God-given potential through healthy, whole-person development. The various dimensions of each student's life that contribute to his or her wellbeing include: cultural, emotional, intellectual, occupational, physical, social, and spiritual.

Student Life is located on the 1st floor of Saint Mary Hall. The Student Life Office houses the Office of Student Success, the director of residence life's office and the Office of the Vice President for Student Life.

Students can visit the Student Life Office for assistance with any of the following areas:

- Career services
- ID replacement
- File a complaint
- Intramurals
- Meal plan questions
- Package pick-up
- Posting distribution to the residence halls
- Residential housing questions
- Student Government Association suggestions
- Student organizations and campus involvement

STUDENT ORGANIZATIONS

Recognition of Student Organizations

The university community is defined in many ways by the activities of its students. University of Saint Mary officially sponsors organizations whose purposes, goals, and activities are consistent with the mission of the university. The university reserves the right to review the activities of student organizations and to monitor compliance with university policies.

Students who share a common interest may apply for recognition as a student organization. Application forms are available in the Student Life Office. With approval of the application by the Student Government Association (SGA), student organizations are permitted to identify themselves directly with the university. Only student organizations that maintain SGA recognition by following all applicable policies and procedures are eligible to request permission to use university facilities or services. If a group obtains recognition from SGA, the group is eligible to seek funding.

Contact the Student Life Office for more information on forming student organizations.

Organizations Currently Recognized by the Student Life Office and SGA

- Student Government Association (SGA)
- Campus Activities Board (CAB)
- Christian Life Council (CLC)
- Delta Epsilon Sigma
- Multicultural Club
- Residence Hall Association (RHA)
- Science and Math Club (SAM)
- Veterans Club
- Health Care Careers Club (HCCC)
- Sexual Orientation Diversity Association (SODA)

Departmentally-Sponsored Organizations and Activities

- Association of Supervision & Curriculum Development (ASCD)
- Concert Chorale
- Fine Arts/Drama Club
- Community Band
- English Club
- Phi Alpha Theta
- Psychology Club
- National Student Nurses' Association (NSNA)
- Business Club
- Theology/Pastoral Ministry Club

Annual Registration of Student Organizations

To maintain the listing of active student organizations recognized by the university, each organization is required to submit a registration form to the Student Life Office at the beginning of the fall semester. Organizations that apply for and obtain SGA recognition become eligible for SGA funding.

Student Eligibility for Participation in Student Organizations and Groups

To be eligible to participate in student groups and activities, students must maintain satisfactory academic standing (GPA-2.0). To be eligible to hold office or other leadership positions in any recognized student organization, Residence Life, or intercollegiate (NAIA) athletics, students may not be on academic probation or disciplinary probation. Students or departmental organizations reserve the right to set higher academic and behavioral standards for their members. The departmental or organizational advisor is responsible for confirming the eligibility of the student members of the organization and addressing ineligibility as necessary.

Event Scheduling by Student Organizations

All events held on campus must be scheduled through Facilities Reservations at ext. 6137. In general, student organizations recognized by University of Saint Mary may use university facilities without charge.

STUDENT SUCCESS OFFICE

The Office of Student Success is available to assist students from their first day on campus with any academic, financial, or personal concerns they may have about adjusting to college life. By scheduling an appointment with a Student Success Coordinator, USM students can receive free, individualized help for choosing a major, goal setting, getting involved, making financial decisions, and managing their time. In addition, success coordinators act as advocates for student centered initiatives on campus, offering workshops and focus groups throughout the year to increase the likelihood of student engagement and retention at USM. For upperclassmen students, the Office of Student Success also houses Career Services, which can help students with internship placement, resume review, and interview preparation. (See: Career Services for additional information.)

WITHDRAWALS

Non-Academic Withdrawal Initiated by the University

University of Saint Mary may withdraw or require a student to withdraw from the university where the university determines that withdrawal is in the best interest of the student and/or the university. In such circumstances, the university may initiate withdrawal proceedings. The student will be informed in writing of the university's decision. Appeal of the university's decision must be directed to the vice president for student life in writing within five (5) business days of the university's decision. If the student is dissatisfied with the response of the vice president of student life, a final appeal may be made in writing to the president within five (5) business days of the vice president for student life's decision. The president's decision is final.

Withdrawal Initiated by the Student

A student that officially withdraws from all courses during the semester or officially withdraws from the university at the close of the semester terminates enrollment voluntarily. Withdrawal from the university becomes a matter of record when a student files an official Withdrawal Form with the Office of Student Success and Academic Affairs.

When a student initiates withdrawal process, he/she must:

1. Contact the Office of Student Success to meet with a student success coordinator and pick up the withdrawal form.
2. Fill out the withdrawal form and get signatures from the offices indicated by the student success coordinator. These offices can include financial aid, athletics, information services, library, residence life, registrar, and business office.
3. The student then signs the form and returns it to the Office of Student Success where it will be signed by a coordinator and sent up to academic affairs for final processing.

Failure to attend class does not constitute official withdrawal.

Until the withdrawal procedure is complete including payment of all outstanding university bills, the university will not send or release any transcripts or grades.

Withdrawal of Reserve of National Guard Students for Active Duty

Student members of the National Guard or Military Reserve who are activated for duty during a semester will be permitted to withdraw without penalty from the University of Saint Mary and receive 100% refund of tuition and fees (less any institutional awards, grants, loan proceeds, and other financial aid which the student may have received for the term) and a prorated refund of room and board charges upon presenting a copy of their military orders to the vice president of academic affairs.

Alternatively, incomplete (I) grades in all classes, with no tuition and fee reimbursement, may be more appropriate when the withdrawal is near the end of the semester and Incompletes are agreed to by the instructor(s) and the student, and approved by the vice president for academic affairs. However, if the student chooses to withdraw from only a portion of his/her classes and receive Incompletes in the remaining classes; s/he would receive a prorated reimbursement of tuition and fees only if the number of remaining credit hours is fewer than twelve. In either of these alternative cases, the student will receive a prorated

refund of room and board charges and be allowed to complete the coursework according to the established policies of the university and the agreement with the instructor(s) involved.

Failure to attend class does not constitute official withdrawal.

NON-ACADEMIC UNIVERSITY POLICIES AND PROCEDURES FOR ALL STUDENTS

NON-ACADEMIC STUDENT CODE OF CONDUCT

The Non-Academic Student Code of Conduct applies to all students, resident and commuter, and all recognized student organizations. Each student and each recognized student organization is expected to be fully acquainted with and will be held responsible for compliance with all published policies, rules, and regulations of the university. Each student and each recognized student organization will be subject to the sanctions that may be imposed for non-compliance with published policies, rules, and regulations of the university.

Students and recognized organizations are expected to comply with all federal, state, and local laws whether on university property or at any university-sponsored, financed or supervised activity.

These principles apply to all students and recognized student organizations while on University of Saint Mary or Sisters of Charity property and while off campus when in connection with a university-sponsored or university-financed activity or when holding themselves out as representatives of the university. Please note that proof of policy violations obtained via electronic media including but not limited to video, photographs, emails, or blogs found on social networking websites such as Facebook or through other electronic means can be used as evidence in disciplinary hearings and can be the basis for disciplinary action on their own.

All individuals who are present where university policies are being violated are subject to disciplinary charges. Violations of the Non-Academic Student Code of Conduct are investigated and administered by the Office of Student Life under the general supervision of the vice president for student life.

ADMISSION TO CAMPUS EVENTS

Most on-campus activities are free to students (unless it is a conference tournament). Immediate family members of full-time students may request tickets at the group rate for theatre productions.

AOD (ALCOHOL AND OTHER DRUG) POLICY

University of Saint Mary, as a Catholic liberal arts university, seeks to maintain an atmosphere conducive to the pursuit of learning and to a healthy and wholesome social environment. University of Saint Mary considers its students to be adults who will comply with its Alcohol and Other Drug policy (AOD) and federal, state, and local law regulating alcohol and drug use.

The university, however, attempts to educate members of the university community as to the health risks associated with alcohol and drugs and the effects of alcohol and drug use and abuse on themselves, their families, their friends, and their colleagues. USM also tries to teach students to be responsible for their behavior and make them aware of the effects of their behavior on others within and outside of the university community. USM also provides confidential counseling service for alcohol and drug-related problems where needed. In keeping with the laws of the United States Government, the State of Kansas, and the City of Leavenworth, University of Saint Mary establishes these policies regarding alcohol and drugs.

Current Law

In the State of Kansas, the legal drinking age is 21. Consumption of alcohol by a minor is punishable by a minimum \$200 fine. Furnishing alcohol to a minor is also punishable by a minimum \$200 fine. Violation of Kansas drinking law can result in increased fines and incarceration. In the State of Kansas, it is also illegal to be involved with controlled substances, including

prescription drugs obtained or used contrary to the prescription. Violation of the Kansas drug laws also may result in incarceration and a \$2,500 fine.

The university voluntarily complies with the substantive provisions of the federal *Safe and Drug-Free Schools and Communities Act of 1994*, which prohibits the unlawful possession, use, or distribution of illicit drugs and alcohol by all students on the property of University of Saint Mary or as part of any educational program or activity. Federal law contains other elaborate, detailed laws regulating drugs and controlled substances. Conviction for violation of federal drug laws may result in fines and incarceration and may result in loss of federal aid for financing education.

The City of Leavenworth regulates alcoholic beverages including places of public consumption. Conviction for violation of the Leavenworth Ordinances can result in fines and incarceration.

More details on federal, state, and local drug and alcohol law can be obtained in consultation with the vice president for student life.

University Regulation of Alcohol

Students are prohibited from being intoxicated while on university property or attending a university-sponsored or university-financed function or while holding themselves out as representatives of the university. Behaviors indicative of intoxication include such things as staggering, strong odor of alcohol or other drug, incoherence, lack of judgment, or unconsciousness (passed out) or other behaviors which indicate the use or influence of alcohol or other drugs.

A "minor in possession" is defined as a person of less than 21 years of age who has in their possession (for example, car, room, or person) containers of alcoholic beverage. A minor whose breath smells of alcohol will also be considered "in possession."

"Juice parties" or gatherings at which the alcoholic beverages are combined into one container and commonly shared by those in attendance are not acceptable behavior. Kegs are not allowed for student use at the University of Saint Mary under any circumstances.

Social Event Alcohol Permit Forms

Permission to serve or consume alcoholic beverages at events where students may be offered or served alcoholic beverages in public areas of the university such as social rooms, dining hall, campus picnic areas, academic departments, offices, the circle fountain, or at university-sponsored or university-financed events must be obtained from the vice president for student life or designee prior to the event. Alcohol for such events must be served and distributed by a third party vendor. USM students, faculty, or staff may not serve alcohol to students. For on-campus events or at university-sponsored or university-financed events, request permission by completing and submitting a Social Event Alcohol Permit Form which is available in the Student Life Office. The Social Event Alcohol Permit Form must be submitted at least fifteen (15) business days prior to the event. Grant or denial of permission to serve alcoholic beverages at a social event is at the discretion of the vice president for student life. Alcoholic beverages are never allowed or consumed at university-sponsored athletic events whether the event is held inside or outside, on or off campus.

