
The University of Saint Mary

Student Handbook 2017 – 2018

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University Student Handbook Notice

The policies and procedures in this Student Handbook are subject to review and revision annually. Amendments can be also made during the academic year, at the University's discretion, and 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.

The Student Handbook is not a contract and should not be construed as such. Rather, it is intended as a reference point for students regarding the various issues related to their attendance at the University.

Institutional, academic, and student life policies and procedures are covered in the University of Saint Mary Catalog, the Student Handbook, and the Faculty Handbook. Persons wishing to express concerns regarding the University of Saint Mary should contact:

Provost and Academic Vice President
University of Saint Mary
4100 South 4th Street
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Alcohol and Other Drug (AOD) 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. The University of Saint Mary 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. The University of Saint Mary 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. A conviction for driving under the influence of drugs or alcohol can also result in fines in excess of \$500, community service, mandatory treatment programs, license revocation, and/or 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 substantial fines.

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 laws regulating drugs and controlled substances. Under federal law, illegal possession of a controlled substance can result in a fine of at least \$1,000 and up to one year imprisonment for a first offense. Penalties increase when an offender has been convicted of prior drug-related offenses. Illegal possession of a controlled substance can also result in the forfeiture of property, civil fines, and the loss of federal benefits. Trafficking controlled substances can also lead to substantial fines and lengthy prison sentences, including life in prison. Conviction for violation of federal drug laws may also 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 Campus Safety and Security.

Health Risks

Abuse of alcohol and use of drugs is harmful to one's physical, mental and social well-being. Accidents and injuries are more likely to occur if alcohol and drugs are used. Alcohol and drug users can lose resistance to disease and destroy their health. Tolerance and psychological dependence can develop after sustained use of drugs.

Alcoholism is the number one drug problem in the United States. Alcoholism takes a toll on personal finances, health, social relationships and families. It can have significant legal consequences. Abuse of alcohol or use of drugs may cause an individual driving a motor vehicle to injure others and may subject the abuser to criminal prosecution. Drunk drivers are responsible for more than half of all traffic fatalities.

More specifically, the major categories of drugs are listed below and include the significant health risks of each.

AMPHETAMINES - Physical dependency, heart problems, infections, malnutrition and death may result from continued high doses of amphetamines.

NARCOTICS - Chronic use of narcotics can cause lung damage, convulsions, respiratory paralysis and death.

DEPRESSANTS - These drugs, such as tranquilizers and alcohol, can produce slowed reactions, slowed heart rate, damage to liver and heart, respiratory arrest, convulsions and accidental overdoses.

HALLUCINOGENS - may cause psychosis, convulsions, coma and psychological dependency.
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 dean of students or designee prior to the event. Alcohol for such events must be served and distributed by a third party vendor. University Saint Mary 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 dean of students or president. 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

The 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...)
- Saliva divinorum, in any form
- Bath salts
- Opium
- Hallucinogens
- Amphetamines
- Methamphetamines
- Barbiturates
- Cocaine / Crack
- Prescription medications illegally obtained (either unlabeled prescription bottles or name on the bottle does not match student's name).
- Any other types of drugs that are used for their unintended purposes "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 Student Conduct 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 themselves out 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 the University of Saint Mary does 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 the University of Saint Mary.

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 dean of students, 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

Violations of the AOD Policy will be addressed pursuant to the Student Conduct Disciplinary Procedures. Along with any other appropriate sanctions, 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 University of Saint Mary environment, smoking, the use of smokeless tobacco or simulated smoking products is not permitted in any university building. This also includes “spit bottles.” Smoking, the use of smokeless tobacco or simulated smoking products 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 of Saint Mary also has a designated smoking area underneath the patio walkway between Saint Joseph Dining Hall and Berchmans.

The university does not allow tobacco use or simulated smoking products 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 policy will result in university Student Conduct Disciplinary Procedures.

Babysitting

The University of Saint Mary does not offer babysitting services and babysitting is not permitted on campus. The University of 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 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 department is staffed 24 hours a day, seven days a week. The officers are not commissioned law enforcement officers. The Jeanne Clery Disclosure of Campus Policy and Campus Crime Statistics Act (Clery Act) requires the University to disclose campus crime statistics, security policies, emergency response and evacuation procedures, and procedures for handling complaints of sexual offenses. The primary purpose of the Clery Act is to make campuses safer by ensuring 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 Clery Act, the university President, Vice President for Finance and Administrative Services, the Dean of Students, the Director of Campus Safety and the Assistant Director of Facilities are designated responsible for campus security and are charged with the responsibilities of developing, administering, and updating procedures to comply with the Clery Act.

Campus Safety and Security works towards maintaining a safe living and learning environment. Campus Safety and Security 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.

The Campus Safety and Security Department is not a guarantor of the safety of students and their property at Saint Mary. Campus safety and security 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 Campus Safety and Security Department is located on the ground floor of Berchmans Hall in Berchmans 012. The Director of Safety and Security's office is located on the first floor of Saint Mary Hall. The Campus 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.

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 campus safety and security cell phone at (913) 683-5201 immediately.

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

Campus safety and security officers or members of the University of Saint Mary community designated as campus security authorities who are informed of the commission of a serious crime such as outlined in the Annual Security Report are required to report the information to the department of campus safety and security for entry into the Annual Security Report. Reports concerning campus crimes become part of the crime

statistics for USM, which are published annually by the department of campus safety and security in the Annual Security Report.

Campus security authorities include, but are not limited to:

- all members of the campus safety and security department
- University of Saint Mary executive staff
- all members of the student life department
- athletic director and all coaches

Annual Distribution of the Annual Security Report

This procedure is intended to comply with the Clery Act and its regulations and guidance.

- Current Students and Employees – The Director of Campus Safety and Security, 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 also located on the University's website at <http://www.stmary.edu/Files/Public-Safety-Support-Docs/AnnualSecurityFireSafetyReport.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.

Student Complaints

General Complaint Policy

University of Saint Mary provides various means by which student complaints and concerns may be addressed. In all cases, students are encouraged to put their concerns in writing and carefully document the events that led to the complaints. All complaints, concerns, and suggestions made by students will be addressed in order to resolve the situation and improve the quality of the educational programs at the institution. No retribution against any individual complainant is permitted.

Complaint Procedure

Whenever possible, students are encouraged to seek an informal resolution of the matter directly with faculty or individual(s) involved. Often a complaint can be resolved in this way. However, if an informal approach is neither successful nor appropriate, the student should use the following procedure:

1. For general complaints, you may file a report online at https://publicdocs.maxient.com/reportingform.php?UnivofSaintMary&layout_id=6.
2. For complaints related to the disability accommodation process, refer to the ADA/Section 504 Policy, contact the director of the ARC, and file a report online at https://publicdocs.maxient.com/reportingform.php?UnivofSaintMary&layout_id=7.
3. For complaints of academic dishonesty, refer to the Student Conduct Disciplinary Procedures and file a report online at https://publicdocs.maxient.com/reportingform.php?UnivofSaintMary&layout_id=8.
4. For all other complaints of an academic nature, please reference the Academic Catalog.
5. For complaints related to Non-Academic Policies (e.g., conduct and behavior issues), refer to the Student Conduct Disciplinary Procedures found within the Non-Academic University Policies and Procedures for All Students section of this handbook.
6. For complaints related to Title IX, including sex discrimination, sexual harassment, and sexual violence, please refer to the Title IX Policy of this handbook, and file a report online at https://publicdocs.maxient.com/reportingform.php?UnivofSaintMary&layout_id=90.

Policy and Grievance Complaint Procedure

If you do not believe that any of the above are applicable to the nature of your complaint, you may contact the Dean of Students, first floor of Saint Mary Hall. The Dean, or their designees, will work with you to resolve the issue (or direct you to the appropriate policy and/or person that will be responsible for resolving your complaint). The resolution process may include informal discussions and interviews with the relevant parties. The Dean of Students will make a determination and issue a written statement to you regarding the resolution of your complaint. You may appeal the determination by filing a written appeal to the President of the University within five (5) working days of receiving the determination. The President's decision is final and you will be informed of it in writing.

You may also file a complaint with Higher Learning Commission (HLC), the University Saint Mary's accrediting organization. HLC has established a clear distinction between individual grievances and complaints that appear to involve broad institutional practices, and therefore you are encouraged to try and resolve your individual grievances using the University's procedures. If you do wish to make a complaint with HLC, relevant information can be found at <https://www.ncahlc.org/HLC-Institutions/complaints.html>.

Computer Usage, Email, & Social Media 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 the University of Saint Mary 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.

Violation of these policies will be governed by the University's Student Conduct Disciplinary Procedures.

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 Gmail, 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:

- Any use that infringes upon the intellectual property rights of others. This includes 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, 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.
- Any use that interferes with the proper functioning of the University’s information technology resources.
- Any use that interferes with the ability of others to make use of the University’s computer and electronic media resources.

It is against University of Saint Mary policy to use electronic media, such as voicemail, electronic mail, internet, or other means of electronic communications to send harassing, annoying, or 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.

Social Media Policy

The purpose of this policy is to provide guidelines to students regarding their use of social media. Social media are internet-based platforms that are highly accessible to others where individuals can generate content and engage in social interactions. Social media platforms are constantly evolving and include, but are not limited to, Twitter, Facebook, blogs, Snapchat, Instagram, YouTube, LinkedIn, etc.

