Student Handbook & Code of Conduct
2023-24
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Ethical Leaders at the Mount

At the Mount, developing ethical leaders is central to our mission. The University strives to graduate men and women who cultivate a mature spiritual life, who live by high intellectual and moral standards, who respect the dignity of other persons, who see and seek to resolve the problems facing humanity, and who commit themselves to live as responsible citizens. Good choices made repeatedly over time develop into habits, which have positive lifelong influence. Leadership and living in community must be rooted in virtues or these habits. Leadership in community is intrinsically linked to virtue or habits, because “virtue creates trust.” Trust breeds safety, two powerful elements of a healthy community. Virtue allows each leader and member of the community to do what others expect of him or her. The following habits are essential for living the Mount’s Catholic vision of community:

Self-Knowledge

- Awareness of our createdness: Students at the Mount will start their journey by developing their faith
- Awareness of our dignity: Students will be encouraged to treat oneself with dignity and respect
- Awareness of our flaws: Students will recognize their failings, look for areas for growth, and understand the need for God
- Awareness of our talents: Students will be guided to identify their unique gifts and talents and how they use them in a healthy and productive way

Integrity

- Prudence: Students will strive to make the right decisions
- Courage: Students will put those decisions in to action
• Self-Mastery: Students will subdue intimate passions and beliefs and directs them to do the right things
• Justice: Students will be given their due process and will work for the common good of the community.

**Greatness & Service**

• Striving towards great things: Students at the Mount will lead a full and intense life
• Humility: Students will live life for others by serving others

Community members, groups, and organizations are called to develop and practice these habits, whether they are on campus, off campus, or online.

**Restorative Justice & the Student Conduct System**

At the Mount, the student conduct system will use a practice called “Restorative Justice”. This practice is a collaborative decision-making process seeking to hold its community members accountable by (a) accepting and taking responsibility for their actions, (b) repairing the harm that was done, and (c) working to reduce the risk of reoccurring offenses by building positive social ties to the community. This is a formal process and the hearing will be conducted by a single hearing officer, to guarantee fairness and legitimacy. This restorative practice requires honest dialogue and personal investment in the process.
EMERGENCIES

Emergency Telephone Numbers

Mount St. Mary’s University Department of Public Safety Dispatch (non-emergencies) 301-447-5357
Mount St. Mary’s University Department of Public Safety (emergencies) 301-447-5911
Student Health Services 301-447-5288
Vice President & Dean of Students 301-447-5475
Counseling Services 301-447-5288

Mount St. Mary’s Public Safety Department

The mission of the Mount St. Mary’s University Department of Public Safety is to cooperate with the university community in providing a safe and secure environment where teaching and learning are encouraged and advanced. In furtherance of that mission, the Department of Public Safety is a customer-service oriented, safety-centered organization committed to the protection of the members of the university community, their property, and the property of the university through the sound application of problem solving, education, and emergency preparedness and response.

The Department of Public Safety is responsible for providing law enforcement, fire, EMS, security, and emergency management related functions on the Mount St. Mary’s University campus. The members of the department act as the university’s first responders to emergencies and calls for service and are the only university department open twenty-four hours a day, seven days a week.

Mount Alert

The Mount Alert is a mass notification system that enables students, faculty and staff to receive emergency alerts on cell and home phones and through text messages and email. This service is part of the university's strategy to enhance campus-wide communications during an emergency and to increase safety on the Mount campuses. Please note:

- Test voice and text messages will be sent periodically to ensure that Mount St. Mary's University Mount Alert system is working properly.
- Check your information at the start of each semester in the Mount Alert System, Mount Alert Portal and/or Workday. It is important that every Mount student, faculty and staff member ensure their contact information is accurate and up-to-date.
- You are responsible for any text messaging charges from your wireless service provider. Mount St. Mary's University is not responsible for any charges your service provider may charge for standard text message fees.
- No advertisements or spam will be sent to you.
- Your information will never be shared with or sold to third parties.
- For safety purposes we do not allow current students or employees to completely opt out of the Mount Alert System. Your Mount email is the standard delivery method for communication, and is the minimal requirement for this system. It is highly recommended a cell phone number is provided to be used as the primary form of communication.
Report an Emergency

Report all emergencies by dialing 301-447-5911 from your cell phone or 5911 from a campus phone. Do not hang up until a dispatcher instructs you to do so. Inform the dispatcher of the nature of the emergency and the exact location/address of the building, floor, area, and/or department.

Medical Emergencies

In the event of a medical emergency, call 301-447-5911. Provide adequate space for the individual(s) involved and the emergency personnel. Unless there is imminent danger, do not move any victim(s) until emergency personnel arrive. Please make sure there is someone there to escort emergency responders to the scene.

Fire Emergencies

Residential students receive emergency and evacuation information at the beginning of each semester through mandatory hall meetings. Periodically throughout the year, residents are required to participate in announced and unannounced emergency drills. Failure to follow directives of University officials during an emergency may result in disciplinary action. Should a student discover fire or smoke in a University building, the following procedure should be used:

- Activate the nearest fire alarm on your way out.
- If you hear a fire alarm, you must evacuate the building safely.
- Close doors as you leave.
- Know the evacuation routes for your room, look for illuminated exit signs.
- Assist individuals in need, if possible. If a person cannot evacuate, report their location to emergency personnel as soon as possible.

Mount St. Mary’s University’s current Annual Security and Fire Safety Report is made available to all members of the University community and prospective students. In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics (commonly known as the Cleary Act), the annual report provides important information regarding campus safety and related policies. The Annual Security and Fire Safety Report: https://inside.msmary.edu/public-safety/index.html#annual-security-report.