University Regulation of Other Drugs

University of Saint Mary prohibits the manufacture, distribution, dispensation, possession, sale, transfer, or use of any illicit or illegal drug or controlled substance, including without limitation, marijuana and cannabis-derived material, opium and its derivatives, hallucinogens, amphetamines or methamphetamines, barbiturates, cocaine or crack, and prescription medications illegally obtained. Any student violating this policy will be subject to university disciplinary procedures. Any illicit/illegal drugs, or controlled substances and drug paraphernalia, will be confiscated by the university. Prescription drugs not used in conformity with the prescription are considered illicit or illegal drugs under this policy. The university cooperates with local law enforcement in these matters.

- Marijuana
- Synthetically derived cannabis materials (e.g. K2, Head Trip, Spice, etc...)
- *Salvia divinorum*, in any form

- Bath salts
- Opium
- Hallucinogens
- Amphetamines
- Methamphetamines
- Barbiturates
- Cocaine/Crack
- Prescription medications illegally obtained (either unlabeled prescription bottle or name on the bottle does not match student's name)
- Any other types of drugs that are used for their unintended purpose "to achieve a high or elevated state of awareness"

All drugs and drug paraphernalia will be confiscated by the university and turned over to law officials. Any student violating this policy will be subject to university disciplinary procedures. The university cooperates with local law enforcement in these matters.

Students are prohibited from being under the influence of drugs while on university property or attending a university-sponsored or university-financed functions or while holding their selves as representatives of the university. "Under the influence of drugs" is defined as displaying behavior such as staggering, glassy eyes, strong odor of banned substances, incoherence, lack of judgment, unconsciousness (passed out), or other behaviors which indicate the use or influence of drugs. Residence Life reserves the right to bring in law enforcement officers and canines to inspect residence halls without notice.

Marijuana is not legal in the State of Kansas. The State of Kansas, local law enforcement authorities, and USM do not recognize medical marijuana cards issued by other states. Possessing a medical marijuana card from another state does not make it legal to use marijuana in the State of Kansas or at USM.

Screening

A student may be required to undergo a drug or alcohol screening (i.e. blood test, breath test, hair test, urinalysis, or gas chromatography mass spectrometry) if, in the judgment of the vice president for student life, or his/her designees, the student is in violation of the university's Alcohol and Other Drug (AOD) policies. Payment for such screening is the responsibility of the student. While a USM student, a positive drug test will always result in disciplinary actions. Failure of the student to submit to any alcohol or drug screening on request as provided by the AOD policies will be considered an additional violation of this AOD policy and admission of guilt.

Consequences for AOD Policy Violation

Consequences of a violation of the university AOD policy may include one or more of the following:

- Required attendance and completion of a drug or alcohol education course;
- Rehabilitation;
- Treatment program satisfactory to the university;
- Required periodic alcohol and drug screening ;
- Reporting the matter to appropriate law enforcement authorities, which, in any event, may be required in some cases involving violations of federal, state, or local alcohol or drug-related laws;
- Disciplinary fines and sanctions up to and including dismissal from the university which will effectuate appropriate resolution;
- Disciplinary probation which could result in extra-curricular activity suspension, including athletics.

A student may be required to present a statement of successful or continued successful participation in drug or alcohol rehabilitation satisfactory to the university and further drug and alcohol screening as a condition of continued enrollment. The cost of such rehabilitation, including communications between the drug or alcohol rehabilitation provider and the university and all drug and alcohol screenings, is the responsibility of the student. Violations of the university AOD policy by a student-athlete are reported to the athletic director.

As permitted by law, the university also reserves the right to release information about alcohol or drug related disciplinary violations to parents of students.

Smoking and Tobacco Policy

To promote a safe and healthy USM environment, smoking, and the use of smokeless tobacco is not permitted in any university building. This also includes “spit bottles.” Smoking and the use of smokeless tobacco is permitted on campus outdoors with a minimum distance of 25 feet from entrances, windows, air intake areas of all buildings and designated spectator and participant areas of outdoor campus events.

The university does not allow tobacco use by students under 18 years of age and guests of members of the university community who are under 18 years of age while on university property or participating in a university-sponsored event or activity. Violation of the smoking and tobacco policy will result in university disciplinary procedures.

BABYSITTING

University of Saint Mary does not offer babysitting services and babysitting is not permitted on campus. Saint Mary is not registered with the state of Kansas or inspected by the Kansas Department of Health and Environment, which regulates babysitting at an institution.

CAMPUS CRIME INFORMATION *Crime Reporting Procedures*

In the event of an emergency—that is, a dangerous or life-threatening situation—students should first call 911 (9-911 from an on-campus phone) and then public safety. Any suspected criminal action (such as theft, abuse, etc.) that occurs on campus must be reported to the public safety cell phone at (913) 683-5201 immediately.

Provide the police or public safety with the time, description, and location of the incident. If known, also provide the names of individuals involved in the incident. You may request to remain anonymous when reporting a crime.

Public safety officers or designated campus security officials who are informed of the commission of a serious crime such as outlined in the Campus Crime Statistics Report are required to report the information to either the department of public safety or the environmental health and safety engineer for entry into the Campus Crime and Security Report. Reports concerning campus crimes become part of the crime statistics for USM, which are published annually by the department of public safety.

Annual Distribution of Campus Crime Statistics Annual Security Report

This procedure is intended to comply with the Campus Security Act of 1990, and the amendment of 1998, and regulations issued by the United States Department of Education (“DoEd”) pursuant to the Act. Where the procedure conflicts with the Act or the regulations; the Act or the regulations will govern.

- Current Students and Employees -

The environmental health and safety engineer or his/her designees will distribute, on or before October 1, of each year, an Annual Security Report to all current students and employees on all campuses. The report is located at http://www.stmary.edu/Files/Public-Safety-Support-Docs/SecurityFireSafetyReport-2010_0911.aspx.

- Prospective Students and Employees -
The Annual Security Report will be provided to prospective students and prospective employees, upon request. Arrangements will be made to inform these individuals of the availability of the report, they will have access to a summary of the reports contents, and they will be given the opportunity to request a copy of the report.

Reporting Crimes to the Campus Community

To ensure the safety of the campus community, the designated security officials or their designees will make timely reports to the campus community regarding crimes that are listed in the Campus Crime Statistics or crimes that are considered a threat to the campus community.

The decision whether to report a crime to the campus community must be based upon the facts surrounding the crime including, but not limited to, the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts.

COMPLIANCE

Students are expected to provide truthful information when reporting to a university staff member, including any administrator, faculty, residence life staff member, security officer, or other professional staff of a contractor of the university acting in the performance of their duties and within the scope of their authority. Students should not be dishonest, cheat, forge or take advantage of another personal gain or otherwise. Any disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other university activities, including its public-service functions on or off campus or other authorized non-university activities, when the act occurs on university premises is not acceptable within the USM community.

Compliance with all disciplinary directives is required of all students.

COMPUTER USAGE & EMAIL POLICIES

All enrolled students have a University of Saint Mary email account. It is imperative that all students utilize this account. This is the primary means by which USM will communicate with you outside of the classroom. As such, students are responsible for checking this account and for any information distributed by this means.

University of Saint Mary Electronic Transmission of Information Policy

The provision of the university-owned electronic mail system is for the members of the University of Saint Mary community.

The university will make reasonable efforts to maintain the effective operation of its electronic mail systems. Users are advised, however, that these systems and other free electronic mail packages, for example Hotmail, downloaded to the university-owned network and student-owned computers should in no way be viewed as a secure medium for the communication of confidential or sensitive information. Users of electronic mail services are on notice that even though sender and recipient may have discarded or deleted their copies of an electronic mail record, retrievable back-up copies of electronic mail records may exist.

Privacy

Although the university does not routinely monitor information transmitted, stored, received, or retrieved electronically on the university's computers and the resources it makes available, including, among other things, electronic mail, it retains the right to do so. There is no expectation of privacy in any information transmitted, stored, received, or retrieved electronically on the university's computers and the resources it makes available, including among other things electronic mail. Use of any university computer or other electronic resource made available through the university constitutes consent to a search and disclosure as described in this policy.

The university may search, retrieve, or view any information or data entered, transmitted, received, stored, or retrieved on its computers and the resources it makes available in connection with, among other things:

- maintenance or improvement
- monitoring for viruses and other destructive computer programs

- investigation of violation of university policy
- investigation by an authorized law enforcement or federal, state, or local agency
- where otherwise required by law
- when authorized by the president or the academic dean of the university.

Guidelines

Prohibited uses of the university-owned network or student-owned workstations accessing the university-owned network include, but are not limited to, the following:

- Sending copies of documents in violation of copyright laws, including inclusion of the work of others into electronic mail communications in violation of copyright laws.
- Capture and “opening” of electronic mail not addressed to the recipient except as specifically authorized by the president or the academic vice president of the university to diagnose and correct the delivery system.
- Use of electronic mail to harass or intimidate others, including harassment on the basis of race or color, sex or gender, national origin or ethnic origin or ancestry, disability or handicap, religion or creed, age, sexual orientation, veterans status, or citizenship or intending citizenship status, or to interfere with the ability of others to conduct university business.
- Downloading, displaying, printing, creating, saving, or transmitting materials that use obscene, threatening, or disrespectful language, are pornographic, advocate illegal or violent acts.
- For personal financial gain, gambling, or advertising.
- Use of electronic mail systems for any purpose restricted or prohibited by law or regulation or by university policy.
- “Spoofing”, i.e. constructing an electronic mail communication so that it appears to be from someone else.
- “Spamming,” i.e. sending a large amount of electronic mail to a particular site or workstation sufficient to harass individuals, down servers or otherwise effectuate “denial of electronic mail service” to the campus or any other site.
- “Snooping,” i.e. unauthorized access to the electronic files or electronic mail of others for the purpose of satisfying idle curiosity, with no substantial university-related purpose.
- Attempting unauthorized access to electronic mail or attempting to breach any security measures on any electronic mail system or attempting to intercept any electronic mail transmissions without proper authorization.
- Knowingly exporting, importing, or downloading a virus on to the university or any other computer system.

It is against USM policy to use electronic media, such as voicemail, electronic mail, internet, or other means of electronic communications to send harassing, annoying, obscene messages, messages that infringe on the privacy of another person or violates any university policy, any theft of electronic material for private usage (e.g. cable splicing, etc.), any fraudulent activity including any misrepresentation, or any other inappropriate use of electronic media.

P2P File Sharing

The University of Saint Mary does not condone unauthorized P2P file sharing. Students, faculty or staff who engage in unauthorized P2P file sharing on the University of Saint Mary network may be held liable for the infringement of copyrighted works (music, movies, computer software, video games and photographs). Be aware that the University of Saint Mary is under no legal obligation to defend, or accept responsibility for, the illegal actions of their students or employees in the P2P context. It is each individual’s responsibility to know what constitutes infringement of copyright—if one is not sure then s/he should learn more about the law and/or refrain from copying materials.

CONDUCT

All members of the USM community are expected to conduct themselves in behavior that is conducive to an academic, living-learning environment. Students should refrain from behavior or language that is disorderly, lewd, indecent, obscene, or harassing, including any expression of such, or making racial, sexual, religious, ageist, sexist, sexual-orientation-related, disability-related, ethnic/nation origin-related slurs or epithets. All members of the USM community and guests shall be free of actual or threatened physical action that threatens the health or safety of any person, including intentional or reckless injury to self, other persons, or property.