Students at the University of Saint Mary are expected to adhere to the following social media guidelines:

- Use common sense. Remember that little, if anything, is private when posted on social media and you are ultimately responsible for what you post and any consequences that may arise from such postings, whether such consequences are in the personal, professional or academic realm.
- Think first, post second. Any conduct that could get you in trouble with the University if social media was not involved can also result in disciplinary action when social media is being utilized. For example, threatening or sexually harassing another student via Twitter or Facebook can subject you to University discipline just as if you engaged in such conduct in person.
- Protect confidential, sensitive, and proprietary information. If you are in a healthcare program that requires placement at clinical agencies, HIPAA guidelines must be followed and you must avoid posting or otherwise disseminating protected health information or other identifiable information related to patients.

- Respect copyright and other intellectual property rights of others.
- Do not use the University's logos without prior written permission.
- Do not use the University's name to promote a product, cause, opinion, business, or political party or candidate.
- When identifying yourself as a student of University of Saint Mary, avoid claiming or implying that you are speaking on behalf of the University.
- Cyberbullying and cyberstalking will not be tolerated at University of Saint Mary.

Violations of this policy will result in a review of the incident by University officials and may include action under the Student Conduct Disciplinary Procedures.

Copyright Policies

Copyright Law and Potential Civil and Criminal Sanctions for Copyright Infringement

The federal Copyright law (Title 17, United States Code, Section 10, et seq.) requires all members of University of Saint Mary, including students, to respect the proprietary rights of owners of copyrights and refrain from actions that constitute an infringement of copyright or other proprietary rights.

Those who disregard this policy place themselves individually at risk of civil and criminal liability. As a general matter, a person who is found liable for civil copyright infringement may be ordered to pay actual damages or “statutory” damages in an amount of not less than \$750 and not more than \$30,000 per work infringed. For a “willful” infringement, damages may be awarded by a court up to \$150,000 per work infringed. A court can also assess costs and attorneys’ fees, in its discretion. See 17 U.S.C. §§ 504 and 505. Also, “willful” copyright infringement can result in imprisonment of up to five years for a first time offense and additional fines. See 17 U.S.C. § 506 and 18 U.S.C. § 2319.

Peer-to-Peer (P2P) File Sharing

It is a violation of copyright law to use file sharing software (e.g., BitTorrent, KaZaA, Limewire, etc.) to download music, movies, and other copyrighted material without permission from the copyright holder. This is unauthorized Peer-to-Peer (P2P) file sharing, and the University of Saint Mary does not condone such use.

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.

If a member of the University community is found to have illegally shared files over the USM’s network, the full range of disciplinary actions are available (along with the civil criminal penalties the person may be subject to), including:

- Indefinite or permanent loss of computer privileges and network access;
- Denial of future access to USM’s IT resources;
- All disciplinary sanctions available pursuant to the Student Handbook;
- Dismissal from the University; and/or
- Legal action.

Alternatives to illegal downloading include, but are not limited to, iTunes, Amazon, Netflix, and Hulu.

The University

The University’s logo, trademarks, and service marks may not be reproduced, altered in any way, or used in combination with any other images or text without the permission of the University of Saint Mary Marketing Office. This includes—but is not limited to—event promotion, logos or materials for University of Saint Mary student clubs or organizations, or unofficial social media channels for student groups.

Disabilities

The University of Saint Mary makes every effort to comply with the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act (Section 504). In order to assist students with disabilities in maximizing their capabilities, the Academic Resource Center (ARC) provides support. The office assists students with obtaining academic accommodations according to the ADA and Section 504. The Academic Resource Center Director is available to answer any questions and can be contacted at (913) 682-5151 ext. 6426 or kolba@stmary.edu.

To begin the process, all University of Saint Mary students seeking accommodations are required to self-identify with the ARC and make a formal, written request for accommodations, which can be done in-person or online at https://publicdocs.maxient.com/reportingform.php?UnivofSaintMary&layout_id=7. Accommodation requests will be accepted at any time, though students are encouraged to do so as early as possible (even before the semester starts) so that accommodations, if granted, can be implemented in a timely manner. Accommodations, once granted, do not apply retroactively; this means they cannot be used to retake an exam or redo an assignment. Once a request has been made, the University will work through the process and make a determination in a reasonable amount of time. Students who do not make a formal request for accommodations will not receive them.

After a request for accommodations has been made, the director will request documentation from the student to determine if he or she qualifies for accommodations. The amount and type of documentation requested will vary depending on the situation and claimed disability. Certain disabilities that are more obvious in nature (e.g., a student who uses a wheelchair) may require less documentation.

After all requested documentation has been submitted, the request will be evaluated. Accommodation requests will be evaluated on a case-by-case basis. Not all accommodation requests will be granted because the University is not required to accommodate students if granting the accommodation would fundamentally alter the nature of its programs or cause an undue hardship. The University may also make additional requests for documentation to help with its evaluation.

During the evaluation of the request, the student and Director of the Academic Resource Center will work together. If it is determined that an accommodation is reasonable, the student and director will create a detailed action plan specifying the measures that will be implemented and the academic support that will be provided. The student's instructors will be notified of a student's accommodations and will be expected to assist in their implementation. Students who have not been granted requested accommodations will receive a letter with an explanation. A student who has been denied accommodations may appeal the determination by giving a written letter of appeal to the President of the University.

The Director of the Academic Resource Center is responsible for documenting the process. All documentation will be kept in a confidential file and only the student and the University personnel with a need-to-know will have access to such information.

Drug Free Schools and Communities Act

DATE: October 15, 2014

TO: All Employees and Students

FROM: Sister Diane Steele, SCL, PhD, President

SUBJECT: Drug-Free Schools and Communities Act Notice

The Drug-Free Schools and Communities Act Amendments of 1989 require all schools and institutions of higher education to adopt and implement a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees on university property or as part of any university activities.

The following statement, which is part of USM's program adopted to comply with this act, is being distributed to you as required by law. If you have any questions regarding this statement or wish to receive further information on the university's Drug-Free Schools and Communities Act program, you are encouraged to contact Kelly Grisnik, Director of Human Resources or Deborah Shaddy, Counselor, Office of Student Life.

University of Saint Mary Statement of Prevention of Alcohol Abuse and Drug Use on Campus and in the Workplace

Standards of Conduct

The University of Saint Mary supports and endorses the Federal Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act amendments of 1989 ("Acts"). Pursuant to these Acts, the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance or abuse of alcohol (as defined in these Acts) by an employee or student on university property or as part of any university activity is prohibited. Any employee or student of the university found to be abusing alcohol or using, possessing, manufacturing, or distributing controlled substances in violation of the law on university property or at university sponsored events shall be subject to disciplinary action in accordance with applicable policies of the university. For employees and students, the university will take appropriate action for such infractions, up to and including termination or dismissal.

As a condition of employment, all employees shall abide by the terms and conditions of the Acts. As such an employee must notify the university of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction. Such notice shall be provided in writing by the employee to the Director of Human Resources. The university will in turn, notify as appropriate, the applicable federal agency of the conviction within ten days of its receipt of notification of the conviction. For such conviction, the university will take appropriate personnel action, up to and including termination, within thirty (30) days of receiving notice of such conviction. Employees may also be required to satisfactorily participate, at their expense, in a drug abuse assistance or rehabilitation program as approved for such purposes by a federal, state, or local health, law enforcement or other appropriate agency before being allowed to return to work. For purposes of this policy, a conviction means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

Drug Testing Policy

The University of Saint Mary strives to maintain a drug-free educational environment and requires all students to remain free of the unlawful and/or inappropriate use of controlled or illegal substances while enrolled as a student. Students will be held accountable for consuming illegal substances, regardless of state/local laws in

the location where the substance was ingested. A student is subject to testing to show proof of a physical condition free from the unlawful and/or inappropriate use of controlled or illegal substances or the use of prescription medication for which the student does not have a valid prescription or which a student is using in a manner inconsistent with a physician's directions. Drug testing (at the college's expense) will be required whenever the Dean of Students, or his/her designee, suspect or have reason to believe that a student might be engaging in the unlawful and/or inappropriate use of a controlled or illegal substance, or the inappropriate use or abuse of a prescription medication, whether on or off campus.

Reasonable grounds for requiring a student to submit to a drug test may include, but are not limited to, the following:

- Incoherent communication or inexplicable behavior
- A pattern of tardiness and/or absenteeism from class
- Suspicious odors on person, clothing, and/or other property
- Sudden, inexplicable decline in academic performance
- Possession of drug paraphernalia
- Prior positive drug test results
- Arrest, citation, or conviction for a substance-related offense by college or public law enforcement authorities
- Observation of substance use or physical symptoms or manifestations of impairment, incoherency, or erratic, inexplicable conduct
- A report of substance abuse or use provided by a reliable and credible source

A student who refuses to submit to a request for drug testing from an authorized college official, refuses to authorize the release of test results to the college, or tampers with a drug test sample will automatically be considered as failing a drug test and disciplined up to and including dismissal from the college. A positive drug test that confirms that a student has engaged in the unlawful or inappropriate use and/or abuse of controlled or illegal substances, or inappropriate use or abuse of a prescription medication, whether on or off campus, will result in disciplinary action including, but not limited to, suspension or dismissal from the college.

Drug testing may be conducted on campus or also at a lab selected by the college and certified to conduct drug testing.

Legal Sanctions

Employees and students are reminded that unlawful possession, distribution or use of illicit drugs or alcohol may subject individuals to criminal prosecution. The university will refer violations or proscribed conduct to appropriate authorities for prosecution. Federal regulations and state laws provide penalties of fines and imprisonment for violations of the criminal statutes which include possessing, offering for sale, possessing with the intent to offer for sale, distributing or manufacturing controlled substances such as opiates, narcotics, depressants, stimulants or hallucinogenic drugs.

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. A conviction for driving under the influence of drugs or alcohol can also result in fines in excess of \$500, community service, mandatory treatment programs, license revocation, and/or 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 substantial fines.