Severe Weather/Tornado Emergencies

In the event of a tornado, the City of Emmitsburg may sound tornado-warning sirens and Public Safety may activate the Mount Alert system on campus. In the event of an approaching tornado/severe weather, students could be advised to move to the inner core of the building away from window areas or to the basement, if one exists in the building where they are located.
<table>
<thead>
<tr>
<th>Office/Department</th>
<th>Location</th>
<th>Phone (301-447-XXXX)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accounting &amp; Financial Affairs</td>
<td>Bradley Hall, 3rd Floor</td>
<td>5353</td>
</tr>
<tr>
<td>Athletics</td>
<td>ARCC</td>
<td>5296</td>
</tr>
<tr>
<td>Student Activities &amp; Orientation/New Student Services</td>
<td>Lower McGowan</td>
<td>5175/5005</td>
</tr>
<tr>
<td>Campus Ministry</td>
<td>Lower McGowan</td>
<td>5223</td>
</tr>
<tr>
<td>Career Center</td>
<td>McGowan, 2nd Floor</td>
<td>5202</td>
</tr>
<tr>
<td>Center for Student Engagement &amp; Success/24 Hour Lounge &amp; Study Hub</td>
<td>Phillips Library</td>
<td>5133</td>
</tr>
<tr>
<td>Center for Student Diversity</td>
<td>Lower McGowan</td>
<td>5474</td>
</tr>
<tr>
<td>Student Life – Vice President &amp; Dean of Students</td>
<td>McGowan, 2nd Floor</td>
<td>5789</td>
</tr>
<tr>
<td>Dining Services</td>
<td>McGowan, 2nd Floor</td>
<td>5276</td>
</tr>
<tr>
<td>Financial Aid</td>
<td>Bradley, 1st Floor</td>
<td>5207</td>
</tr>
<tr>
<td>Counseling Services</td>
<td>Lower McGowan</td>
<td>5288</td>
</tr>
<tr>
<td>Learning Services</td>
<td>Borders Hall</td>
<td>5006</td>
</tr>
<tr>
<td>Maintenance</td>
<td>Physical Plant</td>
<td>8306</td>
</tr>
<tr>
<td>Center for Service/Mount Table</td>
<td>Lower McGowan</td>
<td>5310</td>
</tr>
<tr>
<td>Public Safety</td>
<td>Public Safety</td>
<td>5357/5911 (emergency)</td>
</tr>
<tr>
<td>Recreational Services</td>
<td>ARCC</td>
<td>5290</td>
</tr>
<tr>
<td>Registrar</td>
<td>Bradley, 1st Floor</td>
<td>5215</td>
</tr>
<tr>
<td>Residence Life</td>
<td>McGowan, 2nd Floor</td>
<td>5274</td>
</tr>
<tr>
<td>Center for Student Involvement &amp; Belonging/Student Government Association</td>
<td>Lower McGowan</td>
<td>7436</td>
</tr>
<tr>
<td>Title IX</td>
<td>McGowan, 2nd Floor</td>
<td>5531</td>
</tr>
<tr>
<td>Writing Center</td>
<td>Phillips Library</td>
<td>5367</td>
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STUDENT CODE OF CONDUCT

Mount St. Mary’s University, the second oldest Catholic institution in the country, emphasizes our Catholic tradition and the God-given dignity of every human person. The University, known as “the Mount”, is committed to its Liberal Arts mission, and to each student’s pursuit of his or her educational goals. This is only possible when all students, faculty, administration, and staff ensure the intellectual, social, and spiritual development of each member of our community in an ethical way. Honesty, integrity, and responsibility for the welfare of one’s self and all members of the Mount community are characteristics of a caring and thriving community.

I. Pledge of Community Responsibility

Mount St. Mary's University is dedicated to creating an environment where students can develop intellectually, socially, and spiritually. In order to accomplish this, the University holds its students accountable to living out our mission statement and to fostering an environment that respects the dignity of every student. We believe that all members of our community possess an inviolable dignity created in the Image and Likeness of God and as such, we as a community will foster healthy relationships with ourselves and others.

Every student who joins the Mount St. Mary’s University community commits to and accepts the following Pledge of Community Responsibility:

We are a community of learners who value honesty and integrity in our daily interactions.

We will respect all members of the Mount community and therefore, we will not tolerate harassment or discrimination.

Our actions are rooted in ethical leadership, moral decision-making, and service to God and others.

Our actions show respect for the health and well-being of ourselves, our peers, and members of the campus community.

Our actions demonstrate a commitment to living as responsible citizens in our Mount community and beyond.

We honor Mount St. Mary’s University by upholding the policies in our Code of Conduct that support our university mission statement and values, preserve our relationships with one another, and protect our campus community.

Each year students will accept the pledge and be held accountable to being responsible members of the Mount St. Mary’s University community. Failure to uphold the pledge impacts the integrity of our community and may result in disciplinary consequences.
I. Purpose

“As a Catholic university, Mount St. Mary’s graduates ethical leaders who are inspired by a passion for learning and lead lives of significance in service to God and others.” – University Mission Statement

The Mount expects its students to live as ethical leaders on and off campus. The University promotes the combination of ethical leadership with student’s individual gifts, talents and personal qualities to serve others for the greater good. When students fail to live up to our mission, this becomes an educational opportunity for all involved. The Mount practices restorative justice conduct processes to set high expectations for its students while being supportive of their educational and personal growth. Restorative practices seek to promote students taking responsibility for their actions and to articulate how and what can be done to repair the community based on these actions.