DISCIPLINARY PROCEDURES

Discipline Process

The discipline process is designed to protect the rights of student and provide a fair and just discipline process for everyone involved. Compliance with the discipline policies is required of all students. USM disciplinary policies are as follows:

- Students are required to appear before the student discipline coordinator, a student disciplinary hearing officer, the vice president for student life, or the president as notified;
- Students are required to be truthful in the information they report to the judicial officer. This includes falsification, distortion, or misrepresentation of information either in reporting an incident or at any point of the judicial process;
- Students are required to refrain from disrupting or interfering with the orderly conduct of a hearing;
- Students are prohibited from discourage an individual's proper participation in, or use of, the university disciplinary policies or process;
- Students may not attempt to influence the impartiality of any person hearing a charge of discipline, the student discipline coordinator, a student disciplinary hearing officer, the vice president for student life, or the president, prior to, during the course of, or after the processing of any disciplinary charge;
- Students may not harass (verbally or physically) or intimidate any person hearing a disciplinary charge including the student discipline coordinator, a student disciplinary hearing officer, the vice president of student life, or the president prior to, during, or after the processing of any disciplinary charge;
- Students are required to comply with the sanction(s) imposed by a judicial officer;
- Students may not influence or attempt to influence another person to commit an abuse of the university disciplinary policies.

Disciplinary Report(s)

Any resident or commuter student, student organization recognized by the university, university department, or other member of the university community (collectively "charging person") may file an incident report against any student or student organization recognized by the university for a violation of non-academic university policy under this Non-Academic Student Code of Conduct.

The incident report must contain a clear and concise statement that identifies the student or recognized student organization that allegedly engaged in a violation of university policy (collectively "charged student"), identifies the policy allegedly violated and describes the alleged misconduct. If the complaint is against a recognized student organization, the vice president for student life or designee will contact the highest-ranking officer of the organization and its faculty advisor; the organization will designate one of its student members to serve as its representative.

Incident reports may be filed online at <https://publicdocs.maxient.com/incidentreport.php?UnivofSaintMary>, with any student life staff member, or USM public safety officer. All reports will be investigated and handled through the USM campus judicial process.

Disciplinary Hearings

Disciplinary hearings will be conducted by a campus judicial officer. Appointed by and under the direction of the vice president for student life, these officers are responsible for hearing offenses of non-academic student policy and misconduct and other related behavior. Each accused student will be notified in writing of the infraction and if a meeting is necessary to discuss the student's level of responsibility regarding the accusations against him or her. The accused or complainant student may request a special hearing by the vice president for student life on grounds of the extreme sensitivity of the charge or related issues.

The disciplinary officer's objective is to determine the facts of the incident, and to make a determination regarding responsibility for violating university policy. If the student is found responsible for the alleged misconduct for which he/she is accused, then the disciplinary officer will discuss appropriate sanctions with the student and present the sanctions in writing to the student(s) as soon as possible. Others involved in the incident or resolution of the charge may be informed on a need-to-know basis.

Disciplinary Sanctions

Disciplinary sanctions will include conditions that are consistent with the nature of the offense at the discretion of the vice president for student life and judicial officers. The following disciplinary sanctions may be imposed for violation of university and residence hall policies. One or more sanctions may be imposed depending upon the severity of the misconduct.

- **Planning an Educational Program** - Requires the planning, implementation, and execution of a program or activity for others or participation in designated community or on campus.
- **Mandatory Program Attendance** - Requires attendance at one or more education or rehabilitation programs. For students found to be using drugs or alcohol in violation of the Alcohol and Other Drug Policy, a condition of continuance at the university may include the completion of an appropriate drug and alcohol education or rehabilitation program satisfactory to the university.
- **Monetary Restitution** - Requires payment for damage, injury, abuse, or destruction of university property, equipment, or facilities; payment for the injury to or destruction of property to the appropriate person, department, or organization; repayment of misappropriated or misused university funds; or repayment through appropriate work requirement related to the offense.
- **Disciplinary Fines** - The judicial officer or vice president for student life may levy disciplinary fines as a sanction in replacement of or in addition to other sanctions. Disciplinary fines may be levied upon an individual or a floor community.
- **Loss of Designated Privileges** - May be imposed in addition to any other sanction. For example, restrictions on participating as a member or officer in a student organization recognized by Student Life or SGA; restrictions on participation in intercollegiate athletics, intramurals, non-classroom fine arts activities, or other specified university activities; revocation of the privilege of consuming, possessing, or transporting alcohol if 21 or older; restrictions on entering or remaining in specified campus buildings or specified university facilities, including residence halls; or restrictions on use of university services or equipment.
- **Disciplinary Warning** - Verbal or written notice that cautions the student that his/her status as a student at the university is in jeopardy. The notice may include the loss of designated privileges and counsel to the student concerning the seriousness of the misconduct. Additional behavior of the same or similar type of misconduct of a different type will be cause for further disciplinary action by the university, up to and including dismissal.
- **Residence Hall Probation** - The student's participation as a resident in the University of Saint Mary housing system is placed on a provisional basis. Provisions are explained in the sanction letter provided to the student.
- **Removal from Residence Hall** - The student's participation as a resident in the University of Saint Mary housing system is denied. This is the removal from the residence halls at any time during the calendar year. Any student who has been removed from the residence halls may be denied the privilege of visiting the residence halls and any other residential area of University of Saint Mary.
- **Disciplinary Probation** - Student status is in serious jeopardy with the university. The student's behavior has raised serious questions concerning the student's continued status as a member of the university community. The student is given a stated period during which he/she must maintain appropriate standards of conduct before he/she will be released from disciplinary probation or be suspended or dismissed from the university. A student under disciplinary probation may not participate in varsity athletics or hold an office in any organization recognized by the university or the SGA for the duration of the probation. Other terms and conditions of disciplinary probation may include the loss of designated privileges.
- **Disciplinary Suspension** - Involuntary suspension of student from the university for a period of time. Provisions for the student's reinstatement will be provided in the sanction letter.
- **Disciplinary Dismissal** - Involuntary and permanent suspension of student status at the university. Only the president of the university or designee may re-admit any student who is dismissed from the university for disciplinary reasons.
- **Interim Suspension** - A student is subject to immediate suspension by the vice president for student life or designee where, in the judgment of the vice president for student life, the charged student's alleged serious misconduct may jeopardize the safety of the student, or any other member of the university community, or may threaten institutional property if the student remains on campus. The suspension will be enforced pending an appropriate preliminary hearing and determination of responsibility.
- **Referral to Authorities** - Students who violate federal, state, or local law also may be referred to the criminal justice system for prosecution in addition to disciplinary action under university policy.
- **Parent Notification** - When misconduct results in suspension or dismissal from the university or the residence halls, parents of dependent students may be notified. The vice president for student life or designee may also notify parents if questions are raised about harm to person or others, with justification, by a member of the university community.

Disciplinary Policy Regarding Refunds

When a student has been suspended or dismissed from the university for disciplinary reasons, refunds are not available. Further, if disciplinary actions result in the loss of any university-contracted service for the student, no refund is available.

Appeals

A student found responsible for a policy violation may appeal the discipline decision. Appeals must be in writing (handwritten or e-mail sent from a student's USM email account) and must contain a brief description of the history of the charge including the decision, the sanctions issued and the ground for the appeal. Appeals will be considered on any one or more of the following grounds:

- The information presented at the hearing was insufficient to support the decision;
- New and important information that was not available prior to the hearing can be presented;
- Sanctions issued were capricious and not consistent with the policy violated.

Appeals of the Student Code of Conduct must be received by the vice president for student life within three (3) business days of receipt of the original decision by the judicial officer. In cases that do not result in suspension or dismissal from the university, the decision of the Vice President for Student Life is final.

For appeals of residence hall violations, appeals must be submitted to the director of residence life within three (3) business days of receipt of the original decision by the judicial officer. Appeals of the decision of the director of residence life must be made to the vice president for student life in writing within three (3) business days of receipt of the decision. In cases that do not result in suspension or dismissal from the university, the decision of the vice president for student life is final.

In cases of suspension or dismissal from the university, an appeal of the vice president for student life's decision may be taken to the president of the university in writing within three (3) business days of receipt of the decision. The decision of the university president is final.

EXPLOSIVES, WEAPONS AND OTHER HAZARDOUS OBJECTS

The University of Saint Mary prohibits all employees, students and visitors from possessing, carrying or using any type of explosive, weapon or hazardous object on any property owned or controlled by the university or at any university-sponsored, financed or supervised activities. This includes all outside campus grounds, all residence halls, any vehicle parked on campus and every building located on campus grounds. This also applies to those with conceal carry permits. Violating this policy can result in confiscation of the weapon and disciplinary actions, including and up to termination of employees or expulsion of students. The University of Saint Mary is considered private property. Any person violating this policy may be asked to leave campus. Failure to comply will result in local law enforcement authorizes being contacted and the violator being charged with trespassing and/or other criminal charges.

All types of explosives, incendiary or poison gas, bombs, mines, grenades, rockets, missiles, firecrackers, fireworks, incendiary or explosive materials with a fuse, wick or other detonating device, gasoline/fuels used as an explosive, tear gas and smoke bombs, and other combustible materials, are prohibited on property owned or controlled by the university.

Shotguns, rifles, handguns, bb guns, pellet guns, air/CO2 guns, air/CO2 rifles, slingshots, longbows, crossbows, and other types of potentially hazardous objects or equipment including martial arts weapons such as nun chucks and throwing stars are not permitted on university property. This also includes all types of ammunition (i.e. bullets, bb's, pellets, and arrows).

Large knives, including switch blades which result in the blade automatically being ejected into position, as well as any straight blade knife of four inches or more are prohibited on campus grounds.

FACILITIES

Students are given access to buildings, facilities, equipment or resources for which they are authorized to access. This may be via keys, ID card or unlocked doors. Students who feel their access isn't accurate should contact the supervisor for the area of requested access for spaces or equipment, Student Life for ID card access questions, and the director of residence life for any residence life access questions.

Any student involved in situations regarding theft, damage, destruction, tampering with, or defacement of any personal or university property, property of any other student, faculty, or visitor to the university, Sisters of Charity property, or the property of any contractor or other person doing business with the university while on university of Sisters of Charity premises, will be referred to the USM judicial process

FIRE SAFETY AND WEATHER PROCEDURES

Fire

When a fire alarm rings, remain calm and evacuate the building, closing room doors behind you. If possible, wear shoes and a jacket, if needed. If smoke is present, hold a damp cloth over your mouth, stay close to the floor, and do not use the elevator. Once outside, move away from the building and remain outside until directed to return by a member of Residence Life or other university personnel. The fire alarm sounds for both drills and actual fires. The above procedure is followed anytime the alarm sounds. Many times fire and smoke are not evident in all parts of a building. Failure to evacuate the building for a fire drill or actual fire will result in disciplinary procedures. Tampering with fire safety equipment, including extinguishers, alarms, or detectors (cutting or disconnecting of wires) is a federal offense, not just USM policy. Fines start at \$5,000 and may include jail time. Tampering with fire safety equipment is also subject to a minimum \$300 fine.

Tornado

The term tornado "watch," as used by the National Weather Service, means that conditions exist for a tornado to develop. A tornado "warning" is issued when a tornado has actually been sighted. When such a warning is issued for the City of Leavenworth, tornado sirens will sound. When tornado sirens sound, remain calm, close blinds and doors, proceed to the tunnels or basement, do not use any elevators, and remain in the tunnels or basement until the all clear is sounded. Additional Emergency Response procedures are listed on the public safety website (www.stmary.edu/safety-security/default.asp) and posted throughout campus.