Federal law contains other laws regulating drugs and controlled substances. Under federal law, illegal possession of a controlled substance can result in a fine of at least \$1,000 and up to one year imprisonment for

a first offense. Penalties increase when an offender has been convicted of prior drug-related offenses. Illegal possession of a controlled substance can also result in the forfeiture of property, civil fines, and the loss of federal benefits. Trafficking controlled substances can also lead to substantial fines and lengthy prison sentences, including life in prison. Conviction for violation of federal drug laws may also 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.

Additionally, most municipalities have ordinances criminalizing possession of marijuana, and in the case of Leavenworth and Overland Park, mandatory jail time is imposed even for first time convictions under its ordinance.

More details on federal, state, and local drug and alcohol law can be obtained in consultation with the dean of students or the director of human resources.

Health Risks

Abuse of alcohol and use of drugs is harmful to one's physical, mental and social well-being. Accidents and injuries are more likely to occur if alcohol and drugs are used. Alcohol and drug users can lose resistance to disease and destroy their health. Tolerance and psychological dependence can develop after sustained use of drugs.

Alcoholism is the number one drug problem in the United States. Alcoholism takes a toll on personal finances, health, social relationships and families. It can have significant legal consequences. Abuse of alcohol or use of drugs may cause an individual driving a motor vehicle to injure others and may subject the abuser to criminal prosecution. Drunk drivers are responsible for more than half of all traffic fatalities.

More specifically, the major categories of drugs are listed below and include the significant health risks of each.

AMPHETAMINES - Physical dependency, heart problems, infections, malnutrition and death may result from continued high doses of amphetamines.

NARCOTICS - Chronic use of narcotics can cause lung damage, convulsions, respiratory paralysis and death.

DEPRESSANTS - These drugs, such as tranquilizers and alcohol, can produce slowed reactions, slowed heart rate, damage to liver and heart, respiratory arrest, convulsions and accidental overdoses.

HALLUCINOGENS - may cause psychosis, convulsions, coma and psychological dependency.

Counseling, Treatment or Rehabilitation Programs

Many community agencies are available to assist employees and students seeking alcohol and drug counseling and treatment. Among these agencies are the university-sponsored Employee Assistance Program (for full-time and part-time regular university staff and dependents), the Guidance Center, Johnson/Leavenworth/Miami Regional Prevention Center, Johnson County Mental Health Center and the Johnson County Substance Abuse Center. In addition to these, many area hospitals and community agencies are available to provide drug and alcohol counseling services. Employees may receive this additional information through Human Resources (Mead 200). Students may receive additional information through Campus Counseling (Saint Mary Hall, 4th floor).

Sanctions

An employee who violates any provision of this policy shall be subject to appropriate disciplinary action including suspension, demotion, non-renewal and/or termination as provided in the Employee Handbook. In addition, any employee who violates the Standards of Conduct as set forth in this Statement of Prevention of Alcohol Abuse and Drug Use may be subject to referral for prosecution.

A student who violates any provision of this policy or of the Alcohol and Other Drug Policy found in the Student Handbook are subject to sanctions. A violation will be governed by the University's Non-Academic Conduct Disciplinary Procedures and, if a violation is found, appropriate sanctions will be implemented, up to and including dismissal and/or a referral to appropriate law enforcement authorities.

Definitions

The term "controlled substance" as used in this policy means substances included in Schedules I through V as defined by Section 813 of Title 21 of the United States Code and as further defined by the code of Federal Regulations, 21 C.F.R. 1300.11 through 1300.15. The term does not include the use of a controlled substance pursuant to a valid prescription of other uses authorized by law.

The term "alcohol" as used in this policy means any product of distillation or a fermented liquid which is intended for human consumption and which is defined in Chapter 41 of the Kansas statutes.

Explosives, Weapons, and Other Hazardous Objects

Revised 08/05/2014

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, except that persons with valid concealed carry permits may keep a handgun (as that term is defined in K.S.A. §§ 75-7c02(b) and 75-7b01) locked in a private vehicle. 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 (except as noted above), 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.

Violations of this policy are subject to the Student Conduct Disciplinary Procedures.

Facilities

Students are given access to buildings, facilities, equipment or resources for which they are authorized to access. This may be via keys, University of Saint Mary 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 USM 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 or Sisters of Charity premises, will be referred to the University of Saint Mary judicial process.

FERPA (Student Education Records)

The University of Saint Mary complies fully with the Family Educational Rights and Privacy Act of 1974. The Family Educational Rights and Privacy Act (FERPA) permits access to education records by eligible students and affords students certain rights with respect to their education records. They are:

1. The right to inspect and review the student's education records within 45 days of the day the University of Saint Mary receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University of Saint Mary official will make arrangements for access and notify the student of the time and place where the records may be inspected. FERPA allows a University official to be present during the inspection. If the University of Saint Mary official to whom the request was submitted does not maintain the records, that official shall advise the student of the correct official to whom the request should be addressed. Some information in a student's records, such as the student's parent's financial records, is not subject to a student's review.
2. The right to request the amendment of the student's education records that the student believes are inaccurate or misleading. The student should write the University of Saint Mary official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the University of Saint Mary decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. If a record is not amended at the student's request, the student will have the right to include an explanatory comment with the record. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to give or withhold prior consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. These exceptions, which permit disclosure without consent, include, but are not limited to, the following:
 - Disclosure to school officials with legitimate educational interests. A school official is a person employed by the University of Saint Mary in an administrative, supervisory, academic or research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the University of Saint Mary has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
 - To officials of another college or postsecondary institution where the student seeks or intends to enroll or has enrolled.
 - To parents of a dependent student (as defined under the Internal Revenue Code).
 - When the University determines there is an articulable and significant threat to the health or safety of a student or other individuals.
 - When the records have been classified as "Directory Information." Directory Information concerning students may be released unless the student specifically requests that such information be withheld. The University of Saint Mary recognizes Directory Information to include a student's 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, height and weight of athletic team members, dates of attendance, full-time/part-time status, degrees, honors and awards received, photograph, and the most recent previous education agency or institution attended by the student. All students must inform the Office of the Registrar before the end of the two-week period following the first day of classes if they wish that any or all of the information designated as directory information not be released.

- Note that nonconsensual disclosures under FERPA are permissive so that the University is not required to disclose information based on a third-party request and may choose not to do so, or may choose to limit the disclosure to specific parties, for specific purposes, or both.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University of Saint Mary to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-8520

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 and/or corrective action. 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 area tornado sirens will sound. When tornado sirens sound, remain calm, close blinds and doors, proceed to the lowest level of the building, available tunnels or basements and remain until the all clear is sounded. Do not use any elevators. Additional Emergency Response procedures are listed on the campus safety and security website (www.stmary.edu/safety-security/default.asp) and posted throughout campus.

Winter Weather

The University of Saint Mary values class time and does not want to cancel classes without warrant. 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 an email no later than 5 a.m. for campus day classes and 3 p.m. for evening classes. All employees and students are responsible to either read their email or check the recorded message. 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 there is not 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.

Food Service

The University of Saint Mary contracts with Morrison Community Living to provide students with quality and nutritionally balanced meals in Saint Joseph Dining Hall. All meals are served cafeteria style. Morrison cooperates with students in accommodating medically necessary diets, and requests for such accommodations should be made to Brandy Stephen, Morrison dining office, 913-758-6543. 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 a University of Saint Mary ID card for service. Students not on the meal plan, faculty, staff and guests may load Campus Cash to their ID or pay via cash/credit per meal. Meal costs are posted in the dining hall. Campus Cash can be loaded to a student's ID card at <http://www.stmary.edu/Student-Life/Campus-Cash.aspx>.

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 student conduct.

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.

Gambling

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

Hazing, Bullying, Discrimination, Harassment and Other 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.

Incidents of hazing, bullying, discrimination, harassment or other hate motivated acts will be governed by the Student Conduct Disciplinary Procedures, except that complaints of sex discrimination, sexual harassment, and sexual violence will be governed by the Title IX Grievance Complaint Procedures.

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’s Student Conduct Disciplinary Procedures.

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 are 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.

Discrimination, Harassment and Other Hate Motivated Acts

The University prohibits discrimination, harassment, and other hate motivated acts on the basis of race or color, religion, gender or sex, age, national or ethnic origin or ancestry, genetic information, disability, veteran status, sexual orientation, marital status, citizenship status and other protected statuses as required by law. Engaging in such conduct directed at others is prohibited.

Identification (ID) Cards

Each new cleared student receives an identification (ID) card during Fall or Spring orientation from student life. 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 University of Saint Mary 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 University of Saint Mary ID card:

- The USM card is your official identification card;
- If your USM card is lost, stolen, thrown away, demagnetized or damaged, there is a \$25 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 will result in disciplinary action.

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 for marketing and admissions at ext. 6329, preferably at least four (4) weeks prior to the event.

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 dean of students.

Prohibited Conduct

As a general matter, all members of the University of Saint Mary 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 University of Saint Mary 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.

With that in mind, University of Saint Mary prohibits the following:

1. Dishonesty or knowingly providing false information to the University.
2. Theft of, misuse of, or damage to University property or the property of another campus community member; possession of stolen property.
3. Failure to comply with directions of University officials acting in the performance of their duties.
4. Conduct that threatens or endangers the health or safety of the campus community.
5. Physical abuse of another campus community member or anyone else on University property.
6. Fighting.
7. Gambling.
8. Disorderly or disruptive classroom conduct.
9. Behavior that interferes with the normal operations of the University.
10. Unauthorized entry into or use of University facilities.
11. Misuse or abuse of fire safety equipment including fire alarms, smoke detectors, and fire extinguishers.