Students entering the Mount community accept the values and expectations outlined in this Code of Conduct. Leadership in the community is intrinsically linked to virtue or habits, because virtue creates trust. Trust breeds safety, two powerful elements of a healthy community. The Code of Conduct seeks to promote the safety and welfare of all individuals within the Mount community and the protection of its property. As a Catholic institution, the conduct process is not intended to be punitive, but seeks to repair and restore the student back into the Mount community.

II. Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
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</thead>
<tbody>
<tr>
<td>Advocate</td>
<td>Both the respondent and complainant have the right to an advocate, who is someone that can provide advice and consultation to the student who is charged with a policy violation. The advocate may not participate in examination of witnesses or presentation of materials or information to the hearing officer. An advocate may be present in the hearing, but has no speaking privileges before, during, or after the hearing.</td>
</tr>
<tr>
<td>Appeal</td>
<td>An opportunity for a student to present new information to the Vice President of Student Life (VPSLA)/Dean of Students (DoS) or designee in order to modify a finding of misconduct and/or restorative actions.</td>
</tr>
<tr>
<td>Bias Incident</td>
<td>Incidents involving verbal, written, or physical behaviors, which are not criminal offenses, but target a person because of their actual or perceived identity, personal characteristics, or group membership(s). Biased behavior can be in the form of language, words, signs, symbols, threats, or actions that potentially cause alarm, anger, fear, or resentment in others, or that endanger the health and safety of a member of the community. Examples: Verbal abuse/slurs; Distribution of hate literature or displaying hate material</td>
</tr>
<tr>
<td>Complainant</td>
<td>An individual who files a complaint alleging a violation of the Student Code of Conduct. In cases when an incident is filed without a complainant, the University is the complainant.</td>
</tr>
<tr>
<td><strong>Conduct Administrator</strong></td>
<td>A University official appointed by the Associate Dean of Students, Vice President/Dean of Student or their designee to administer conduct hearing.</td>
</tr>
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</tr>
<tr>
<td><strong>Dean of Students (DoS)</strong></td>
<td>Refers to the Dean of Students and/or may also refer to a designee of the DoS.</td>
</tr>
<tr>
<td><strong>Hate Crime</strong></td>
<td>A hate crime is a crime, including a threat to commit a crime, committed because of another person’s or group’s perceived personal characteristic or group membership. The crime is motivated either in whole or in substantial part by another person’s or group’s race, color, religious beliefs, sexual orientation, gender, gender identity, disability, or national origin, or because another person or group is homeless. All hate crimes are bias incidents, but not all bias incidents are hate crimes.</td>
</tr>
<tr>
<td><strong>Incident Report</strong></td>
<td>An incident report (IR) or a written complaint is used to notify the University of an alleged violation of the Code of Conduct. Anyone can submit an incident report.</td>
</tr>
<tr>
<td><strong>Mount St. Mary’s University</strong></td>
<td>Refers to Mount St. Mary’s University and/or may also refer to a designee of the Mount or the University.</td>
</tr>
<tr>
<td><strong>Respondent</strong></td>
<td>An individual who is accused of violating the Student Code of Conduct and/or other university policies.</td>
</tr>
<tr>
<td><strong>Sanction</strong></td>
<td>An educational, development, restorative, or deterrent measure assigned to a Respondent because the Respondent has been found responsible for a violation of the Code of Conduct. Sanctions are mandatory and failure to complete an assigned sanction may result in additional disciplinary action. See Section VI Conduct Procedures for additional information</td>
</tr>
<tr>
<td><strong>Student</strong></td>
<td>An individual taking courses at the Mount, either full-time or part-time, in person, online or studying abroad, and pursuing either undergraduate or graduate studies, including individuals who withdraw from the University during the conduct process; those who are not currently enrolled in courses but who have a continuing relationship with the University and those who have applied for readmission to the University.</td>
</tr>
<tr>
<td><strong>Student Organization</strong></td>
<td>Clubs and organizations registered through the Center for Student Involvement and Belonging, University Athletics teams, or any other group of two or more students engaged in activities related to a common interest.</td>
</tr>
<tr>
<td><strong>Title IX Coordinator</strong></td>
<td>University official responsible for monitoring and coordinating University compliance with Title IX.</td>
</tr>
<tr>
<td><strong>University Official</strong></td>
<td>A University official is a person employed by the University in an administrative, supervisory, academic, or support staff position.</td>
</tr>
</tbody>
</table>
University Premises | All buildings, facilities, land and other property that is owned used or controlled by the University.
---|---
University Privileges | Special benefits that are granted by the Mount and enjoyed by students, including but not limited to, participating in NCAA athletics, residing in University residence halls, participating in University social events or University sponsored activities, election to student leadership positions, permission to operate or park a personal motor vehicle on campus, access to all University premises open to students, and engaging in campus employment.
Vice President of Student Life | Refers to the Vice President of Student Life and/or may also refer to a designee of the VPSL.
Witness | Individuals who have first-hand knowledge about a reported incident.

III. Scope

The Student Code of Conduct is a Mount policy adopted by the President (based on authority designated by the Board). The Code is implemented and enforced by the VPSL/DoS or their designee. The University President has ultimate authority over all University matters.

The Code applies to all University students’ (undergraduate and graduate) conduct that occurs on University premises, including study abroad, at University activities and any off campus conduct that could adversely affect the University community and/or pursuit of the University’s educational mission, or that could create a hostile environment for a student on campus. The VPSL/DoS decides whether the Code will apply to a student’s off campus conduct on a case-by-case basis.