Winter Weather Policy

The faculty and administration at the University of Saint Mary value class time and do not want to cancel classes without warrant. Additionally, a recorded telephone message can be heard by dialing ext. 6300 on campus, (913) 758-6300 in the local area, by calling the main phone line, (913) 682-5151, or the Kansas City line at (913) 772-0843, then press "7" to be transferred to the recorded message. Under ordinary circumstances, we will post this email no later than 5 a.m. for campus day classes and 3 p.m. for evening classes. All faculty, staff, and students are responsible to either read their email or check the recorded message. This year we have two designations; University of Saint Mary – Leavenworth and University of Saint Mary – Overland Park. Weather announcements will be posted on the webpage and sent via USM email, and through the USM Alerts texting notification system. You may sign up for those alerts at www.stmary.edu/alerts.

If you do not hear an announcement, classes will be held as regularly scheduled. Please do not call the university main line for information regarding class cancellation. Telephone lines should be left open for emergency calls.

GAMBLING

Gambling is not allowed on the University of Saint Mary campus or at any university-sponsored, financed or supervised activities.

HARASSMENT, BULLYING, DISCRIMINATION AND HATE MOTIVATED ACTS

The University of Saint Mary Values Statement notes “The University of Saint Mary believes in the dignity of each person’s capacity to learn, to relate, and to better our diverse world.” The university is committed to the spiritual and moral values of the Gospel of Jesus, which call us to have respect for each and every individual person.

General Policy

The University of Saint Mary, in compliance with Title IX of the Education Amendment of 1972, prohibits all harassment (including acts of sexual violence), bullying, discrimination, and hate-motivated acts. These acts are prohibited whether they occur as faculty/staff- on –student, student- on -student, or student-on-faculty/staff and whether occurring on or off campus. Acts included in this policy include, but are not limited to, harassment against another on the basis of race or color, sex or gender, national origin, ethnic origin or ancestry, disability or handicap, religion or creed, age, sexual orientation, veteran's status, or citizenship or intended citizenship status is prohibited. Harassment, bullying, discrimination, and hate-motivated acts include such things as making derogatory remarks about such characteristics and other verbal, written, physical, or nonverbal behavior. See sections below for additional descriptions of prohibited behavior.

Engaging in prohibited harassment, bullying discrimination and hate-motivated acts by a student or student organization will lead to disciplinary action, up to and including disciplinary non-academic dismissal.

Please see the last part of this section for information on filing a complaint if you feel that you or someone you know has been harmed through violations of this policy.

Sex Discrimination Including Sexual Harassment

Sex discrimination including sexual harassment in any educational program or activity is prohibited. Unwelcome sexual advances, requests for sexual favors, and other verbal, written, physical, or nonverbal conduct of a sexual nature is a form of sexual harassment prohibited by Title IX and the University of Saint Mary. Instances of sexual harassment occur:

- When a student’s participation in any educational program or activity or an educational decision is based on submission to or rejection of such conduct; and
- When such conduct is sufficiently severe or pervasive so as to limit a student’s ability to participate in or benefit from an educational program or activity or has the purpose or effect of creating a hostile or abusive educational or residential environment. Examples of prohibited conduct include, but are not limited to, requiring sex or sexual favors in exchange for participation in any aspect of any university educational, university-sponsored or university-financed program or activity, lewd or sexually suggestive comments, slurs, or other verbal or written messages, including electronic mail messages, physical or nonverbal conduct relating to an individual’s gender, or any other display of sexually offensive material, including such things as pictures, greeting cards, articles, books, magazines, photos, cartoons, and causing sexually offensive material to appear on any electronic communication or other written material. Violation of this policy is grounds for disciplinary action, including disciplinary dismissal.

Sexual Violence

Sexual violence and other sexual offenses, as defined by the Uniform Crime Reporting Program, are serious crimes and will not be tolerated at the University of Saint Mary. Sexual violence refers to physical sexual acts perpetrated against a person’s will or when a person is incapable of giving consent due to the victim’s use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability. A number of different acts fall into the category of sexual violence including rape, sexual assault, sexual battery, and coercion. All such acts of sexual violence are forms of sexual harassment prohibited under Title IX. Under the Uniform Crime Reporting Program, sexual offenses are categorized as forcible and non-forcible.

- Forcible sex offenses - Any sexual act directed against another person forcibly or against that person’s will or not forcibly or against that person’s will where the victim is incapable or giving consent. Forcible sex offenses are: forcible fondling, forcible sodomy, forcible rape, and sexual assault with an object.

- Non-forcible sex offenses - Non-forcible sex offenses are incest and statutory rape.

Bullying

Bullying means any intentional gesture or any intentional written, verbal, electronic, or physical act or threat that is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for a student or staff member. Examples of behavior that meet the definition of bullying above include, but not limited to:

- Physical bullying – pushing, shoving, kicking, poking and/or tripping; assault or threat of physical assault; damage to a person’s work area or property, damage to or destruction of a person’s work product.
- Verbal bullying – repeated slandering, ridiculing, or maligning of a person or persons, addressing abusive and offensive remarks to a person or persons in a sustained or repeated manner; or shouting at others in public and/or in private where such conduct is so severe or pervasive as to cause or create a hostile or offensive educational or working environment or unreasonably interfere with the person’s work or school performance or participation.
- Nonverbal bullying – consists of directing threatening gestures toward a person or persons or invading personal space after being asked to move or step away.
- Anonymous bullying – consists of withholding or disguising identity while treating a person in a malicious manner, sending insulting or threatening anonymous messages, placing objectionable objects among a person’s belongings, leaving degrading written or pictorial material about a person where others can see.
- Threatening a person’s job or wellbeing - making threats, explicit or implicit to the security of a person’s job, position, or personal wellbeing can be bullying. It is not bullying behavior for a supervisor to note an employee’s poor job performance and the potential consequences within the framework of university policies and procedures, or for a professor or academic program director to advise a student of unsatisfactory academic work and the potential for course failure or dismissal from the program if uncorrected.
- Cyber bullying - repeatedly makes fun of another person online, bullying by use of any electronic communication device through means including, but not limited to, email, instant messaging, text messages, blogs, mobile phones, pagers, online games, and websites.

Bringing a Complaint

In addition to its moral obligation, the university has an obligation, under Title IX, to fully investigate all allegations and actions whether or not outside legal action is taken. The university also has an obligation under Title IX to protect those who bring complaints against retaliation. Complaints may be filed by the harmed student and by outside parties who have knowledge of the incident(s).

If you or someone you know has been harmed through violations of this policy, there are several avenues for bringing a complaint against another student, faculty, staff, or contractor of the university.

Complaints may be filed electronically, through Maxient Conduct Manager.™ Students, as well as faculty and staff, may alert the university through this system. Students may file these reports anonymously. To file a report about an incident or concern access eSpire from the University of Saint Mary main web page (www.stmary.edu). Within eSpire, select “Report a Concern” from any quick link section. Students who wish to deal with this matter without involving the Student Conduct Code, if possible, may also contact the campus counselor.

Complaints may be filed directly by contacting the director of residence life, assistant director of residence life, athletic director, vice president of student life, environmental health and safety engineer, or the director of human resources. Students may request anonymity. Students who wish to deal with this matter without involving the Student Conduct Code, if possible, may also contact the campus counselor.

Students may file a grievance by contacting the Title IX coordinator at the University of Saint Mary and/or the Office of Civil Rights. Contact information for each is listed below:

Teresa Lee
Title IX Coordinator
Director of Human Resources
University of Saint Mary
Mead Hall, Rm. 200
4100 S. 4th St.
Leavenworth, KS 66048
(913) 758-4359
teresa.lee@stmary.edu

Office of Civil Rights
Kansas City Office
U.S. Department of Education
8930 Ward Parkway, Ste. 2037
Kansas City, MO 64114-3302
Phone: (916) 268-0550
Fax: (816) 823-1404
OCR.KansasCity@ed.gov

Complaint resolution - The university has a responsibility to adequately and impartially investigate all complaints in a timely fashion, to notify the complainant of the outcome of the investigation and to prevent reoccurrences, consistent with the nature and severity of the violations of this policy.

HAZING AND RELATED BEHAVIORS

No recognized organization or athletic team may have as a condition of initial membership or continued membership participation in any activity that can be defined as hazing or any behavior the performance of which is contrary to the norms generally accepted as governing behavior in society or as expected of a member of the university community.

“Hazing” is a willful act, occurring on or off the campus of an educational institution, directed against a student or a prospective member of an organization operating under the sanction of an educational institution, which recklessly endangers or jeopardizes the mental or physical health or safety of the student or prospective member or that destroys or removes public or private property for the purpose of initiation or admission into affiliation with, or continued membership in any such organization. Organizations or individual members of organizations that violate the university’s Policy on Hazing and Related Behaviors will be subject to university disciplinary procedures.

PARKING AND TRAFFIC REGULATIONS

General Information

The University of Saint Mary assumes no responsibility for damage to vehicles parked or operated on campus, or for articles left in them, nor for lost/stolen parking permits. Bringing a motor vehicle to campus is a privilege, not a right. USM does not exclude any group of students from this privilege.

Motorcycles, scooters, and mopeds are also motor vehicles and must comply with all registration policies, rules, and regulations. No member of the USM community may register a vehicle for the purpose of obtaining campus parking privileges for non-students or non-employees. Skateboards, roller blades, inline skates, or other skating devices are not allowed on campus.

Pedestrians have the right of way at all times. Parking rules are enforced every day of the year including breaks and holidays.

Occasionally, special short-term conditions arise that may call for temporarily amending or suspending a part of these regulations. Citations will be issued to violators of any temporary signs or barricades and violators may be subject to towing without advanced warning.

Motor Vehicle Registration

All motor vehicles operated on campus by faculty, staff, and students must be registered and have a current academic year USM registration permit displayed. The permit will be displayed, in plain view, on the rear window or on the rear bumper. Parking permits may be obtained from the Business Office during normal business hours, 8 a.m. to 4:30 p.m. Monday through Friday. If a student has more than one vehicle, each vehicle must have a separate registration permit. If you sell your vehicle, please remove the sticker and take it to the Business Office for a replacement sticker for your new vehicle. Failure to re-register will result in a \$50 fine.

Vehicle Insurance

All vehicles operating on USM grounds will maintain the state minimum liability insurance, a copy of which must be provided at the time of vehicle registration. Failure to maintain insurance will result in the suspension of parking/driving privileges on campus.

Guest Parking

The Public Safety Office will issue a temporary parking permit for daytime, weekend, and overnight visitors and guests during normal business hours, 8 a.m. to 4:30 p.m. Monday through Friday. Overnight guests must display a temporary permit to avoid ticketing.

Authorized Student Parking

All parking spaces are "open parking" for students unless designated and/or posted otherwise. The permit for the current year must be displayed.

Parking is restricted in the following areas:

- Main front (Berchmans) circle
 - No student parking allowed anytime. This includes the visitor and admissions parking spots.
- Mead, Lower Chapel, Miego, and Maria lots
 - Reserved for designated/listed vehicles only
 - Students are not allowed to park in Cantwell Hall parking behind Ryan Sports Center.
- Parking is not allowed inside or around the Sisters of Charity cemetery.