12. 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, except that people with valid concealed carry permits may keep handguns locked in their personal vehicles.
13. Violating the Computer Usage, Email & Social Media Policies.
14. Copyright infringement
15. Bullying/cyberbullying.
16. Making derogatory, defaming, threatening, or profane comments about campus community members on social media.
17. Aggressive, offensive, and inappropriate language or behavior toward other campus community members.
18. Manufacturing, distributing, possessing, or using illegal drugs or drug paraphernalia.
19. Misusing legally obtained prescription drugs.
20. Possessing, using, or being under the influence of alcohol in violation of the University's Alcohol and Other Drug Policy.
21. Using tobacco in violation of the University's Smoking and Tobacco Policy.
22. Hazing.
23. Repeated or egregious violations of the University's Residence Life policies.
24. Failure to cooperate in the Student Conduct Disciplinary Procedures described below.
25. Academic dishonesty, including, but not limited to, cheating on examinations, plagiarism, fabrication, forgery, obstruction, multiple submissions, complicity, and misconduct in research assignments.
26. Discriminating against or harassing others on the basis of gender or sex, race or color, age, disability, sexual orientation, national origin or ethnic origin, or citizenship status.
27. Sex discrimination, sexual harassment, sexual violence, domestic violence, dating violence, and stalking (including cyberstalking).
28. Soliciting, aiding, or inciting others to commit any of the above.

The University reserves the right to address other inappropriate behavior that does not clearly fall with the identified standards of conduct above.

Allegations of sex discrimination, sexual harassment, sexual violence, domestic violence, dating violence, and stalking will be addressed by the Title IX Policy and Grievance Complaint Procedures.

All other alleged violations of the Student Code of Conduct will be addressed pursuant to the Student Conduct Disciplinary Procedures, below.

Student Conduct Disciplinary Procedures

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. Complaints of academic dishonesty can also be made under these procedures.

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 dean of students 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 with a University of Saint Mary campus safety and security officer. All reports will be investigated and handled through the University of Saint Mary discipline process described below.

Discipline Process

Once a report has been made by a charging person, this disciplinary process will be invoked to determine if a charged student committed the alleged violation. Charged students will be notified in writing of the alleged violation, and they are required to have a meeting with one or more of the following University officials, as notified: the student discipline coordinator, dean of students, and/or the president, or their designees. During this meeting, the University official(s) and the charged student may come to an agreed upon resolution, which may include sanctions as described below. The University official(s) may discuss the matter with other students and employees with knowledge of the situation and may request additional meetings with the charged student prior to proposing a resolution. If a resolution is reached, it will be documented in a written letter signed by the University official(s) and the charged student, and the matter will be deemed resolved. If a resolution is not reached, the charged student will be subject to a disciplinary hearing conducted by campus judicial officers. Interim measures, such as an interim suspension, may be imposed pending the outcome of the hearing if the University official(s) determine such a measure is appropriate in the best interests of the campus community.

Campus judicial officers are appointed by and under the direction of the dean of students, these officers are responsible for hearing offenses of non-academic student policy and misconduct and other related behavior. The hearing will consist of three judicial officers. The charged student, and the charging person if he or she was a victim of or otherwise harmed by the alleged policy violation, will have an equal opportunity to give statements, present evidence, and provide witnesses at the hearing. The campus judicial officers may also allow other persons (including the charging party if he or she is not otherwise involved in the hearing) to give written or oral statements regarding the incident for consideration. The charged student, or charging person if applicable, may request a special hearing by the dean of students on grounds of the extreme sensitivity of the charge or related issues.

The campus judicial officers' objective is to determine the facts of the incident, and to make a determination regarding responsibility for violating university policy. If the charged student is found responsible for the alleged misconduct for which he/she is accused, then the campus judicial officers 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.

Appeals

A student found responsible for a policy violation may appeal the discipline decision and/or the sanctions imposed. Appeals must be in writing (e-mail sent from a student's University of Saint Mary 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.

Written appeals must be received by the dean of students within three (3) business days of the student's receipt of the original decision by the campus judicial officers. In cases that do not result in suspension or dismissal from the university, the decision of the dean of students is final. For appeals of residence hall violations, appeals must be submitted to the director of residence life within three (3) business days of the student's receipt of the original decision by the campus judicial officers. The director of residence life will notify the student in writing of his or her determination in a timely manner. Appeals of the decision of the director of

residence life must be made to the dean of students in writing within three (3) business days of the student's receipt of the decision. The dean of students will notify the student in writing of his or her determination in a timely manner. In cases that do not result in suspension or dismissal from the university, the decision of the dean of students is final.

In cases of suspension or dismissal from the university, an appeal of the dean of students 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, and the student will be notified of such in writing.

Guidelines for the Discipline Process

The discipline process is designed to protect the rights of students and provide a fair and just discipline process for everyone involved. Compliance with these guidelines is required of all students. Guidelines for the University of Saint Mary disciplinary process are as follows:

- 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 discouraging 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 dean of students, 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 dean of students, or the president prior to, during, or after the processing of any disciplinary charge;
- Students are required to comply with the sanction(s) imposed;
- Students may not influence or attempt to influence another person to commit an abuse of the university disciplinary procedures.

Failure to follow these guidelines may result in additional sanctions.

Disciplinary Sanctions

Disciplinary sanctions will include conditions that are consistent with the nature of the offense at the discretion of the dean of students and campus 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 dean of students 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 dean of students or designee where, in the judgment of the dean of students, 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. Parents of students who are under 21 years of age will also be notified when a student has violated the law or institutional policy related to the use and possession of alcohol and other drugs. The dean of students 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.
- 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.

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 University of Saint Mary community.

Compliance with all disciplinary directives is required of all students.

Non-Discrimination Policy

The University of Saint Mary does not discriminate on the basis of race or color, religion, gender or sex, age, national or ethnic origin or ancestry, genetic information, disability, veteran status, sexual orientation, marital status, citizenship status and other protected statuses as required by law. The University of Saint Mary's non-discrimination policy applies to admission policies, academic and non-academic programs, financial assistance programs, and other programs administered by the university.

Inquiries regarding the University's non-discrimination policies can be directed to the following:

Kelly Grisnik
Director of Human Resources and Title IX Coordinator
kelly.grisnik@stmary.edu
TitleIX@stmary.edu
913-758-4359
Mead Hall, Room 200
4100 South 4th Street
Leavenworth, KS 66048

A. Kay Kolb
Director, Academic Resource Center
University of Saint Mary
4100 South 4th Street
Leavenworth, KS 66048
(913) 682-5151 ext. 6426
kolba@stmary.edu

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. The University of Saint Mary 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 University of Saint Mary community may register a vehicle for the purpose of obtaining campus parking privileges for non-students or non-employees. Skateboards, roller blades, inline skates, hover boards 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 employees and students must be registered and have a University of Saint Mary registration permit displayed. The permit will be displayed, in plain view, on the inside of the rear window. You can obtain your permit at the Campus Safety and Security Office, located in Berchmans 012, or register or vehicle online via eSpire. Failure to register your vehicle may result in fines or towing of vehicle at owner's expense. Replacement permits are available for \$5.

Vehicle Insurance

All vehicles operating on University of Saint Mary grounds will maintain the state minimum liability insurance. Failure to maintain insurance will result in the suspension of parking/driving privileges on campus.

Guest Parking

The Campus Safety and Security Office will issue a temporary parking permit for daytime, weekend, and overnight visitors and guests. Overnight guests must display a temporary permit to avoid ticketing.

Authorized Student Parking

All student parking spaces are designated Residential or Commuter via signage. A University of Saint Mary parking permit must be displayed.

Parking is restricted in the following areas:

- Main front (Berchmans) circle: No student parking is allowed anytime in the spaces marked "Visitor" and "Admissions". From 6:00 pm to 6:00 am students may park in spaces not reserved for visitors and admissions. As a reminder, this area may be reserved for special events, at which time no student parking is allowed.

- Mead, Lower Chapel, Miega, and Maria lots reserved for designated/listed vehicles only.
- Students and employees are not allowed to park in Cantwell Hall parking behind Ryan Sports Center. This is reserved for Sisters of Charity parking only.
- Parking is not allowed inside or around the Sisters of Charity cemetery.

Parking and Traffic Regulations

- 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. 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 in 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 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
 - o Campus lawn
 - o Access drives
 - o Sidewalks
 - o Loading dock area
 - o Yellow curb zones
 - o Fire Lanes
 - o Any area not specifically marked as a parking area
 - o There is no parking in grassy areas unless such area is designated for event parking
- Operating a motor vehicle on the sidewalk or grass is prohibited unless specifically authorized by Campus 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 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

All grounds at the University of Saint Mary are private property and the University of Saint Mary reserves the right to remove any vehicle parked or operated in such a manner as to violate campus parking/vehicle operation policies. Vehicles may be towed at any time as dictated by Campus Safety officials for the following reasons:

- Vehicles receiving four or more parking citations within a Fall/Spring Semester school year
- 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 four 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. The

University of Saint Mary 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.

Fines not paid will result in a hold being placed on the student's account. 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.

Appeals

Parking and traffic fine appeals must be made and received within ten (10) days of the offense at the Campus Safety and Security Office, located in Berchmans 012. The Director of Campus Safety and Security will review all appeals. Outstanding fines must be paid prior to registering for the next academic semester.

Appeal forms may be obtained from the Campus Safety and Security Office, or
https://cm.maxient.com/reportingform.php?UnivofSaintMary&layout_id=3.

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 University of Saint Mary 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 campus safety and security officers. Campus safety and security officers do not void parking tickets.

Questionnaires / Petitions

Before any student or group of students, sends a questionnaire/petition to any members of the University of Saint Mary community or outside entity, the contents of the questionnaire and its rationale must be submitted, in written form, to the Student Life Office for approval.