A student is responsible for their conduct from the time of admission to the Mount through the award of a degree, or such other time as their relationship with the University is formally ended. Each student is responsible for conduct between academic semesters, during the academic year and during periods between terms of enrollment. The Code applies to student conduct even if a student withdraws from the University during the conduct process.

Reporting Resources
Students who witness or experience any misconduct have several options for reporting a situation. Using the resources offered below, students should immediately report any needed assistance, or if they believe another student is in danger or engaging in unhealthy behavior.

Good Samaritan Policy
Student health and safety are the primary concerns of the Mount community. Consumption of excessive amounts of alcohol or controlled substances can place a person at risk of serious illness or even death. When a student believes that assistance for an intoxicated/impaired student is needed, he/she is expected to contact Public Safety for assistance. Public Safety officers are
trained in first aid and will assess intoxicated/impaired individuals to provide assistance, and if necessary, facilitate transport to the appropriate medical facilities for treatment. When a student contacts University officials for assistance, the student contacting and the student in need of assistance will routinely be relieved of Student Conduct action for possession or consumption of alcohol.

**Bystander Intervention**
Bystander intervention is when a community member is able to identify a dangerous or potentially harmful situation and safely acts to interrupt the situation. It is expected that students have the safety of themselves and peers in mind and if they see something, they will say something, or do something.

**Missing Student Notification**
Students, employees, or other individuals should report that a student has been missing to the Department of Public Safety, a Residence Life staff member, or the Office of Student Life immediately.

Through the Symplicity housing system, each student living in the residence halls may voluntarily provide an emergency contact person. The contact information given by the student will be registered confidentially and this information will be accessible only to authorized campus officials and it will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.

The Mount must notify a custodial parent or guardian if a student under 18 is determined by the Department of Public Safety to be missing. Any additional emergency contact person(s) designated by the student, will also be notified after a determination the student is missing. The University will notify law enforcement agencies after a determination the student is missing unless the local law enforcement agency was the entity that made the determination the student was missing.

**Residence Life/Student Life Staff**
*Resident Assistants (RAs)* – Student staff is available in the halls 24/7. Students can seek out their own RA or any RA on duty any time of the day. RAs are a trained resource and will be able to assess what else is needed in a situation and provide support and/or call the appropriate resource.

*Student Life Staff* – Professional staff is available in the Vice President of Student Life and Residence Life offices from 8:30-5:00 Monday through Friday and 24/7 for emergency response. Staff can be contacted at 301-447-5274 during office hours and emergency staff will be alerted by Public Safety or Resident Assistants.

*Public Safety* – Officers are on duty 24/7 and any campus issue can be reported to them at any time. Public Safety can be contacted at 301-447-5357, or in an emergency, at 301-447-5911.
Anonymous Reporting Systems

Mount Report  – This report is designed to bring concerns, reports, and allegations to the university’s attention, including reports of bias and discrimination. It is available to the entire Mount community and offers the option to report anonymously. If you are not sure of which report to use, please submit through the Mount Report and our team will route your submission to the appropriate office. This report is monitored during normal business hours by Public Safety, Student Life Office, and Title IX Office. Students, more detailed information about the student complaint process is on our Student Affairs webpage.

Public Safety Report  – This report is used for reporting incidents of crime, or safety and security concerns. This report is monitored by Public Safety. The system will email major campus authorities and they will respond to all available information. To report an incident of sexual misconduct, please use the Title IX Report.

Procedures for Reporting and Responding to Bias Incidents and Hate Crimes
If someone is in immediate danger or have been or are the victim of any crime, immediately contact 9-1-1 and/or the Department of Public Safety at 301-447-5911. Bias incidents can hinder our capacity to work with, teach, and learn from one another. Mount St. Mary’s University takes these incidents seriously. If a community member observes or experiences an incident of bias, the University encourages the community member to report the incident through the University’s Confidential Reporting Hotline (powered by Symplicity). A link to the Reporting site can be found at https://msmary.edu/reporting.html and is also available at the bottom right corner of the main MyMount page. While a community member may report anonymously, this may hinder the University’s ability to act on the report you submit. The University will provide support to community members who file a report, keep records of bias incidents, and analyze trends in efforts to continually improve our campus environment and opportunities for education consistent with our values. The University will investigate all complaints of possible bias-related incidents, including those of a criminal nature by taking appropriate action to identify any University community member, campus guest, or other individual responsible for the behavior. Reports should include as much detail as possible. Record where and when the incident occurred, document the names of witnesses, if applicable; document detailed information about the perpetrator(s), if applicable. In addition, retain any physical evidence of the incident (e.g., photos of messages written on doors, physical objects, etc.). A complete copy of this procedure can be found in the Appendix B of this Code of Conduct.

Reporting any Title IX Sexual Misconduct or discrimination concern

Title IX Report is used for reporting sexual harassment, sexual assault, stalking, relationship violence, and other forms of sexual misconduct. This report is monitored by the Title IX coordinator and Title IX investigator in the Title IX Office.

Residence Life/Public Safety StaffStudent staff, housing professional staff and Public Safety staff are trained to respond to a sexual misconduct or discrimination situation and can be reached
as described above. These staff members will make sure students understand all available resources and possible next steps. Mount Report, powered by Symplicity- The anonymous reporting system for all sexual misconduct and discrimination situations. Students can find the resource at https://msmary.edu/reporting.html. University Employees- All University Residence Life staff members, including Resident Assistants (RAs), are mandatory reporters. Faculty members are also mandatory reporters. As such, any time they receive a report of sexual misconduct it must be reported to the Title IX Coordinator. Counseling Services and Health Services are confidential, and do not report to the Title IX Coordinator. For more information on reporting and confidential resources, please see the Title IX policy (https://msmary.edu/title-ix-sexual-harassment-discrimination-policy/index.html).