Parking and Traffic Regulations

After receiving three unpaid violations of any kind and for any reason, a parking boot will be placed on the vehicle. This may also result in the loss of campus parking/driving privileges. The parking boot will not be removed until all fines are paid in full.

Speed limit on campus is 15 mph, unless otherwise posted.

When parking, the entire vehicle must be located within the marked boundary of the parking space, facing forward. No backing into stalls is allowed. The parking sticker must be clearly visible from the back of your vehicle. All vehicles should take up only one parking space.

Operators shall come to a full stop at all stop signs and use the proper turn signals; operators will also yield where designated. Operators will yield the right of way to pedestrians or crosswalks, in parking lots, intersections, and/or other congested areas. No person should obstruct the free flow of pedestrian or vehicular traffic on university premises or at any university-sponsored financed or supervised activity.

The main front circle is a one-way lane in a clockwise direction. Operators of all vehicles, bicycles and other forms of transportation are required to comply with the one-way traffic pattern.

Handicap spaces are only for vehicles bearing the proper state issued designation. Vehicles not bearing the proper designation and USM permit will be cited and subject to immediate towing.

No parking areas

- Campus lawn
- Access drives

- Sidewalks
- Loading dock area
- Yellow curb zones
- Fire Lanes
- Any area not specifically marked as a parking area

Operating a motor vehicle on the sidewalk or grass is prohibited unless specifically authorized by public safety. No vehicle shall be operated in such a manner as to cause interference with university operations.

If a person parks in violation of regulations and does not receive a citation, this does not mean the regulation or law is no longer in effect or valid.

Parking citations may be issued within 24 hours for the same offense but not less than 12 hours after the initial citation. All parking citations must be paid within 10 business days to avoid additional citations.

Towing Policy

Vehicles may be towed at any time as dictated by public safety or campus officials for the following:

- Vehicles blocking a legally parked vehicle
- Vehicles parked in fire lanes/zones
- Vehicles parked in handicap spaces
- Blocking entrances, drives, or vehicle right of way.
- Any vehicle without a registration permit that has three or more parking violations on file will be towed at the owner's expense and removed from campus property.

All associated towing and storage fees are the responsibility of the owner/operator of the vehicle. USM assumes no liability for the vehicles towed.

Fines

- Failure to register vehicle \$25
- Illegally parked in non-parking, restricted or reserved areas \$30
- Illegally parked on grass or walkway \$30
- Illegally parked in fire zone/lane \$100
- Illegally parked in handicap space \$150
- Stop sign violation \$75
- Operating vehicle in unsafe manner \$75
- Failure to comply with public safety officer \$50
- Other \$30

These are the fines for first offenses. All fines automatically double with each violation received.

Appeals

Parking and traffic fine appeals must be made and received within ten (10) days of the offense at the Business Office. All fines must be paid prior to submitting an appeal. If not paid the fine will be charged to the student account in the Business Office and a hold will be placed on the student account. Outstanding fines must be paid prior to registering for the next academic semester. All students must pay all outstanding fines prior to each semester or grades may be withheld. Students receiving an excess number of tickets will be referred to the Student Life Office for discipline referral regarding *Failure to Comply with Campus Policies*.

Appeal forms may be obtained from the Business Office or Public Safety Office. Appeals are reviewed and ruled upon by the Parking Appeals Committee. **The committee's decision on an appeal is final.** The committee will meet the first week of each month and will contact students via USM email within three days with the decision on your appeal. If approved, the fine will be removed from student accounts. Appeals cannot be made to public safety officers. Public safety officers also do not void parking tickets.

QUESTIONNAIRES/PETITIONS

Before any student or group of students, sends a questionnaire/petition to any members of the USM community or outside entity, the contents of the questionnaire and its rationale must be submitted to the vice president for student life in writing for approval.

SALES/BUSINESS VENTURES

Solicitations, including solicitations of sales, and commercial business ventures are not permitted on campus by individual or outside group(s), or individual or group(s) of students. Variances from this policy are made through written application to the vice president for student life in advance of any proposed solicitation. Only in rare circumstances may variances from or exceptions to this policy be granted. Any person attempting to solicit credit card membership or sell magazines, insurance, clothing, or other merchandise should be reported immediately to student life or USM public safety. Fundraising by student groups is addressed in the student organization section of this handbook.

RESIDENCE LIFE SERVICE AND INFORMATION

The mission of the Department of Residence Life is:

The Department of Residence Life assists residents in building a safe, respectful and engaged community by providing shared experiences and programming opportunities within an academic environment that promotes healthy and educated decision making.

RESIDENCE LIFE COMMUNITY

Resident will develop relationships with others on several levels of community. These relationships include as roommates and suitemates, as a floor community, as a building community, and as the larger campus community. Being a member of a community means students have the opportunity to learn a great deal about themselves and about other people. In doing so, students get to create an environment that will help them academically, socially, and interpersonally. The key to this kind of success is interaction.

Community Rights and Responsibilities

As a member of a community, students have the right to:

- Study without undue interference or unreasonable noise or distractions;
- Sleep without undue disturbance from noise and distractions;
- Expect that others will respect personal belongings;
- Live in an environment kept clean by those who live in it;
- Host guests with the expectation that students will be responsible for their actions and will escort them at all times while they are in the hall;
- Discuss concerns with Residence Life team members who can assist in addressing any concerns.

All students can help to ensure that roommate's and suitemates' rights are upheld by knowing and fulfilling their responsibilities as a roommate and as a suitemate.

As a member of a community, students have the responsibility to:

- Verbally expressing views to the person(s) involved should they believe that their rights were violated;
- Treating other residents and staff members with respect and consideration;
- Understanding all policies and regulations necessary for the residence hall and university communities to function;
- Abiding by these policies and regulations;
- Responding to all reasonable requests of fellow students;
- Responding to, and cooperating with, Residence Life team members;
- Recognizing that community, as charged by the university mission, cannot exist if any individual is excluded. Action, direct or covert, that discriminates on the basis of race or color, religion, sex or gender, sexual orientation, age, national origin or ethnic origin or ancestry, disability, veteran status, or citizenship status as required by law cannot be tolerated in a community based on mutual respect and cooperation.

When there is a problem within the floor community, interaction is the best way to resolve the issues. Approaching the person to talk about the issue can often lead to better understanding and communication. If that does not work, or should the issue be of general interest to the floor community, a floor meeting can be called. Any member of the floor community can call a community meeting so that floor members can address the issue at hand. Residence life team members can help guide this process. If a resident feels that they cannot raise concerns directly to the persons involved, or to the floor community, they can speak to a residence life team member.

Floor Community

In order for all students living on floors to create a community built on integrity and respect, all students have to give some effort to the process of interaction. To get this process started, the residents on the floor will meet on a regular basis. At floor community meetings, all students will have the opportunity to discuss issues of concern, ideas for group activity, agreements for how to live together, and other subjects that impact the floor community. The importance of these interactions is to establish mutual understanding so those individuals can live together more successfully.

Roommates and Suitemates

Students find very soon that they have things in common with their roommate and suitemates. Students find that they have differences as well. USM values community and respect. We encourage residents to talk about differences and if there are disagreements, to work issues out with roommates and suitemates whenever possible. If students require assistance or mediation, please contact a member of the residence life team.

HOUSEKEEPING

Residents are responsible for maintaining a clean living environment within their assigned living spaces. Cleaning supplies and toiletries are to be self-supplied by occupants of the room. All residential students are responsible for keeping common residential spaces neat and clean. Students may be charged for excessive cleaning in public areas as well as for rooms not properly cleaned.

HOUSING ASSIGNMENTS

As of Aug. 1, 2012, the University of Saint Mary is a two-year residential campus. Exceptions to this policy include the following: married students; students who reside with at least one parent or legal guardian in the primary residence of that parent or legal guardian; single parents; those who will be age 21 or over by Sept. 1 or veterans and active duty military. All requests for exceptions to this housing policy must be made in writing to the vice president for student life. Please see the Residence Life Office for current housing prices.

Students are responsible for a \$100 deposit forfeiture/contract cancellation fee if a housing contract is cancelled at or less than thirty (30) days before the start of classes.

The Residence Hall Contract is for the entire academic year (i.e., fall and spring semesters). Once a student takes occupancy, students may only be released from their housing contract, at semester, by the director of residence life (or designee) provided

the student notifies the Residence Life Office in writing (handwritten or email from the students USM email account) at least thirty (30) days before the start of class each semester on proof of one or more of the following occurrences:

- Status change—loss of eligibility, denial of admission, failure to attend, or withdrawal from the university;
- Psychological or medical—determination of an existence of a mental or physical condition that would effectively prevent the student from participating in the educational programs or activities of the university if required to live in a residence hall;
- Marriage—if the student becomes married after signing a housing contract;
- Graduation—contract is automatically terminated upon graduation.

Residence should review their housing contract for terms and conditions of the housing contract. Residents may obtain a copy of their housing contract by contacting the Student Life Office.

Living in the residence hall is a privilege not a right. The university may cancel the housing contract for the reasons stated above, for disciplinary, academic reasons, or if the university determines that the university or other students are at risk of harm or injury because of the student's continued presence in a residence hall. Any student whose housing contract is cancelled will vacate the hall according to the timetable set by the vice president for student life or designee (usually within twenty-four [24] hours). No fee adjustments will be made if a student is removed from a residence hall for disciplinary reasons.

All students living in university residence halls are required to sign a housing contract. Any housing outside of the contracted dates will incur nightly rates.

Students with questions regarding their housing contract or the procedure for pursuing a contract release should contact the Residence Life Office.

Roommate Assignment

The university establishes room/suite and roommate/suitemate assignment procedures and these procedures may change from time to time. Room assignments are made without regard to race or color, national origin or ancestry, disability or handicap, religion or creed, age, sexual orientation, veteran's status, or citizenship or intending citizenship status. As a Catholic institution, University of Saint Mary does not condone cohabitation between same sex or opposite sex couples and, as such, students of the opposite sex and same sex partners are not knowingly assigned rooms together.

A freshmen student will not be assigned a "private room" his or her first semester at USM.

Room Changes

The residence life team will inform residents concerning the procedures for a room change. A free room change week will be held the second (2nd) week of classes each semester. A resident is allowed one free room change an academic year. Room changes outside of room change week, if approved by residence life team, will incur a room change fee of \$75. Students with a problem or conflict with a roommate or a suitemate, which they are unable to resolve, should contact a residence life team member. Unauthorized room changes are subject to revocation or a fine or both, and those who have changed rooms may have to return to their original room assignments.

Roommate Departure

If a student's roommate moves out, there are three options. A resident may:

- If space permits, elect to retain the room as a single by paying the private room charge prorated as of the date the student began occupying the room as a private room (2nd semester freshmen or upper-class students only);
- Consolidate by moving to fill a vacancy elsewhere on campus;
- Be assigned another roommate in the original room or the room of the new assignment.

AFTER HOURS ASSISTANCE

Resident assistants are on duty from 6 p.m. to 8 a.m. daily and all day Saturday and Sunday while the university is open. If any problem arises, please contact the duty cell phone at (913) 306-0882.

COMMON AREAS

Common areas such as hallways, recreation rooms, lounges, restrooms, stairwells, and kitchens are an integral part of the community life. Keeping these areas clean and in good repair is both appreciated and necessary. Lounge furniture may not be removed from its location. All hallway and stairwell lights must remain illuminated while the hall is occupied for the safety of all residents.