Residence Life

Mission

The Office of Residence Life exists to provide safe and inclusive living communities; promote community engagement, and nurture personal development.

Vision

Residence Life at the University of Saint Mary will provide premier living communities that are recognized for innovation and excellence.

Values

The principles, standards and qualities that serve as the foundation for our service to the campus community are a reflection of the four core values upheld by the University of Saint Mary. Our actions are a clear reflection of these values.

- Community
- Respect
- Justice
- Excellence

Residence Hall Team

The residence life team assumes overall responsibility for the coordination of the housing environment with all other branches of the university community. Residence Life is responsible for ensuring that the environment is conducive and complimentary to students' 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. Resident Assistants exist to serve as a resource to their respective communities, ensure the safety of all residents, facilitate healthy and engaged communities, and hold students accountable to community standards, policies and procedure.

Facilities Staff

The facilities department employs full-time staff to maintain university assets including residence halls. Facilities staff may enter residents' rooms to perform routine repairs or improvements during regular university business hours. Facilities staff will not be on residential floors before 10:00 a.m. unless there is an emergency.

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) 240-0862.

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 Quiet Hours are enforced 24-hours a day. This policy is enforced beginning at 10:00 p.m. on the Saturday before finals and extends until 5:00 p.m. on the last day of finals.

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:

- blow dryers
- clocks
- coffee makers
- computers
- curling irons
- irons
- popcorn poppers
- pressing combs.
- printers
- refrigerators – small (up to 2.5 cubic feet)
- televisions
- VCR's/DVD players

The following items are prohibited 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, coffee pots, 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.
- 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.

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.

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.

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 During Breaks

Residence halls remain open during all holidays and break periods that occur within the academic calendar (e.g. when class is in session). Food service is not available during Thanksgiving, Christmas, spring breaks or summer sessions.

Housing During Summer

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 (food services are not in operation over the summer). The cost is \$300 per month. In order to live on campus over the summer you must meet one of the following criteria:

- Have a job on campus working at least 20 hours per week. This job must be signed off on and a letter must be written and submitted to the Office of Residence Life from the supervisor of the on-campus position stating that they take full responsibility and that they have 20 hours of work for you to do per week.
- Taking at least three credit hours at the University of Saint Mary. Courses at the Overland Park campus or online will not count toward this requirement. Courses must be on the Main Campus in Leavenworth, Kan.
- Participating in a clinical for the nursing or DPT program are acceptable reasons to stay on campus.
- Participating in an internship or practicum for credit.

While you must meet the criteria listed above to live on campus, these do not guarantee a spot in the residence halls for the summer.

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. 6303 during office hours or 913-240-0862 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. 6303. Maintenance problems should be reported early and with as much detail as possible in order to avoid damage charges.

Meal Plan

All students living within the residence halls must participate in a meal plan. The meal plan does not cover Thanksgiving, Christmas, spring recesses or 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 box meal replacement by notifying Dining Services. All freshmen are required to have the 20-meal plan. Sophomores have the option of selecting the 14-meal plan. Juniors and seniors have the option of selecting a 5-meal plan or 7-meal plan. Any changes to the meal plan must be completed during the first two weeks of the semester.

Student with specific dietary needs and/or students who are participating in a cooperative education program (e.g. clinicals or student teaching) required for degree completion may qualify for a meal plan waiver. Those seeking an exemption from the meal plan must complete a Meal Plan Waiver Request Form. This form may be acquired from the Office of Residence Life. The Director will review the Meal Plan Waiver Request along with

any supporting documentation and will provide written notification of a decision.

Opening and Closing of the Residence Halls

The residence halls open according to the contract dates specified on the housing contract. The residence halls close after the 24-hour period following the last day of finals week. Graduating seniors and students invited to assist with commencement ceremonies may be allowed to remain in the halls until commencement activities have ended. Students participating in commencement ceremonies will need to receive prior approval from the Office of Residence Life.

Extended Stay/Early Return Housing

University of Saint Mary students wishing to remain on campus after the residence halls close or return to campus before the designated date for a pre-approved reason must obtain approval by planning their extended stay and officially requesting it (or having their sponsor request it). An extended stay is outside of the scheduled class periods or finals schedule.

A student may be working for the university, participate in a school function or participate on an athletic event. For any reason, students must obtain permission by requesting to stay past the closing of or the opening of the residence halls. Students found to be on campus without permission for an approved event or organization will be subject to a \$100 per day fine and possible judicial action.

The employment contract end date for Resident Assistants is two days after graduation, so RAs only need to submit a request to stay on campus past the two days post-graduation. Students graduating who live in the halls do not need to request to stay unless they need to stay beyond the day of graduation. All graduates must check-out of their housing assignment on or before graduation day. Those with a special circumstance to stay must get prior approval from the Residence Life office.

Students may not store items in a housing assignment while not present or in between summer dates. Students must remove all belongings from a housing assignment unless they are assigned for that period. Spaces will be inspected, abandoned belongings will be discarded, and handling charges will be applied to the student's account, in addition to a \$100 per day fine (for each day without approval) and possible judicial action.

Sponsored students (for USM department sponsorship submission)

Students needing to stay in on-campus housing after the residence hall closing date for official USM business may be requested by a USM department. Examples of students which may be sponsored by a USM department with legitimate reasons include the following:

- Athletic teams staying to compete
- Students working Commencement ceremony (graduation usher, etc)
- Students working for a university department
- Students working for the motherhouse

Sponsors must submit their list of students staying and dates to Residence Life AT LEAST two weeks before the expected stay.

There is no housing charge for those sponsored students which are approved for extended stay. Extended stay is outside of the contracted meal plan period. Students remaining on campus during this period of time, or their sponsor, must make dining plans.

Residence Hall Contracts

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.

Contract Cancellation & Associated Fees

- Students who wish to cancel the housing contract prior to the predetermined contract end date will be subject to cancellation fees.
- A student who wishes to cancel his/her contract, and who is subject to the Residency Requirement must first complete an On-Campus Housing Waiver Request form and submit to the Office of Residence Life.
- Students who cancel the housing contract prior to the designated contract start day may incur a \$100.00 cancellation fee
- Students who cancel the housing contract after the designated contract start date may be responsible for 35% of the remaining balance of the contract.

Contract Release Without Cancellation Fees

After the predetermined contract start date, a student may be released from this contract, without penalties, under the following conditions:

- No longer attending the university (graduating, transferring, or withdrawing)
- Marriage, if the marriage occurs after signing this contract (marriage license required)
- Participation in a university sponsored study abroad, co-op, student teaching, or internship program that is 30 or more miles from the University of Saint Mary.
- Called for active military service duty
- Significant and unforeseen health reason occurring during the contract period
- Receipt of an approved contract release by the Office of Residence Life

Eligibility

To be eligible to live in the Residence Halls the resident shall, during the term of this contract, be enrolled and attending the University of Saint Mary and be a student in good standing. Loss of student status at any time during the contract period will result in the termination of this contract and removal from the residence halls within 72 hours of the loss of student status.

Room Changes

Any room changes will not be considered until two weeks after the predetermined move-in date for both the fall and spring semester. After this time, residents who wish to change rooms should adhere to the following procedure. Students who change rooms without permission may be subject to additional housing charges.

- Notify your Resident Assistant. This is especially important when the desire to change rooms is prompted by a roommate dispute. Resident Assistants can assist in resolving conflict between roommates and may aid in avoiding a room changes altogether.
- If after notifying your Resident Assistant a room change is still desired, schedule an appointment with the Director of Residence Life to receive approval for your room change request.

Note: Often times, it is helpful to determine a plan of action before meeting with the Director of Residence Life. That is, the Director of Residence Life will work to find the best fit, but cannot guarantee satisfaction with your

new living situation. Consider seeking out a new living situation on your own before your meeting.

Students who receive approval for a room change should adhere to the following procedure:

- Contact your new Resident Assistant to schedule a check-in time to your new room
- Contact your current Resident Assistant to schedule a check-out time from your current room
- Ensure that you complete your room change within 2 business days
- Complete a new Roommate Agreement for with your new roommate

Room Consolidation

The Department of Residential Life may consolidate rooms to full capacity when vacancies occur and may move students to another room when necessary. Students who have not contracted for a designated single occupancy room and who do not have a roommate may be given the following options:

- Move to another room assignment with a roommate
- Accept a roommate chosen by residential life
- 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

Roommate Assignments

The Office of Residence Life is committed to the principle of equal opportunity in education and employment. Accordingly, the room assignments are not made on the basis of race or color, sex or gender, national origin or ancestry, disability or handicap, religion or creed, age, sexual orientation, marital status, past, present or future membership in the uniformed services including the Reserve and National Guard, citizenship or intending citizenship status.

As a Catholic institution, the university 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.

The Office of Residence Life does not process room assignments until a signed housing contract has been received. Rooms are assigned on a first-come, first-served basis and are appointed according to the date of receipt of a signed housing contract.

Residence Life Community

Residence Life serves to develop positive and inclusive communities; and as a member of the Residence Life community, students will have the opportunity to learn about themselves as well as interact with students from a variety of backgrounds. While Residence Life assists in facilitating healthy community environments, students are encouraged to play an active role in his/her community.

Residence Life believes that community is built upon integrity and respect. When problems arise within the community, healthy communication is the first step towards an effective resolution. Engaging in a conversation can often lead to better understanding. If a resolution cannot be agreed upon by community members, Residence Life staff is there to assist when needed.