Nondiscrimination & Title IX

Nondiscrimination Notice (taken from https://msmary.edu/non-discrimination-notice.html)
It is the policy of Mount St. Mary’s University not to discriminate on the basis of race, color, national or ethnic origin, political or religious opinion or affiliation, age, sex or handicapping condition in the recruitment or admissions of students, or in the administration of the university’s educational policies, admissions policies, scholarship and athletic programs, and other university administered activities and programs.

Title IX Statement

In Compliance with Title IX of the Education Amendments of 1972 and other applicable laws, Mount St. Mary's University prohibits discrimination on the basis of sex. Mount St. Mary’s University is a Catholic institution committed to upholding standards that promote respect and human dignity. Members of the university community, guests and visitors have the right to be free from sexual harassment, sexual assault, dating violence, domestic violence, stalking, and other sexual misconduct as defined by the Policy on Title IX Sexual Harassment. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others.

The Title IX office is additionally responsible for ensuring the rights of pregnant students are upheld. Students must be presented with all life-affirming options in the case they may become pregnant, are pregnant, or are parenting, especially those options and rights guaranteed by law. Pregnant students can fully participate in activities enjoyed by fellow students, including but not limited to: club memberships, academic programs, and intramural activities. Pregnant students retain all their academic or athletic scholarships regardless of pregnancy and cannot be subject to penalty regarding any other type of financial aid. Professors and other staff may not punish pregnant students as a result of a medically necessary absence, and concessions must be made to re-take tests and complete other assignments if necessary.

The Mount values the emotional, spiritual, and physical health of each of our students, including any student who becomes pregnant while attending the Mount. As a Catholic university, Mount St. Mary's upholds the dignity of all human life and strives to meet the demands of love and compassion especially toward those in vulnerable and difficult situations. Pregnant students and those students that are already parents should reach out to the Associate Provost for an explanation of the rights,
accommodations, and assistance afforded to them at the Mount and in the wider community. Email associateprovost@msmary.edu and call 301-447-5333 for assistance.

The Title IX Coordinator oversees the university’s compliance with Title IX including the Policy on Title IX Sexual Harassment. The Title IX Coordinator reports directly to the Executive Vice President of the University. Questions about this policy should be directed to the Title IX Coordinator. Anyone wishing to make a report relating to discrimination or harassment may do so by reporting the concern to the University Title IX Coordinator:

**Gregory Kuester**  
Title IX Coordinator  
McGowan Student Center 221  
301-447-5531 (office)  
301-401-6455 (mobile)  
g.f.kuester@msmary.edu  
titleix@msmary.edu

Additional information can be found at: [https://msmary.edu/title-ix-sexual-misconduct-policy.html](https://msmary.edu/title-ix-sexual-misconduct-policy.html)

IV. **Academic Integrity**

Matters of academic integrity are reviewed and enforced under the authority of the Provost and faculty. Students engaged in acts which may constitute both academic dishonesty and misconduct as defined in the Code may be subject to sanctions under both authorities. A copy of the academic policies can be found: [http://catalog.msmary.edu/](http://catalog.msmary.edu/)

V. **Code of Conduct Policies**

1. **Alcohol**
   The following behaviors are not permitted concerning alcohol:
   a. Use or possession of alcohol under the legal drinking age.
   b. Distribution and sale of alcohol.
   c. Providing alcohol to individuals under the legal drinking age.
   d. Drinking in public, public intoxication or possessing an open container.
   e. Manufacturing alcohol.
   f. Driving under the influence of alcohol.
   g. Possessing mass consumption devices (funnels, bongs, kegs/mixed alcohol from a common source outside of its original packaging, etc.)
   h. Participating in or being in the presence of activities (e.g. drinking games.) that promote and encourage the excess consumption of alcohol; regardless of the age of the participants.
   i. For students living in the residence halls/Tower apartments/Cottages/University houses, the possession of alcohol in excess of one 30 pack of beer; 2 bottles/boxes of wine; or a single bottle of liquor up to 1.75 liters, per legal aged student is prohibited. Students are not permitted to display empty alcohol containers in their rooms or in the windows. Any violations will require that display of alcohol material be treated as “in use.”
   j. Possession of liquor in excess of 100 proof alcohol by volume on campus or in any University owned or operated facility or property.
k. Allowing a guest (regardless of age or relationship to host) to possess, consume, or provide alcohol within the hosts residence hall room if the host is not yet 21.
l. Allowing a guest to bring alcohol into a room where assigned residents are under 21.
m. Using alcohol containers/packaging for decoration and/or signage that promotes underage or irresponsible drinking in residential areas.

2. Compliance
Mount students are required to comply with:
   a. The Pledge of Community Responsibility (see page 9)
   b. Directions of any University official, including but not limited to Resident Assistants, Public Safety Officers, Residence Life Professionals, etc. acting in the performance of their official duties. This can include, but not limited to, failure to identify oneself to these persons when requested to do so, or failure to immediately comply with any verbal order issued by Public Safety officers.
   c. Any policy, rule, regulation published by the Mount. (See below for examples of Mount rules, contacts and policies).
   d. The Student Conduct Process, at any stage.
   e. Fleeing the scene of an incident while an investigation or inquiry is in progress.
   f. Any signed contract, waiver or agreement with the University.
   g. Rules and regulations of other institutions of higher education, cooperative internship assignments, student teaching assignments, and any other business or organization associated with the University.