FINALS WEEK

During finals week, special policies are in place (Quiet Week is established) to promote maximum studying during finals week. 23-Quiet Hours start when quiet hours begin the Friday night before finals and lasts through the end of finals. Noise heard one door down will result in automatic discipline under the university disciplinary policies. Quiet hours will be in effect twenty-three (23) hours each day. Relief hour will be nightly from 9-10 p.m. No alcohol is allowed in the halls during finals week. This policy also applies to those 21 years old or older.

FIRE SAFETY

The capacity of the electrical system in the residence halls is limited, and overloading these systems can present fire and safety hazards. Only a "power strip" approved by Underwriters Laboratories, Inc. (UL) that contains its own fuse may be used to obtain additional electrical outlets. The use of an electrical "octopus" (multiple head plugs) is strictly prohibited. The use of extension cords should be kept to a minimum and should never run under carpets or between room furniture. Extension cords must be grounded (three prongs). No household extension cords (2 prongs) are allowed in the residence halls.

Electrical appliances allowed in student rooms are as follows: computers, printers, small refrigerators (up to 2.5 cubic feet), popcorn poppers, coffee makers, irons, stereos, televisions, VCR's/DVD players, clocks, blow dryers, curling irons, and pressing combs.

The following items are not permitted in student rooms: open element appliances such as hot plates or toasters, George Foreman grills, broilers, space heaters, immersion heaters, toaster ovens, electric woks, kerosene heaters, sun lamps, outside antennae, rice cookers, griddles, or halogen lights of more than 300 watts as well as any halogen light that does not meet current UL approval that is equipped with a protective cover over the bulb. Non-compliant devices will be confiscated until the student can remove them from campus. The use of small appliances for cooking should be confined to the kitchens.

Devices using an open flame such as candles, camping stoves, grills, fondue pots, incense, hookahs, and gas lanterns are **not permitted** in or around the residence halls. Containers of flammable liquids or volatile toxic materials like gasoline or kerosene are **not permitted** in the residence halls.

Items, including furniture, may not interfere with access to room doors and windows.

Tampering with any university electrical equipment including breaker boxes and outlets or with electrical equipment of another resident is prohibited.

For fire evacuation information see the Fire Safety and Weather Procedures section of this handbook.

KITCHENS

Communal kitchens are located in Maria Hall for occasional cooking. These kitchens are neither equipped nor intended for any student's regular preparation of meals. Residents are responsible for providing their own cooking equipment and dishwashing

soap. It is the responsibility of the student to clean the kitchen and utensils following his/her use of the facility. Food placed in the refrigerators in the kitchens must be marked with a student's name and date. Unmarked food will be discarded. Dishes left in the sink unattended will be discarded. Kitchens are subject to closure if not kept clean.

LAUNDRY FACILITIES

Washers and dryers are located on the ground floor of Maria Hall and every floor in Berkel Hall. Laundry facilities are for the exclusive use of current residential students. Non-residents who utilize laundry facilities will be prohibited from visiting the halls. Laundry supplies should not be stored in laundry rooms.

All residents are expected to be courteous of other residents and remove laundry from machines in a timely manner. After 15 minutes of completion of cycle, laundry may be removed from a machine and placed on a clean surface so the machine can be used by another resident.

USM is not responsible for lost or stolen items. Residents are encouraged to supervise their laundry while washing and drying. A lost and found box is located in each laundry room. All lost items will be discarded at the end of the semester. Report any machine problems to residence life staff and include the nature of the problem and machine number.

LOCK-OUTS

If you are locked out of the hall or your room, please contact a residence life team member. Residents are given two (2) free lock-outs each year. Any lock out after that will result in a \$5 fee per lock-out. This includes access to the halls. Residents are not to prop doors or vandalize entrances to gain access to the building. Any student accessing the building by means other than scanning their ID card will be subject to the discipline process.

LOFTS

Students are not permitted to purchase or construct their own lofts in Maria Hall. Loft pieces are provided and must remain in the room with each bed in Berkel Hall.

MAIL

University mail addressed to resident students is delivered Mondays through Fridays. All residential students are given a USM mailbox. When a student moves, temporarily or permanently, he/she needs to provide the Residence Life Office a forwarding address for delivery of first class mail and periodicals. There are fees associated with replacement of lost keys or necessary mailbox unit lock changes.

MAINTENANCE

Maintenance requests or other room concerns (e.g., lights out, heating/cooling issues, problem with a key/lock, etc.) should be reported to residence life staff in a timely manner. For emergency maintenance concerns, please contact the residence life staff at ext. 6174 during office hours or 913-306-0882 after hours.

If repairs are not completed to your satisfaction (within one week for regular repairs or within one day for emergencies), notify the Residence Life Office at ext. 6174. Maintenance problems should be reported early and with as much detail as possible in order to avoid damage charges.

MEAL PLAN

All students living in campus residence halls must participate in the meal plan. The meal plan does not cover Thanksgiving, Christmas and spring recesses, and summer sessions. Credit is not given for meals not taken. Students who are absent from a meal because of a university-related activity or program or because of illness may receive a sack meal replacement by notifying

Dining Services. All freshmen are required to have the 20-meal plan. Upper classmen have the option of selecting the 14-meal plan. Any changes to the meal plan must be completed during the first two weeks of the semester.

OPENING AND CLOSING OF RESIDENCE HALLS

Rooms are rented for the academic school year, which is from the start of fall semester orientation to the twenty-four (24) hour period following the student's last scheduled examination in the spring, or the hall closing date as indicated in the student handbook. Thanksgiving, Christmas and spring recesses, and summer sessions are not included in the housing contract.

Break housing is available during Thanksgiving and Spring Break periods. Approval of break housing is at the discretion of the director of residence life. A nightly rate for break housing will be charged to the resident for the contract extension. No food service is available over breaks.

Rooms may be entered during each break by university staff to ensure the building is secure and to inspect for health and safety conditions. All visible policy violations will be documented and any illegal items and university, city, or state property may be confiscated.

Residents are required to move out of the residence halls no later than twenty-four (24) hours after their last scheduled exam (or at the final hall closing time, whichever comes first). Students invited by the vice president for academic affairs to assist with graduation exercises should contact the Residence Life Office.

Summer housing is available to any continuing student who has signed a housing contract for the following academic year. Approval of summer housing occupancy is at the discretion of the director of residence life. Residence will be required to relocate to designated summer housing rooms.

RESIDENCE HALL STAFF

The residence life team consists of the director of residence life (DRL), the assistant director of residence life (ADRL), and residence life graduate assistant (GA) hall directors and resident assistants (RA). Guided by the DRL, the residence life team assumes overall responsibility for coordination of the housing environment with all other branches of the university community. They are responsible for ensuring that the environment is conducive and complimentary to student's personal, academic, and social development.

Resident Assistants

Resident assistants (RAs) are undergraduate members of the campus community who are responsible for supporting students on their respective residence hall floors. RAs exist to answer questions about the university, explain and enforce housing policies, refer residents to the appropriate office or staff member, and to provide programming to educate and engage the residential population at the University of Saint Mary.

Facilities Staff

The facilities department employs full-time maintenance technicians to maintain university assets including residence halls. Maintenance technicians may enter residents' rooms to perform routine repairs or improvements during regular university business hours. Maintenance technicians will not be on residential floors before 10 a.m. unless there is an emergency.

ROOM ENTRY

All residence hall rooms are the property of the university and under its custody and control. Accordingly, all rooms are subject to entry by authorized staff with reasonable cause. Access may be made to unlock a bathroom door for a suitemate, to switch a breaker, to shut off a noise originating for a room, to inspect for a believed policy violation, to determine a resident's safety, maintenance concerns, or any other reasonable need.

ROOM KEYS

Residents are issued a room key and a student ID card that will enable them to access their residence hall. Room keys and ID cards remain the property of the university and may not be duplicated or modified in any way. For safety reasons, please immediately notify residence life or public safety when you lose/misplace your ID card or keys. Lost keys will result in a lock change and a corresponding charge.

SUMMER HOUSING

If students are interested on living on campus during the summer they must contact the Residence Life Office during the preceding Spring Semester. Students rent a room only. Approval for summer housing is at the approval of the director of residence life as space permits. Priority for living space is given to international students and to students participating in summer internships for credit.

TELEPHONES

Student rooms are not equipped with telephones but can be requested within the first two weeks of a semester by contacting residence life at ext. 6174. If your phone is installed as requested and you unplug it, it will be removed.

UNIT CONDITION REPORTS

The Residence Life Office uses the Unit Condition Report (UCR) form to record any damages and to determine any charges when residents check out of their rooms. Residents should take special care to complete a detailed description of their room's condition prior to occupancy to protect against inappropriate damage charges when they move out. Residents are responsible for returning their UCR within 24-hours of moving into a room. Changes may be made to the UCR up to 48 hours after moving into a room. If a UCR is missing or incomplete, the Residence Life Office will assume the room was in perfect condition at the time of check-in, absent convincing evidence to the contrary. Residents will receive a check-in copy of their UCR and another upon check-out as record of condition.

RESIDENCE HALL POLICIES

The following policies as well as ALL policies and regulations listed under the "Non-Academic University Policies and Procedures for All Students" Section of this Student Handbook apply to the residence halls, its residents, and its guests.

ALCOHOL

Maria Hall

Students who reside in Maria Hall are not permitted to have alcohol. Maria Hall is a completely dry facility. Even students 21 years of age and older are not permitted to have alcohol beverages. Please note that alcohol and empty alcohol containers are not permitted anywhere in the residence hall. Discovery of such items will lead to sanctioning of the individual and in some cases, of the floor or hall community.

Berkel Hall

The university, in certain situations, extends to students who are 21 years of age or older the privilege to possess and use alcoholic beverages on campus. Consumption of alcoholic beverages on university property is a privilege that can be and is limited. The privilege can be retained by appropriate behavior and responsible consumption or withdrawn at the discretion of the university. If a student chooses to share a suite with a student who is under the legal drinking age, the entire suite must be

alcohol-free until all parties are of legal age and both parties consent to the use of alcohol in the room. This policy applies to tenants in 4-person suites as well as those in 2-person suites.

Students who are 21 years of age or older may responsibly consume alcoholic beverages in the privacy of their suites or the suites of others of legal age with the permission of all residents of that dwelling. Each person in the dwelling must be 21 years of age, whether he or she are consuming alcohol or not. The alcohol within the room must be for the personal consumption of the residents and their guests. Only current University of Saint Mary residential students 21 years and older may bring alcohol into the residence halls.

Beer “bongs,” beer pong tables or other binge drinking/drinking game items are not allowed in residence hall rooms, no matter what the age of the student;

DAMAGE

The university holds the occupants of the room financially responsible for any damage to their assigned space. This includes, but is not limited to, wall marks and door marks, especially from tape of any kind. When a student moves out of a room and there are damaged or missing items, the Residence Life Office assesses the cost or repair or replacement and notify the student of charges (See Appendix A). If unreported damage occurs in public areas, a floor or an entire hall may be assessed a charge. It is the entire hall's responsibility to care for and maintain their residence.

DECORATIONS

Although the Residence Life Office appreciates and encourages the expression of individuality in room decorating, university-supplied furniture may not be removed from individual student rooms. Furniture that is attached to a wall or floor may not be moved or removed under any circumstances. Waterbeds are not permitted in resident rooms because of structural concerns and the potential for serious damage from water leakage.