Community Right & Responsibilities

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

- Live in a safe, clean and secure environment
- Sleep and study without undue interference or distractions;
- Expect that others will respect personal belongings;
- Openly address community concerns without fear of retaliation

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

- Know and abide by all Residence Life and University policies and procedures
- Treat residents and staff members with dignity and respect
- Avoid discriminatory actions or language whether direct or covert
- Ensure that individual actions do not place other communities members at risk of property loss or personal injury

Residency Requirement

The University of Saint Mary requires students to live within University housing until they are 19 years of age and a junior (60 credit hours) or 21 years of age at the start of his/her first semester at USM. Exceptions to this policy include students who are:

- Married
- Reside within the primary residence of a parent or legal guardian: or
- Parents of dependent children.
- Those seeking an exemption from the residency requirement must submit an On-Campus Housing Waiver Request to the Director of Residence Life. The Director will review the On-Campus Housing Waiver Request and supporting documentation and will provide written notification of a decision. The On-Campus Housing Waiver Requests are available at <http://www.stmary.edu/Student-Life/Residence-Life/Apply-for-Housing.aspx>.

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 from a room, to inspect for a believed policy violation, to determine a resident's safety, maintenance concerns, or any other reasonable need.

Rooms may be entered during break periods by university staff to provide general maintenance, ensure the building is secure and to inspect for health and safety conditions. All visible policy violations will be documented and any prohibited items may be confiscated.

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 campus safety and security when you lose/misplace your ID card or keys. Lost keys will result in a lock change and a corresponding charge.

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.

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 Maria 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 of replacement and notify the student of charges. 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 within residence hall rooms no matter what the age of the student.
- 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.

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 contact the Residence Life Office with any questions.

Quiet Hours

All residents have a right to reasonable peace and quiet during normal hours of rest. Undue noises or disturbances that violate the rights of community members to reasonable peace and quiet are prohibited. During designated quiet hours, particular courtesy should be shown to enable others to concentrate on their studies and get sufficient sleep. Even an isolated outburst of excessive noise can wake someone from a much needed nap or disrupt one's concentration during a study session.

- Quiet hours are 10 p.m. - 10 a.m. daily.
- Courtesy Hours are in effect 24 hours a day. This means that within a community, members are encouraged to speak up when noise may be disruptive to them. If asked to quiet down, those community members should comply according to Courtesy Hours.
- During quiet hours, sound equipment (i.e., stereos, radios, TVs) may be played only while door is fully closed and volume may not be heard in other rooms, hallways, or outside the building. Lobby noise should be kept at a minimum so as not to disturb others.
- During final exams, quiet hours are in effect 24 hours a day.
- Stereos are a frequent source of noise disturbance and high-powered stereos (including low frequency speakers and "sub-woofers") are prohibited.
- 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 of windows.
- Members of the floor community in addition to residence life staff will be responsible for maintaining quiet hours and courtesy hours.

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

Unauthorized solicitation for business, charity, political, or religious purposes is prohibited within the residence halls. Off campus groups are not permitted to sell products or provide services in the residence halls. Solicitation includes, but is not limited to, the direct sale of items, requests for charitable donations, and door-to-door distribution of coupons, business mailings, and political/religious material.

Residents who observe solicitors within the residence hall should notify Campus Safety or a member of Residence Life.

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 and Guest Policy

All residents are given the privilege of having guests visit with them in their designated room during certain hours.

Guests are considered:

- Students not residing in the building they are entering
- Non-USM students
- Any person of the opposite sex.

The designated visitation hours for all guests are:

- Monday morning - Friday morning: 10:00 a.m. — 12:00 a.m.
- Friday morning - Sunday morning: 10:00 a.m. — 2:00 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.

The university reserves the right for any university staff member, including any administrator, faculty, residence life staff, campus safety and security 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, campus safety and security 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.

All guests must be escorted by the host resident at all times within residential facilities. Escorting a guest means walking the guest from room to room, from floor to floor. All guests must present identification upon request and comply with university policies and are subject to all residence hall policies and procedure.

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

Overnight Guests

Residents may host overnight guests providing the resident adheres to the following provisions:

- Prior approval is received from the Director of Residence Life 24 hours before the guest arrives
- Prior approval is received from the roommate(s) of the host resident
- Guests are of the same gender as the host resident
- The length of stay is no more than three (3) consecutive nights and does not exceed six (6) nights in any given semester

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. This includes students working as independent contractors for a third-party company that buys and sells textbooks. Variances from this policy are made through written application to the dean of students 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 campus safety and security.

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 for SGA funding.

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

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 end of the spring 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. 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. 6253.

Student Organizations: Representing the University and Discipline

Student organizations do not have the authority to contract or speak on behalf of the University without prior written authorization. Engaging in such conduct, or violating other provisions of this Student Handbook, will be governed by the Student Conduct Disciplinary Procedures.

Title IX Policy

General Policy Statement

The University of Saint Mary, in compliance with Title IX of the Education Amendment of 1972, prohibits sex discrimination in all of its programs and activities. Sex discrimination may include incidents of sexual harassment and sexual violence, as defined below.

Violations of this policy will be investigated according to the Title IX Grievance Complaint Procedures and can lead to disciplinary action, up to and including disciplinary dismissal.

Sex Discrimination

Sex discrimination in any educational program or activity is prohibited. Sex discrimination is 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 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 Harassment

Sexual harassment can constitute sex discrimination, when it denies or limits a person's ability to participate in or benefit from the University's program and activities. 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.

Sexual harassment denies or limits a person's ability to participate in or benefit from the University's programs and activities, when:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or condition of any aspect of the University's programs and activities;
- Submission to or rejection of such conduct by a person is used as a basis for any decision adversely affecting such person with respect to the University's programs and activities; or
- Such conduct is severe or pervasive, such that, considering all relevant circumstances, the conduct denies or limits a person's ability to participate in the University's programs and activities.

Notwithstanding the above, the University reserves the right to resolve, investigate, and/or take disciplinary action against any improper conduct of a sexual nature even though such conduct is not of the type, severity, or pervasiveness that constitutes sex discrimination or sexual harassment under this policy.

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.

Other examples of sexual harassment include:

- Pressure for a dating, romantic, or intimate relationship
- Unwelcome touching, kissing, hugging, or massaging
- Pressure for sexual activity
- Unnecessary references to parts of the body
- Unwelcome commentary about an individual's sexual activities
- Threatening to engage in the commission of an unwelcome sexual act with another person
- Sexual innuendos or sexual humor
- Obscene gestures
- Sexually explicit profanity
- Asking about, or telling about, sexual fantasies
- E-mail and Internet use that violates this policy
- Engaging in indecent exposure or voyeurism
- Sexual violence (as defined below)

Sexual harassment can occur between members of the opposite sex and members of the same sex, and both males and females can engage in conduct that is considered sexual harassment.

Violation of this policy is grounds for disciplinary action, up to and including disciplinary dismissal.

Sexual Violence

Sexual violence (which is also known as sexual assault) is a severe form of sexual harassment. Sexual violence includes physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent because of his or her temporary or permanent mental or physical incapacity or because of his or her youth. A single instance of sexual violence may be sufficiently severe to deny or limit a person's ability to participate in or benefit from the University's programs or activities, and, therefore, constitute sex discrimination.

Some examples of sexual violence include:

- Sexual intercourse (anal, oral, or vaginal) by a man or woman upon a man or woman without consent
- Unwilling sexual penetration (anal, vaginal, or oral) with any object or body part that is committed by force, threat, or intimidation
- Sexual touching with an object or body part, by a man or woman upon a man or woman, without consent
- Sexual touching with an object or body part, by a man or woman upon a man or woman, committed by force, threat, or intimidation
- Prostituting another student
- Non-consensual video or audio-taping of sexual activity
- Knowingly transmitting a sexually transmitted disease to another

Consent

Lack of consent is a critical factor in determining whether sexual violence has occurred. Consent is informed, freely given, and mutually understood. Consent requires an affirmative act or statement by each participant. Consent is not passive.

- If coercion, intimidation, threats, and/or physical force are used, there is no consent.
- If a person is mentally or physically incapacitated or impaired by alcohol or drugs such that the person cannot understand the fact, nature, or extent of the sexual situation, there is no consent.
- If a person is asleep or unconscious, there is no consent.
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity.

- Consent can be withdrawn. A person who initially consents to sexual activity is deemed not to have consented to any sexual activity that occurs after he or she withdraws consent.

Domestic Violence, Dating Violence, and Stalking

The crimes of domestic violence, dating violence, and stalking can also constitute sexual harassment when motivated by a person's sex.

Domestic Violence

- The Violence Against Women Act ("VAWA") defines domestic violence as follows: "Domestic violence" includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of a victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse or the victim under the domestic or family violence laws of the jurisdiction [...], or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
- For the Kansas definition of domestic violence see:
 - Kansas Statutes Annotated § 21-511

Dating Violence

- VAWA defines Dating Violence as follows: "Dating violence" means violence committed by a person:
 - (A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - (B) where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - (i) The length of the relationship.
 - (ii) The type of relationship.
 - (iii) The frequency of interaction between the persons involved in the relationship.
- For the Kansas definition of domestic violence see:
 - Kansas Statutes Annotated § 21-511

Stalking

- VAWA defines Stalking as follows: "Stalking" means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - (A) fear for his or her safety or the safety of others; or
 - (B) suffer substantial emotional distress.
- For the Kansas definition of domestic violence see:
 - Kansas Statutes Annotated § 21-5427

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 individual(s) 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, employee, or contractor of the university.

Complaints may be filed electronically, through Maxient Conduct Manager.™ Students, as well as employees, may alert the university through this system. Students may file these reports anonymously. Employees may not file reports anonymously. To file a report about an incident or concern you may 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. You may also access the "Report a Concern" link from the Campus Safety and Security web page which is available to the public (<http://stmary.edu/Student-Life/Campus-Safety/Forms-and-Reports.aspx>) or directly via <https://publicdocs.maxient.com/incidentreport.php?UnivofSaintMary>.