Examples of expectations found in various Mount rules, contracts and policies include the following:
   • Students are required to carry their Mount Card (student ID) with them at all times.
   • Sharing network or email passwords is prohibited.
   • Having restricted items in any Mount residence hall is prohibited per residence hall policies.

Rules, policy, and contracts of note include:
   • Acceptable Technology Use Policy
   • Dining Services policies
   • Parking and Traffic Control Policy
   • Residence Life policies
   • University branding policies
   • Outdoor Adventure trips
   • Any University sponsored off-campus trips

3. Disorderly Conduct
Mount students are not permitted to:
   a. Engage in disruptive, indecent or lewd conduct.
   b. Cause a breach of the peace or act in a manner that presents a risk of harm to oneself or others.
   c. Throw objects from or climb out of windows.
   d. Use restrooms or locker rooms in an inappropriate manner.
   e. Store or leave personal belongings in public areas (outdoors, classrooms, lounges, lobbies, etc)
   f. Sleep in public use areas (outdoors, classrooms, lounges, lobbies, etc) by any student or guest.
   g. Urinate in public.
h. Unreasonably extend a confrontation or disrupt a confrontation of another student by a Public Safety Officer or University staff.

i. Interfere with the duties of a Public Safety Officer or university official

j. Engage in any activity which disrupts or interferes with normal University functions or operations.

k. Produce excessive noise, amplified sound, music or noise that disrupts others

The Mount reserves the right to determine in its sole discretion whether a situation or conduct has risen to the level of disruptive or that of a disturbance.

4. Drugs

Drugs are not permitted anywhere on Mount St. Mary’s University campus which includes but is not limited to any academic building, residence hall, parking lot, etc.

The following behaviors are not permitted with regard to drugs:

a. Use and/or possession of cannabis and/or cannabis products.

b. Manufacturing, growing, or distributing, selling, or transferring of cannabis and/or any substances.

c. Use or possession of heroin, cocaine, acid, narcotics or other controlled substances.

d. Use or possession of any general product used as an intoxicant.

e. Driving under the influence or impaired.

f. Improper use, possession or distribution of prescription drugs.

g. Possession or use of drug paraphernalia (e.g. hookahs, rolling papers, bowls, pipes, bongs, vaporizers, handmade devices).

5. Vandalism and Destruction of Property

The following behaviors are considered disrespectful to the Mount community members and the campus environment and are not permitted:

a. Any form of vandalism of personal or Mount property.

b. Littering, unearthing plants, disturbing aesthetics of the Mount or damaging the Mount grounds or facilities in any manner.

c. Tampering with Public Safety cameras in any location on campus.

6. Fire Safety

The following behaviors are not permitted with regard to fire safety:

a. Failure to comply with evacuation procedures.

b. Tampering with fire safety equipment.

c. Unauthorized use of fire exit doors.

d. Setting a fire, committing arson or contributing materials or fuel to a fire.

e. Possession, use, or threatened use of fireworks or other explosive devices that could cause a fire and/or damage.

f. Use of open flame devices or open heat sources (e.g. incense, candles, coffee pots without automatic shutoffs, space heaters).

g. Smoking any substance within University buildings (includes e-cigarettes, personal vaporizers).

h. Smoking and vaping any substance less than 15 feet away from any door and or window of any building on campus

i. Possession, use, and/or charging of battery powered or electric recreational vehicles, etc. inside campus buildings

j. Propping open, wedging, or tampering with an exterior door to a residence hall or any fire door inside a residence hall
7. **Harassment**
All forms of harassment and discrimination are unacceptable at the Mount. Violations of the non-discrimination and Title IX policy are marked in the student’s conduct record but are managed by the Title IX Coordinator. Any harassment or discrimination that does not meet the criteria under Title IX will be managed by the DoS.

Harassment and/or bullying behaviors are not permitted, including but not limited to:
- a. Verbal abuse.
- b. Threats.
- c. Intimidation.
- d. Stalking.
- e. Bias-related behaviors that cause any member of the community to feel unwelcome such as:
  - i. Negative actions against an individual or group because of their actual or perceived race, sex, color, national or ethnic origin, age, religion, disability, marital status, sexual orientation, genetic information, military status, gender or gender identity, any other legally protected classification, or other targeted aspects of one’s identity.
  - ii. Creating a climate that supports, encourages, or initiates an uncomfortable environment for any community member.
- f. Unauthorized recording or use of a recording (audio, video or photograph) of another person without their knowledge and approval.
- g. Non-Title IX Sexual Harassment. Sexual harassment including sexual assault, dating violence, domestic violence, and stalking are prohibited under the University’s policy on Title IX Sexual Harassment. Any allegation of sexual harassment not covered under the Title IX Policy will be managed by the DoS office or designee.
- h. Other forms of conduct, whether physical, verbal, or electronic, that would reasonably inflict fear in another individual or interfere with an individual’s or group’s ability to participate in the University’s educational program.

8. **Hazing**
The state of Maryland prohibits hazing and defines it as such: Prohibited – a person may not recklessly or intentionally do an act or create a situation that subjects a student to the risk of serious bodily injury for the purpose of initiation into a student organization of a school, college, or university. The Mount takes hazing seriously and the following actions or situations, but not limited to, are considered hazing and are prohibited at the University:
- a. Intentionally, forcefully, or recklessly endangering the physical health and safety of any student.
- b. Coercing or forcing a student or group to the consumption of alcohol.
- c. Inflicting physical or mental harm, distress, anxiety or that which may demean, degrade, embarrass or disgrace any person.