Concern for the safety of residents and guests and damage to residents' personal and University property requires the following guidelines for decorating rooms:

- Alcoholic beverage containers are not acceptable for decorative purposes in residence hall rooms no matter what the age of the student. Residents may not have collections of cans, bottles, or containers;
- Residents are not permitted to hang items from the ceiling, including string lights, posters and similar items;
- Double-sided carpet tape must not be used;
- Residents are not permitted to put nails, screws, or hooks into woodwork, walls, or ceilings;
- The outside of room doors and windows are visible to all members of the community, and as such, decorations should be kept to a minimum. Residents will be asked to remove any materials that place the residents in violation of university policy, the law or are in poor taste. The residence life team may enter rooms and remove such items with or without the permission of the resident;
- Decals, bumper stickers, and contact paper may not be affixed to university property;
- It is recommended that masking tape be used to hang posters and pictures. Sticky-tack putty can cause significant paint damage and should not be used. Reusable release hooks can be used, but students are responsible for any damaged they cause;
- The use of dartboards in rooms often leads to damage to the room and injury to persons and therefore is not permitted;
- Live Christmas trees are not permitted in student rooms or common areas of the floors because they create a fire hazard. Christmas lights must be UL approved for indoor use and should be plugged in only when resident(s) are present;

For questions regarding the appropriateness of decorations, please contact a member of the residence life team.

ELEVATORS

Elevators are provided as an amenity in the halls and residents are expected to use the elevators appropriately. Residents should not hold the door open for an extended period of time causing the alarm to go off. The emergency alarm and call button in the elevator are to be used during emergency situations only. Inappropriate activities include writing, jumping, rough housing, yelling, urinating, disposing of trash and banging around in the elevator. Residents will be held responsible for any damage caused to the elevator and misuse will result in the elevator being taken out of service.

GUEST POLICY

All guests to the residence hall must be escorted by the host resident at all times when on resident occupied floors in the residence halls. Escorting a guest means walking the guest from room to room, from floor to floor. When entering the residence hall, an unescorted guest must enter through the main lobby entrance of the hall and call his/her escort on one of the house telephones located in the main lobby. Residents must sign-in guests by calling the on-duty cell phone number: (913) 306-0882. The host's name, room number, name of guest(s), time in and time out, and date must be provided. Escorting is to begin and end in the main lobby or at the outside entrance of the residence hall. All visitors to the residence halls must present identification upon request and comply with university policies.

Overnight Guests

Residents may have guests visit them in the residence hall permitted the guest complies with all hall policies.

All overnight guests must be registered with the RA on duty. Residents are required to register their guests beginning at 10 p.m. Guests of the same sex as the University of Saint Mary resident may stay in the resident's room for a maximum of three (3) consecutive nights per individual guest per semester for a total of six (6) nights per semester for all guests of that student. Family members of the opposite sex may stay in a resident's room with the permission of the other roommate in that room. Additional nights may be requested in writing to the director of residence life. The director of residence life has final approval. Guests must be escorted at all times. Residents are responsible for the behavior of their guests.

As a Catholic institution, University of Saint Mary does not condone cohabitation between same sex or opposite sex couples.

LANGUAGE

Out of respect for all students and staff, residents should use appropriate language while in the halls. Swearing, vulgar, offensive, and/or inappropriate language is not acceptable in a community environment. While in a resident's room, voices should be kept to an acceptable level.

PAINTING

Students may not paint their rooms.

PETS

Students are not allowed to have pets or any other animals, except freshwater fish, in the residence halls. Fish tank capacity must not exceed ten (10) gallons. During Christmas break, everything in the room, including fish tanks, must be unplugged. If this will create a problem, arrangements should be made ahead of time to remove the fish. The university is not liable for injury or death of any fish in the residence halls. Please see the Residence Life Office with any questions.

QUIET HOURS

Quiet hours will be 10 p.m. to 10 a.m. from Sunday evening through Friday morning and from midnight to 11 a.m. Saturday and Sunday mornings. Courtesy hours are in effect at all times, and residents are expected to be aware that their actions and

behaviors do affect other community residents. Noise levels are the shared responsibility of all campus residents. The right to quiet will take precedence over the right to noise.

It should be understood that the prime responsibility for the enforcement of quiet and courtesy hours rests with the residents themselves by respecting the rights of others. The residence life team will enforce quiet and courtesy hours when necessary.

Sound equipment such as stereos, radios, televisions, head phones, phones and computers may be played or engaged as long as it does not infringe upon the rights of others. Subwoofers are not allowed in the residence halls. If a noise problem is caused by repeated use of sound equipment, the equipment may be confiscated until time the residents can remove the equipment from campus. Under no circumstances may speakers be placed so that music is played out windows.

Noise coming from the exterior of the halls (car stereos, yelling, etc.) that interferes with the residence halls will be referred to public safety and handled through the campus discipline process.

Courtesy hours are always in effect. Courtesy hours protect all resident's right to a comfortable environment free from undue disturbance. Residents and guests should refrain from create noise of an unacceptable level, such as yelling, screaming, cheering, loud music, loud TV noise or any other sound that creates a disturbance for others in the community.

ROOFS, LEDGES, WINDOWS, AND ATTICS

Roofs, ledges, windows, and attics of all buildings are off limits. Window screens are not to be removed or tampered with, and windows may not be used to enter or leave the building. Students who damage or remove window screens will be assessed a replacement charge. Throwing or dropping an object from a window or roof of a residence hall is prohibited.

SOLICITATION POLICY

Solicitors are not permitted in the residence halls. If any student should see anyone soliciting goods or services, please report the incident immediately to a residence life team member or to public safety.

SPORTS ACTIVITIES

Activities such as skateboarding, riding a scooter, water balloons or fights, water guns, bike riding, throwing Frisbees, playing hacky-sack, throwing, bouncing, hitting or kicking balls, golf, and similar recreational or sport related activities are not permitted in the residence halls. Special care should be taken when engaging in these kinds of activities (as permitted by campus policy) adjacent to any campus building.

VISITATION POLICY

All residents are given the privilege of having guests visit with them in their residence hall room during certain designated hours. Guests are considered those individuals not residing in the building they are entering, especially non-students and any person of the opposite sex. The designated visitation hours for all guests are:

Monday morning - Friday morning, 10 a.m. – midnight
Friday morning - Sunday morning, 10 a.m. – 2 a.m.

Male residents/guests may not be on a female floor outside of visitation hours. Female residents/guests may not be on a male floor outside of visitation hours.

Commuter students are considered guests of the residence halls. Commuter students should follow all visitation policies, including being escorted and signing in.

The university reserves the right for any university staff member, including any administrator, faculty, residence life staff, public safety staff or other professional staff, or the staff of a contractor of the university acting in the performance of their duties and

within the scope of their authority to refuse entry to non-residents or require them to leave the premises when that person's behavior is contrary to the goals and objectives of the residence hall environment. Failure to comply with the directive of any university staff member, including any administrator, faculty, residence life staff, public safety staff or other professional staff, or the staff of a contractor of the university acting in the performance of their duties and within the scope of their authority may be reason to contact the local police department.

Students with guests will be held responsible for the actions of their guests and will be personally subject to discipline and sanctions.

Grievance Complaint Procedures

The University of Saint Mary is committed to resolving student discrimination, harassment and/or retaliation complaints on the basis of sex (including pregnancy, sexual harassment, sexual assault and/or sexual violence) in a timely and effective manner and providing prompt corrective action if complaint is believed to have occurred. The grievance complaint process is intended to provide effective resolution for such complaints.

Students are eligible to utilize these procedures.

Who may utilize the Grievance Complaint Procedures?

Any individual claiming a student was the subject of discrimination, harassment and/or retaliation on the basis of sex (including pregnancy, sexual harassment, sexual assault and/or sexual violence) from a student, employee or third party of the University of Saint Mary may initiate the grievance complaint process by contacting any one of the following:

Title IX Coordinator
Mead 200
Leavenworth Campus
913.758.4359
hr@stmary.edu

Online Report of Concern
<http://www.stmary.edu/Student-Life/Campus-Safety.aspx>

Campus Security
913-758-4346
On campus: ext. 6446
24-hour cell: 913-683-5201
security@stmary.edu

Regardless of whether a harassed individual files a complaint under these procedures or otherwise requests action on the person's behalf, if the University knows, or reasonably knows, about possible harassment the University will promptly investigate to determine what occurred and take appropriate actions to resolve the situation.

Grievance Complaint Resolution Actions

The process for resolving grievance complaints may include some or all of the following actions: informal inquiry and discussion, mediation (except in cases of sexual assault or violence), disciplinary action, or other appropriate action. If the subject matter or issue of the complaint does not fall within the jurisdiction of this policy, the Title IX Coordinator will advise the complainant of other available procedures.

If the complainant is comfortable doing so, he or she may bring the concerns (except in the case of sexual assault or violence) to the attention of the person responsible for the behavior or action. In many cases, individuals will take appropriate corrective action when they are made aware of how their actions or behaviors are being perceived. Complainants who choose not to address the behavior directly on their own or through other informal processes may seek the assistance of the Title IX Coordinator. It may be necessary to end the informal process at any time in order to begin the formal stage of the complaint process.

Who must report?

An individual who believes that a student has been the subject of sexual discrimination, harassment and/or retaliation complaints on the basis of sex (including pregnancy, sexual harassment, sexual assault and/or sexual violence) by a student, employee or third party of the University of Saint Mary or who has reason to believe that said discrimination, harassment and/or retaliation may have occurred, should contact the Title IX Coordinator or Campus Security to initiate the filing of a grievance complaint.

Complainants are encouraged to file their complaint promptly.

Grievance Complaint

A verbal or written grievance complaint should include the following, to the extent known and available:

- Name and contact information (address, telephone, e-mail) for the complainant;
- Name of person(s) directly responsible for the alleged discrimination or retaliation;
- Date(s), time(s), and place(s) of the alleged violation(s);
- Nature of the alleged violation(s); i.e. discrimination, harassment, retaliation;
- Detailed description of the specific conduct that is the basis of the alleged violation(s);
- Copies of any documents or other tangible items pertaining to the alleged violation(s);
- Names and contact information for any witnesses to the alleged violation(s);
- Any other relevant information.

Upon receiving a grievance complaint, the Title IX Coordinator will provide the complainant with an acknowledgement of receipt within fourteen (14) working days.

Grievance Complaint Evaluation

Upon receiving a grievance complaint, or learning of possible sexual harassment, discrimination and/or retaliation, the Title IX Coordinator shall conduct an initial evaluation of the merits of the complaint and determine the appropriate investigatory action required.

Complainants and other individuals bringing reports of sexual discrimination or sexual misconduct shall be informed about the range of possible outcomes of the report, including interim protections, remedies for the individual harmed by the sexual discrimination or sexual misconduct, and disciplinary actions that might be taken against the accused as a result of the report, including information about the procedures leading to such outcomes.

Investigation

In response to reports of sexual discrimination, harassment and/or retaliation where the complainant does not wish to engage in informal resolution, where informal resolution is not appropriate, or in cases where attempts at informal resolution are unsuccessful, the Title IX Coordinator may conduct a formal investigation. In such cases, the individual making the report shall be encouraged to file a written grievance complaint. In cases where there is no written grievance complaint, such as situations that involve a third party complaint, the Title IX Coordinator, may initiate an investigation after making a preliminary inquiry into the facts, and will inform the person(s) who were allegedly harmed by sexual discrimination or misconduct of the decision to initiate an investigation. Investigator(s) assigned to conduct an investigation will be impartial.