Complaints may be filed directly by contacting the assistant dean of student services, site director, assistant director of residence life, athletic director, vice president of student life, assistant director of facilities or the director of human resources. These personnel will direct the complaint to the Title IX Coordinator. Any other employee who receives information regarding an incident of sex discrimination, sexual harassment or sexual violence has a duty to provide such information to the Title IX Coordinator. Students are encouraged to make such reports.

In the event a complainant requests confidentiality or asks that a complaint not be investigated, 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 not be disclosed to the alleged perpetrator, the University's ability to respond may be limited. The University reserves the right to initiate and proceed with an investigation despite a complainant's request for confidentiality in limited circumstances involving serious or repeated conduct or where the alleged perpetrator may pose a continuing threat to the university community. If confidentiality has been requested and records must be made public for the benefit of legal compliance and/or community safety, the institution will protect complainant confidentiality by withholding the complainant's identity to the extent permissible by law.

The University of Saint Mary will allow for internal no-contact orders, and honor any external orders of protection, restraining orders, or similar orders issued by a criminal, civil, or tribal court. The institution will provide options for, and offer assistance in, changing academic, living, transportation, and working situations if those changes are requested by the complainant and reasonably available, regardless of whether the complainant reports the offence to campus safety and security or local police.

Students may file a grievance by contacting the Title IX coordinator at the University of Saint Mary. The Title IX Coordinator is the University employee responsible for coordinating the dissemination of information and education programs to (1) assist members of the University community in understanding this policy; (2) ensure that investigators are trained to respond to and investigate complaints; (3) ensure that employees and students are aware of the procedures for reporting and addressing complaints; and (4) implement the Title IX Grievance Complaint Procedures. These procedures provide prompt, fair, and impartial investigation and resolution of complaints conducted by officials who receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, as well as how to conduct a hearing process that protects complainant safety and promotes accountability. Both complainant and accused are entitled to have others present during an internal disciplinary proceeding, including the opportunity to be accompanied to any related meeting by an advisor of their choice. Both accuser and accused will receive simultaneous written notice of the outcome of the disciplinary hearing, the institution's appeal procedures, any change to the results before the results are final, and when the results become final.

The University of Saint Mary offers education programs promoting the prevention of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking including an online primary awareness program for incoming students and new employees, as well as bystander intervention training(s) to promote ongoing awareness for current students and employees. Current students and employees who started work before the online module was available may participate in it by contacting the Title IX Coordinator or either of the Deputy Title IX Coordinators.

Contact information for the Title IX Coordinator is listed below:

Kelly Grisnik
Director of Human Resources and Title IX Coordinator
kelly.grisnik@stmary.edu
TitleIX@stmary.edu
913-758-4359
Mead Hall, Room 200
4100 South 4th Street
Leavenworth, KS 66048

A person may also file a complaint with the United States Department of Education's Office for Civil Rights regarding an alleged violation of Title IX by visiting www2.ed.gov/about/offices/list/ocr/complaintintro.html or by calling 1-800-421-3481. The local office is at 8930 Ward Parkway, Ste. 2037, Kansas City, MO 64114-3302. Contact information for the local office is as follows: Phone--(916) 268-0550; Fax:--(816) 823-1404; Email-- OCR.KansasCity@ed.gov.

Retaliation

Retaliation against any 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.

Complaint Resolution

The university has a responsibility to adequately and impartially investigate all complaints in a timely fashion, to notify the complainant and respondent of the outcome of the investigation and to prevent reoccurrences, consistent with the nature and severity of the violations of this policy. The Title IX Grievance Complaint Procedures have been written to meet these responsibilities.

Title IX Grievance Complaint Procedure

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:

Kelly Grisnik
Director of Human Resources and Title IX Coordinator
kelly.grisnik@stmary.edu
TitleIX@stmary.edu
913-758-4359
Mead Hall, Room 200
4100 South 4th Street
Leavenworth, KS 66048
Online Report of Concern
<http://www.stmary.edu/Student-Life/Campus-Safety.aspx>

Campus Safety and 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 sex discrimination, sexual harassment or sexual violence the University will promptly investigate to determine what occurred and take appropriate actions to resolve the situation.

Informal 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. However, complainants will never be required to raise the concerns with the alleged perpetrator, and those 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. A complainant does not have to utilize any of the informal processes discussed above and may choose to invoke the formal investigation and resolution procedures outlined below at any time, even if he or she first chose to use an informal method.

Who must report?

Any employee 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, must contact the Title IX Coordinator or Campus Safety and Security to initiate the filing of a grievance complaint. Students and third-parties are strongly encouraged to do the same.

Complainants are encouraged to file their complaint promptly as late reporting may limit the University's ability to investigate and respond to the conduct complained of.

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 as soon as is reasonably possible but no later than ten (10) working days after the complaint was received.

A complainant will also be given a copy of the document titled "Rights and Options After Filing a Complaint Under the Title IX Policy."

Conduct that Constitutes a Crime

Any person who believes they have been subject to sex discrimination that also constitutes a crime—including sexual violence, domestic violence, dating violence, and stalking—is encouraged to make a complaint to local law enforcement, as well as to the University's Title IX Coordinator. If requested, the University will assist the complainant in notifying the appropriate law enforcement authorities. In the event of an emergency, please contact 911. A victim may decline to notify such authorities.

Special Guidance Concerning Complaints of Sexual Violence, Domestic Violence, Dating Violence, and Stalking

If you are the victim of sexual violence, domestic violence, or dating violence, the University recommends that you immediately go to the emergency room of a local hospital and contact local law enforcement, in addition to making a prompt complaint under this policy.

If you are the victim of sexual violence, domestic violence, or dating violence, do everything possible to

preserve evidence by making certain that the crime scene is not disturbed. Preservation of evidence may be necessary for proof of the crime or in obtaining a protection order. Victims of sexual violence, domestic violence, or dating violence should not bathe, urinate, douche, brush teeth, or drink liquids until after they are examined and, if necessary, a rape examination is completed. Clothes should not be changed. When necessary, seek immediate medical attention at an area hospital and take a full change of clothing, including shoes, for use after a medical examination.

It is also important to take steps to preserve evidence in cases of stalking, to the extent such evidence exists. In cases of stalking, evidence is more likely to be in the form of letters, emails, text messages, etc. rather than evidence of physical contact and violence.

Once a complaint of sexual violence, domestic violence, dating violence, or stalking is made, the complainant has several options such as, but not limited to:

- contacting parents or a relative
- seeking legal advice
- seeking personal counseling (always recommended)
- pursuing legal action against the perpetrator
- pursuing disciplinary action
- requesting that no further action be taken

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 sex discrimination, sexual harassment or sexual violence shall be informed about the range of possible outcomes of the report, including interim protections, remedies for the individual harmed by the conduct, 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.

Pending final outcome of an investigation, the University will take steps to protect the complainant from further discrimination or harassment. This may include assisting and allowing the complainant to change his or her academic, transportation, work, or living situation if options to do so are reasonably available. Such changes may be available regardless of whether the victim chooses to report the crime to Campus Safety and Security or local law enforcement. Other interim remedies may include separating the parties, placing limitations on contact between the parties, suspension, or making alternative class-placement or workplace arrangements. Failure to comply with the terms of these interim remedies or protections may constitute a separate violation of the University's Title IX Policy.

Formal Investigation

In response to reports of sex discrimination, sexual harassment, sexual violence 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 of the decision to initiate an investigation. The Title IX Coordinator may also designate his or her investigative responsibilities to other appropriate University personnel. The Title IX Coordinator, or other investigator(s) assigned to conduct an investigation, will be impartial and will receive annual training on these procedures and how to conduct an investigation that is fair,

protects the safety of victims, and promotes accountability.

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. Both parties will be given periodic updates throughout the investigation process.

Right to File a Criminal Complaint

Some instances of sexual harassment and sexual violence may also constitute criminal conduct. Complainants have the right to file a criminal complaint during any point of the internal investigation and are encouraged to do so. If requested, the University will assist the complainant in filing such a report. The pendency of a criminal investigation, however, does not relieve the University of its responsibilities under Title IX, and the filing of a criminal complaint will not generally delay the University's 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.

Investigation Procedure

The investigation will include the following steps:

- **Contact with Complainant.** The University will inform and obtain consent from the complainant 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. Other interim measures, as discussed above, may be available.
- **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 Safety and Security immediately.
- Advisor/Support Person. In any meeting with the investigator(s), the parties to the complaint can be accompanied an advisor or support person of their choice. This person does not serve as an advocate on behalf of a party, may not be actively involved in any proceedings, and he or she must agree to maintain the confidentiality of the process. If the representative is an attorney, the party must notify the Title IX Coordinator and/or Investigator in writing at least three (3) working days before the meeting date.
- 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 of the evidence (e.g., more likely than not that the conduct occurred or did not occur). 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 (which can include suspension or dismissal).

Appeals

- Respondent, Finding of Sex Discrimination, Sexual Harassment, Sexual Violence 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 sex discrimination, sexual harassment, sexual violence and/or retaliation, then a respondent may request an appeal within ten (10) calendar days of the date of the notice.
- Complainant. If the complainant believes that the Title IX Coordinator’s investigation finding that there was no sex discrimination, sexual harassment, or sexual violence and/or retaliation is in error, then the complainant may appeal that conclusion within ten (10) calendar days of the date of the notice of the

investigator's findings. A complainant may also appeal a finding that the conduct occurred on the basis that the discipline imposed was not adequate.