9. **Misrepresentation**
The following behaviors are not permitted with regard to misrepresentation:
- a. Lying, misrepresentation of facts or giving false testimony to any University official.
- b. Falsifying, forging, altering, or furnishing false information on or relative to, University records.
- c. Transferring, altering, wrongfully obtaining identification cards, parking permits, transcripts, computer records, and/or other Mount documents.
d. Misuse of University funds, including student organization funding.
e. Using University logo or name without appropriate permission or falsely attributing an activity to the University.

10. Physical Abuse
Physical abuse of any kind is not permitted. Physical abuse includes, but not limited to, engaging in physical, and/or verbal abuse, fighting, domestic violence, dating violence, threats, intimidation, harassment, coercion, physical or electronic stalking, physical, emotional or electronic bullying, or any other conduct which threatens or endangers the health, safety or welfare of any person. Any reports of the domestic violence, dating violence, or sexual harassment will be reported to the Title IX Coordinators for investigation.

11. Posting & Solicitation
The following behaviors are not permitted with regards to posting materials and solicitation activity:
  a. Posting without signed approval from the Office of Student Life.
  b. Displaying lewd, indecent or obscene material (this includes a backdrop in Zoom during class and other University sanctioned meetings)
  c. Posting on areas not approved by the Office of Student Life (e.g. on exterior buildings, trees, lamp posts, glass doors)
  d. Solicitation of members of the University community by a student for the sale or promotion of commercial products or services.
  e. Door-to-door sales, promotion or collection of funds without written permission from the Residence Life Office or Office of Student Life.
  f. Students operating a business on campus that is not directly related to an academic course.
  g. Student organizations/clubs selling items without approval from the Campus Activities (AMP).

12. Theft/Unauthorized Possession
The following behaviors are not permitted at the Mount:
  a. Theft.
  b. Attempted theft.
  c. Possession of stolen property or possession of property without the permission of the owner such as public street signs and exits signs.

13. Acceptable Use Policy
This policy is designed to guide students, faculty, staff, and administrators in the acceptable use of computer systems and networks provided by Mount St. Mary’s University. More importantly, it is meant as an application of the principles of respect and reverence for every person that are essential to Mount St. Mary’s Catholic identity. Students can find the full policy at: https://inside.msmmary.edu/more/information-technology/information-technology-acceptable-use-policy.pdf

14. University Process Abuse
The following are considered abuse of University process or systems and are not permitted:
  a. Failure to comply with a conduct letter or communication from the DoS/designee.
  b. Retaliation against individuals who exercise the rights or participate in investigations or proceedings.
c. Submission of frivolous or fabricated reports.

15. Laws & Statutes
Violations of international, federal, state or local law (whether convicted or not) or University policy, whether the violation occurs on or off campus.

16. Interpersonal Behavior Expectations
Mount St. Mary’s University is committed to “developing, nurturing, and caring for the whole person”. We recognize that the “whole person” does not form in a vacuum. It is through relationships with others that we learn who we are as an individual; additionally, fundamental values are instilled – human dignity, stewardship, and solidarity. These values are ever present as we begin to live lives of significance. Therefore, we believe that our most fundamental value – Human Dignity – must be at the core of our interactions with others. Mutual love, respect, and care must permeate every facet of the university experience.

Mount St. Mary’s University is a Catholic University. God is at the center of our community ethos. We use the word community often; however, our model of community is rooted in scripture-as depicted in Acts. Therefore we expect the value of peace (and the promotion of peace) to be the default for behavior on campus. Insensitive, disrespectful, obscene, harassing, hateful, threatening, and violent behaviors (action and language) are deemed offensive and are strictly prohibited (any other offensive behavior not listed is prohibited).

i. Discrimination against any person on the basis of race, color, national origin, religion, sex, age, veteran’s status, disability, or weight is not tolerated.

Mount Saint Mary’s University is committed to providing quality education to all students. We have a diverse community, comprised of varied racial, ethnic, and cultural backgrounds. This diversity provides our community unique opportunities to appreciate cultural, racial, and ancestral heritages in a safe and loving environment.

Any student that feels as though they have experienced discrimination that has negatively impacted their ability to be a fully participating member of the university community can seek recourse through the Student Code of Conduct by contacting the Dean of Students, the Center for Student Diversity, the Center for Student Success and Equity, the University’s Title IX Coordinator, and/or the Vice President of Student Life.

Disciplinary sanctions are outlined in the Student Handbook.

ii. Racial/Ethnic Intimidation and Harassment is conduct that meets the following criteria:
   i. Conduct consisting of dissimilar/different treatment based on race;
   ii. The existence of a racially hostile environment; or
   iii. The malicious, intentional, harassment of another because of their race, color, or national origin (additionally, the full ethnic intimidation standard, also, states religion and gender can be basis) involving threats or physical contact.