A copy of these procedures will be provided to all individuals involved in the grievance complaint.

Investigation Timeframe

The University will strive to complete grievance complaint investigations, including issuance of a report of findings to the complainant and respondent, in as timely and efficient a manner as possible within sixty (60) days of receipt of a complaint. However, this timeframe may be extended based on factors such as, but not limited to, schedule and availability of witnesses, holidays or semester breaks including summer break, and complexity of the complaint. If an investigation cannot be completed within sixty (60) days of receipt of the grievance complaint, then the investigator(s) will notify the complainant and respondent of that fact and provide a timeframe for completing the investigation.

Investigation Procedure

The investigation will include the following steps:

- **Contact with Complainant.** The University will inform and obtain consent from the complainant (or the complainant's parents if the complainant is under 18 and does not attend a postsecondary institution) before beginning an investigation. If the complainant requests confidentiality or asks the complaint not be pursued, the University will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a complainant insists that his or her name or other identifiable information not be disclosed, the ability to respond to the complaint may be limited.

If the investigator did not speak with the complainant at the time a grievance complaint was received by the University, then the investigator will meet or speak with the complainant at the start of the investigation.

The investigator will meet or speak with the complainant at the start of the investigation and throughout the investigation as appropriate.

The University will not require a student victim filing a complaint with the Title IX Coordinator or Campus Security to sign a "no-contact" order on the sole basis that the student filed a complaint.

- **Notice to Respondent.** The respondent will be provided with a statement of the grievance complaint. The respondent will be provided an opportunity to meet with the investigator(s) investigating the complaint and to respond to the allegation. Respondents may respond in person or in writing within a reasonable time to be determined by the investigator. If a respondent chooses not to participate or refuses to answer a complaint, his/her nonparticipation will not prevent the investigation from proceeding and could result in a finding based solely on the information provided by the complainant.

The investigator will meet or speak with the respondent at the start of the investigation and throughout the investigation as appropriate.

The University may at any point in the complaint process elect to place the respondent on investigative leave, reassignment, suspension, or authorize other types of temporary measures while an investigation is pending, including but not limited to "no contact" provisions.

- **Notice regarding Retaliation.** All parties to a complaint (complainant, respondent, witnesses, and appropriate administrators or supervisors) will be informed that retaliation by an individual or his/her associates against any person who files a complaint or any person who participates in the investigation of a complaint is prohibited. Individuals who engage in retaliation are subject to

disciplinary action. Individuals who feel they are being retaliated against as a result of their filing a complaint or participating in an investigation will be expected to notify the Title IX Coordinator or Campus Security immediately.

- **Representation.** In any meeting with the investigator(s), the parties to the complaint will not generally bring a representative to the meeting. If a representative is allowed, both parties (i.e., complainant and respondent) will be equally afforded this opportunity.
- **Information relevant to Investigation.** The parties to a complaint (complainant and respondent) will be informed that they have the opportunity to identify witnesses, present witness statements, and any other evidence they believe relevant to resolution of the complaint. The investigator will interview other persons whom the investigator, in his/her discretion, determines to be necessary to gather relevant information. The investigator will review any written materials, e-mails or other media that, as determined by the investigator in his/her discretion, may provide relevant information regarding the complaint.
- **Findings of Investigation.** The investigator(s) will provide a written summary of their findings to the respondent and the complainant within fourteen (14) calendar days following the conclusion of the investigation. The findings will be based on a preponderance (e.g., more likely than not) of evidence. It may be necessary to notify additional internal and/or external department(s), office(s) or agency(s) with these findings, as required by policy or law.

Should the findings of the investigation find any discrimination, harassment and/or retaliation complaints on the basis of sex (including pregnancy, sexual harassment, sexual assault and/or sexual violence) has occurred, appropriate steps to prevent recurrence will be taken. These steps may include, but is not limited to; educational programs, counseling/coaching, mediation, remedies for the complainant, and a referral for disciplinary or corrective actions for certain individual(s) as appropriate.

- **Appeals**
 - **Respondent, Finding of Discrimination, Harassment and/or Retaliation with Imposition of Discipline.** If formal disciplinary action is imposed as a result of a finding of violation of the University's policies prohibiting sexual discrimination, harassment and/or retaliation, then a respondent may request an appeal within fourteen (14) calendar days of the date of the notice.
 - **Complainant.** If the complainant believes that the Title IX Coordinator's investigation findings concluding that there was no sexual discrimination, harassment and/or retaliation is in error, then the complainant may appeal that conclusion within fourteen (14) calendar days of the date of the notice of the investigator's findings.

The request for an appeal must be a signed, written document articulating why the investigator's findings of sexual discrimination, harassment and/or retaliation are erroneous. The appeal must be submitted to the Title IX Coordinator. The Title IX Coordinator will bring the appeal forward to an Administrative Council member who is an impartial decision maker without any conflicts of interest between the complainant or respondent. The Administrative Council member will review the appeal request and the investigation, as necessary. The Administrative Council member may interview the complainant and/or respondent in order to obtain any additional information necessary to make a determination. An appeal determination will be made within twenty-one (21) working days of receipt of the appeal. The determination on appeal will constitute final action and there will be no further appeal within the University.

Closure of a Complaint without Investigation

The University may not proceed with a complaint investigation under a variety of circumstances, for instance:

- A complainant, even after contact and follow up with an investigator, fails to describe in sufficient detail the conduct that is the basis of the complaint;
- The conduct alleged in the complaint is not covered by this policy;
- The complainant refuses to cooperate with the University's investigation;

If it is determined that the University will not proceed with investigation of a complaint, the Title IX Coordinator will notify the complainant (if not anonymous) in writing explaining the reasons why the complaint is not being investigated. The notification letter will include a statement notifying the complainant that he or she may appeal the determination not to proceed with an investigation of the complaint to the Title IX Coordinator within fourteen (14) calendar days of the notice. The request for an appeal must be a signed, written document articulating why the decision to administratively close the complaint without an investigation was in error. The Title IX Coordinator will respond to the request for appeal within fourteen (14) calendar days of receipt of the appeal. If the decision to administratively close the complaint without an investigation is upheld, then that decision will constitute final agency action and there is no further appeal within the University. If the decision to administratively close the complaint without an investigation is overturned, the complaint will be sent back for investigation in accordance with this procedure.

Extensions of Time

The Title IX Coordinator will make every reasonable attempt to adhere to the time limits set forth in these procedures. However, it is recognized that circumstances may necessitate an extension of time. Therefore, the Title IX Coordinator may extend the time limits set forth in these procedures.

Retaliation

Retaliation against an person(s) who files a grievance complaint or person(s) who participate in an investigation of a complaint, whether by an individual directly involved or by his/her associates, is a violation of law and University policy. Complainants who utilize these procedures or persons who participate in an investigation of a complaint should not be subjected to retaliation. Retaliation may take the form of unwanted personal contact from the respondent or giving additional assignments that are not assigned to others in similar situations, poor grades or unreasonable course assignments. Phone calls, e-mail or other attempts to discuss the complaint may be perceived as retaliation under certain circumstances. Disciplinary action, harassment, unsupported evaluations, or other adverse changes in the conditions of employment or the educational environment may also constitute retaliation. Retaliation will not be tolerated and could result in suspension, reassignment, salary reduction, termination, expulsion or other disciplinary action.

Abuse of the Grievance Complaint Resolution Process

The University takes all complaints seriously. However, knowingly filing a false complaint is considered serious misconduct and is also subject to disciplinary action.

Confidentiality

The University will take all precautions feasible to preserve the confidentiality of those involved in an investigation. Complainants, respondents, witnesses, and any other parties involved in a complaint of discrimination shall refrain from disclosing information about a complaint of discrimination, harassment and/or retaliation to anyone who does not have a legitimate, business need or right to know. Such

disclosures are inappropriate and unprofessional and may result in disciplinary action. The foregoing does not preclude either party from seeking the advice or counsel of a spouse, counselor, attorney, or other person in a similar role.

Under conditions of imminent harm to an individual and/or community, the University is required by federal law to inform others, as appropriate. In addition, the University cannot control confidentiality violations by other individuals who may be involved in the investigation.

The report may be used as evidence in other related procedures, such as subsequent complaints, grievances and/or disciplinary actions.

State and Federal Reporting of Discrimination

Employment discrimination complaints may be filed with the Equal Employment Opportunity Commission or the Kansas Human Rights Commission.

Students may file discrimination complaints through the Office of Civil Rights in the U. S. Department of Education or the Kansas Human Rights Commission.

Right to File a Criminal Complaint

Complainants have the right to file a criminal complaint during any point of the internal investigation. The filing of a criminal complaint will not generally delay the investigation process. However, a delay may be necessary while police are gathering evidence. Should a delay be necessary, the complainant and respondent will be promptly notified.

It may be necessary to implement appropriate interim steps during the law enforcement agency's investigation period to provide for the safety of an individual(s) and the community and the avoidance of retaliation.

Definitions

- **Sex Discrimination:** Behavior or action that denies or limits a person's ability to benefit from, fully participate in educational programs or activities or employment opportunities because of a person's sex. Examples of the types of discrimination that are covered under Title IX include, but are not limited to, sexual misconduct, sexual harassment, sexual violence, sexual assault, failure to provide equal opportunity in educational programs and co-curricular programs including athletics, discrimination based on pregnancy, and employment discrimination.
- **Sexual Assault:** Intentional sexual contact, characterized by the use of force, physical threat or abuse of authority, or when the victim does not or cannot consent. Consent should not be deemed or construed to mean the failure by the victim to offer physical resistance.
- **Sexual Harassment:** A range of behaviors including physical contact, advances, and comments in person, through an intermediary, and/or via phone, text message, email, social media, or other electronic medium, that is unwelcome; based on sex or gender stereotypes; and is so severe, pervasive and objectively offensive that it has the purpose or effect of substantially interfering with a person's academic performance, employment or equal opportunity to participate in or benefit from University programs or activities or by creating an intimidating, hostile or offensive working or educational environment. Sexual Harassment may include but is not limited to:

- (1) unwelcome efforts to develop a romantic or sexual relationship;

- (2) unwelcome commentary about an individual's body or sexual activities;
 - (3) threatening to engage in the commission of an unwelcome sexual act with another person;
 - (4) stalking or cyberstalking;
 - (5) engaging in indecent exposure; voyeurism, or other invasion of personal privacy;
 - (6) unwelcome physical touching or closeness;
 - (7) unwelcome jokes or teasing of a sexual nature or based upon gender or sex stereotypes; and
 - (8) sexual violence, as defined below.
- **Sexual Misconduct:** A range of behaviors including sexual harassment, sexual violence and sexual assault. Includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that (a) is sufficiently severe, persistent, or pervasive to limit a student's ability to participate in or benefit from an education program or to create a hostile or abusive educational environment, or (b) explicitly or implicitly affects an individual's employment, unreasonably interferes with an individual's work performance, or creates an intimidating, hostile, or offensive work environment.
 - **Sexual Violence:** Any physical act which is sexual in nature that is committed by force or without the full and informed consent of all persons involved. Sexual violence may include but is not limited to rape, sexual assault, sexual battery, and sexual exploitation. Sexual violence can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual violence can be committed by men or by women, and it can occur between people of the same or different sex.