The request for an appeal must be a signed, written document articulating why the investigator's findings of sex discrimination, sexual harassment, sexual violence 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 fourteen (14) working days of receipt of the appeal. Both the complainant and the respondent will be informed of the outcome of the appeal in writing. 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; or
- 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 institutional 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.

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 sex discrimination, sexual

harassment, sexual violence 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.

Documentation

Throughout all stages of the investigation, resolution, and appeal, the Title IX Coordinator, investigators, person(s) who hear appeals, and any other University personnel involved, as the case may be, are responsible for maintaining documentation of the investigation and appeal, including documentation of all proceedings conducted under these complaint resolution procedures, which may include the written grievance, written findings of fact, transcripts, and audio recordings.

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.

Resources

Academic Resource Center (ARC)

The mission of the Academic Resource Center:

The Academic Resource Center provides the diverse student body of the University of Saint Mary with tools and resources to support individual goals and assist students in reaching their God-given potential, while promoting academic integrity in a safe and welcoming environment.

USM's Academic Resource Center (ARC) focuses on aiding students of all abilities in becoming more effective learners. Available to the entire Saint Mary community, the ARC helps students improve their performance in the critical academic areas of reading, writing, math, and study skills.

- ARC services are targeted to help students in a variety of ways, including:
- Mentoring services by professionals with graduate degrees
- Assisting with the development of organizational, time management and study skills
- Tutoring in specific subject areas such as math, science, business and English
- Serving as a writing center, where students can develop college level writing skills, receive one-on-one assistance with writing assignments, at any stage of completion, as well as help with proofreading and editing
- Providing information on Chicago, APA, MLA, and AMA citation styles
- Offering valuable tips about notetaking and test taking strategies
- Meeting the needs of students entitled to accommodations

In addition to these services, the ARC also serves as a computer lab. Our machines are the starting point for many students as they tackle a psychology paper or set out to navigate the internet to collect research for a history class.

The ARC also provides support and advocates for students with disabilities. This office assists students with obtaining appropriate academic accommodations. All students who are currently enrolled at USM, who qualify for services, need to register their documentation with the ARC. After the paperwork has been evaluated, the student, with the assistance of the Academic Resource Center Director, will create a plan regarding his or her academic needs for the semester. Students who do not register their paperwork and create their plan are not eligible for academic accommodations.

American With Disabilities Act: USM firmly believes that all students have the right to a safe and supportive learning environment. This is in harmony with the University's mission, as well as in compliance with the Americans With Disabilities Act/Section 504. If you think you have a disability requiring accommodations, you must register with the Director of the Academic Resource Center, which is located in Miega Hall, Room 101. Email Kolba@stmary.edu, phone (913)-682-5151, ext. 6426.

ATM

A 24-hour ATM machine is available on campus. The ATM machine is located on the lower level of Berchmans Hall.

Campus Ministry

The mission 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, 13). 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 fellowship, prayer, spiritual growth, development of religious and moral understanding, and participation in the Sacraments. Individuals seeking spiritual guidance are encouraged to participate in the Faith Chats program, please contact Jacob Hayden for details. The Eucharist is celebrated on Sunday evenings at 6:45 PM and every Wednesday at 11 AM; see the Office of Campus Ministry for a posting of other opportunities to go to Mass on campus. If you wish to attend a local church, please feel free to speak with Jacob about churches in the Leavenworth and Lansing communities.

Campus Ministry also offers opportunities for the Saint Mary community to serve others through a variety of volunteer activities. There are two student organizations that are dedicated to service and social justice: Rotaract Club and the Hunger Awareness Team. Additionally, there are other opportunities that include serving at a community meal, prison ministry, on-campus projects, and working with other non-profit organizations. Campus Ministry also organizes service trips during Fall and Spring Breaks.

In an effort to promote a culture of discernment on campus and cultivate passionate, faith filled student leadership the Vincentian Spiritual Leadership course is offered. This is a free 1-credit class offered over three semesters (for a total a 3 free credits), which seeks to give students the tools to articulate how our Vincentian tradition is relevant in their own lives and the skills to be leaders of faith in the twenty-first century.

Director of Campus Ministry – Jacob Hayden (913) 758-6146

Chaplain – Fr. William McEvoy (913) 758-6388

Computing Services

Students bringing their own computers will have wireless internet access and a printing account with 500 pages per semester. The student printers are located in the Miega Commuter Lounge, De Paul Library, and Mead 4th Floor. There are also student printers in each of the dormitories. Computer assistance can be provided by calling the Help Desk at (913) 758-6188.

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 other universities in the local area. 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 (Saint Mary Hall, 4th floor), emailing counseling@stmary.edu, or calling 913-758-6143.

The Campus Counseling staff also provides educational and supportive programming such as creating healthy relationships, communication skills, accomplishing your goals, and other topics of as requested by students and student leaders.

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.

Health Services

Health and Insurance Requirements

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, all student athletes, nursing, and doctoral in physical therapy students are required to maintain current health insurance. Students must present current proof of health insurance to the university when entering the university. Athletes, injured off-campus during sponsored athletic events, may have additional coverage available through USM athletic secondary insurance.

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>. Non student athletes can submit medical records to the Office of Student Life.

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 in an attempt to reach a reasonable accommodation, if possible. Immunization records may be obtained from the student's personal physician, high school, or local health department.

Students in healthcare programs at the University will, in many cases, be required to complete a clinical component at a clinical agency in order to successfully complete the program. These clinical agencies may not accept students who have not had certain immunizations. The University cannot control these agencies' policies or force them to accept a student who does not have certain immunizations. If a student does not complete a required clinical component, regardless of the reason(s) for non-completion, he or she cannot successfully complete the program.

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

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.

Lost and Found

The USM Campus Safety and Security 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 for one semester. After that time, any unclaimed items will either be destroyed or donated to local charity.

Preventing Sexual Misconduct

Title IX Policy (<http://www.stmary.edu/Student-Handbook/Title-IX-Policy.aspx>)

Title IX Grievance Complaint Procedures (<http://www.stmary.edu/Student-Handbook/Title-IX-Grievance-Complaint-Procedures.aspx>)

Filing a Complaint and Who to Contact:

Kelly Grisnik
Director of Human Resources and Title IX Coordinator
kelly.grisnik@stmary.edu
TitleIX@stmary.edu
913-758-4359
Mead Hall, Room 200
4100 South 4th Street
Leavenworth, KS 66048

Online Report of Concern (<https://publicdocs.maxient.com/incidentreport.php?UnivofSaintMary>)

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

Emergency Contacts:

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

If you are off campus call 911 for immediate assistance.

RESOURCES FOR HELP

Support Agencies/Hotlines:

Alliance Against Family Violence Crisis Line, Leavenworth, KS 913-682-9131 or 800-644-1441

Coversa (24-hr exam request line) (816) 717-1136 - (<http://coversa.org/>)

Guidance Center 24 hour Crisis Line – 913-682-5118

Johnson County Mental Health Center - (<http://www.jocogov.org/dept/mental-health/home>)

Kansas Coalition Against Domestic and Sexual Violence (to access services outside Leavenworth County), 888-363-2287 - (<http://www.kcsdv.org/find-help/in-kansas/dv-sa-services.html>)

Metropolitan Organization to Counter Sexual Assault - (http://www.mocsa.org/ndhlp_sxa.php)

Resource Directory for Johnson County, Kansas (<http://media.trb.com/media/acrobat/2009-03/45742363.pdf>)

Safe Home - (<http://www.safehome-ks.org/>)

Leavenworth Police Department: 601 S 3rd Street, Leavenworth, KS 66048
913- 651-2260 (Non-emergency)
911 (Emergency)

Overland Park Police Department: 12400 Foster Street, Overland Park, KS 66210
913-895-6300 (Non-emergency)
911 (Emergency)

USM Resources:

USM Campus Counseling – 913-758-6143 (Saint Mary Hall, 4th Floor), counseling@stmary.edu

USM Campus Ministry – 913-758-5146 (Saint Mary Hall, 1st Floor)

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

USM Online Report of Concern - (<https://publicdocs.maxient.com/incidentreport.php?UnivofSaintMary>)

Print Services

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

Student printers are available at various locations around campus. For more information, please refer to the computing services section of this handbook.

Recreation Services and Events

Admission to Campus Events

Most on-campus activities are free to students (unless it is a conference tournament) with a student ID.

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 the aquatics instructor, 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 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

University of Saint Mary gifts and Spire apparel are available in the Spirit Shop (first floor Mead Hall) in addition to sodas, snack items, school supplies and personal necessities. All major credit cards and campus cash are accepted.

Textbooks may be purchased online at <http://bookstore.mbsdirect.net/univofsaintmary.htm>.

Student Life Office

The Mission of the Office of Student Life:

The mission of the Division of Student Life at the University of Saint Mary is to support the education of students outside the classroom by offering programs and experiences that develop personal and spiritual well-being.

Student Life is located on the 1st floor of Saint Mary Hall. The Student Life Office houses the Student Activities and Leadership Development, Student Government Association, and Dean of Students.

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

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

Student Success

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 the Director of Student Success, USM students can receive free, individualized help for choosing a major, goal setting, getting involved, making financial decisions, and managing their time. In addition, staff in the office 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. Please visit www.stmary.edu/studentsuccess to learn more.

Career Services

As a part of the Office of Student Success, Career Services is committed to assisting students at all stages of the career planning process, supporting them on their journey to recognizing their God-given potential, and preparing them for value-centered careers. Students can receive assistance including, but not limited to: major selection, career exploration, internship support, resume writing, interview preparation, job search strategies, and networking skill development. Career Services collaborates with community members, alumni, and employers to host career sponsored events such as career fairs, mock interviews, and more. Please visit www.stmary.edu/careerservices to learn more.