Any student that feels as though they have experienced harassment and/or intimidation that has negatively impacted their ability to be a fully participating member of the university community can seek recourse through the Student Code of Conduct by contacting the Dean of Students, the Center for Student Diversity, the Center for Student Success and Equity, the University’s Title IX Coordinator, and/or the Vice President of Student Life.
Success and Equity, the University’s Title IX Coordinator, and/or the Vice President of Student Life. Disciplinary sanctions are outlined in the Student Handbook.

iii. Physical Harm
   i. Intentionally inflicting or attempting to inflict, or conspiring to inflict bodily harm upon any person or threatening to do the same; or
   ii. Taking any action for the purpose of inflicting bodily harm;
   iii. Taking any reckless, but not accidental, action which results in bodily harm or could result in bodily harm to any person. Sanctions may range from disciplinary probation plus other disciplinary measures, up to and including expulsion.

iv. Psychological Harm
   i. Intentionally inflicting, attempting to inflict, or conspiring to inflict mental harm upon any person; or
   ii. Taking any action for the purpose of inflicting mental harm; or
   iii. Taking any reckless, but not accidental, action which could result in mental harm to any person; or
   iv. Causing a person to believe that the offender may cause mental or bodily harm; or
   v. Any act which demeans, degrades, or disgraces any person.

Sanctions may range from disciplinary probation plus other disciplinary measures, up to and including expulsion.

17. Expression, Demonstration, and Gathering Policy
   Mount St. Mary’s University believes in the rights of its community members to pursue their academic and career objectives without unreasonable obstruction or hindrance. We also believe that members of the university community are free to communicate, by reasonable demonstrations, the positions that they support on vital issues of the day.

   Since the intellectual life of a Catholic University depends on vigorous discussion, debate, and inquiry, Mount St. Mary’s desires to host speakers and other events that will expose students to diverse viewpoints, and will help students to grapple with difficult questions facing modern society. In doing so, the university has a fundamental responsibility to its students, to their parents, and to the rest of society not to cause confusion about what Catholic teaching is or about whether the university supports Catholic teaching. Events on campus that address areas where there could be confusion (especially controversial moral, political, or scientific issues) should represent ideas fairly, and should be an occasion for the university to remind students that the university upholds the authority of Catholic teachings, encourages inquiry and discovery, and trusts that any truths discovered by human intellect can in principle be reconciled with Catholic teaching.

   The University, through its teaching, and co-curriculum, engages community members in the broadening of knowledge. A freedom of expression is critical to the process of learning, and Mount St. Mary’s University values in its members a diversity of thought. Peaceful protests and/or rallies present our community with the opportunity to further share information; what they cannot do is endanger community members or disrupt University operations. University
administrators may choose not to permit a rally or demonstration if safety or the performance of University operations become compromised or there is great conflict with Catholic teaching.

This policy applies to all students of Mount St. Mary’s University. Failure to abide by the policy may result in referrals to the Dean of Student Life Office for student misconduct proceedings.

For the purpose of this document the terms public speech, rally, march, demonstration and protest are used interchangeably.

The Mounts’ Status as a Private Institution
There are differences between public and private institutions. Public institutions are established by government entities (e.g. the state of Maryland) and are subject to the authority of that state government and as an extension the US government. Public institution employees are subject to the constraints of the US Constitution. Private institutions, such as Mount St. Mary’s University, are not legally bound by the provisions described in the constitution but instead the relationship between the university and its students, faculty and staff is contractual in nature. To that end, the University has the right to develop and create its own policies, procedures and rules about how it operates which includes the right to determine who can and cannot come to its campuses, and how rally and demonstrations can occur.

Events Covered by this Policy

Classroom Speakers/Invited Guests
Speakers invited by the faculty of the University and sponsored by faculty through their departments, programs, or as part of a class, and presenting in an academic space (classrooms and lecture halls), enjoy the benefits of academic freedom as long as the intended audience is the University community. Speakers or presenters invited by faculty instructors for the purposes of instruction within an individual course curriculum can do so with department/college approval.

Students, faculty, and staff are responsible for their guests and are accountable for their guests' conduct on campus, including any property damage that takes place.

Planned Protests, Rallies, or Demonstrations
Protests, rallies, or demonstrations under this policy are classified as any event planned with the expressed purpose of gathering multiple people to raise awareness about, or express a viewpoint on, any issue or cause. These events require advance arrangements with the University as outlined below (Advance Arrangements).

Spontaneous Events
A spontaneous event is permitted involving University members only. These include responses to world or local events, vigils, and/or celebratory gatherings (e.g. Ravens or Redskins win the World Series, the Mount wins a championship). Recognizing that there are times when things happen that preclude the ability to plan an event, the University has designated areas on both Emmitsburg and Frederick campuses where these events may occur (see section below). Restrictions to these spontaneous events include: any construction; amplified speech; disruption
of the business of the university, and blocking traffic. Generally, these events would (should) take place between the hours of 9:00 a.m.-10:00 p.m.

**Counter Protests**
Planned protests, rallies, or demonstrations may invite protest by persons or groups whose ideas lie in contrast. Student organizations and University departments are required to plan for the possibility of counter protests when organizing events. In cases where dissenting views are likely to be expressed, the University will reserve the right to identify areas designated for counter protest to protect the freedom of expression of all parties. Student organizations and University departments are required to plan for the possibility of counter protests when organizing events.

**Planning and Execution of Event**

**Community Notification**
Whenever possible, the Mount community will be notified to the extent possible that a protest or demonstration will be, or is, taking place.

**Advance Arrangements**
Individual students and recognized clubs and organizations may organize protests, rallies, or demonstrations in concert with the Dean of Student Life Office, the Office of Social Justice, and the Office for the Center for Student Diversity. Working with these office’s as they would for the planning of any community program, students and clubs/organizations must submit a request no less than two business days prior to the date of the proposed protest, rally, or demonstration. This will ensure that University officials can assist students in the planning of their event, and to help anticipate the possibility of counter protests (see Counter Protests). Mount staff will be present during protests, rallies, or demonstrations to monitor the event’s safety and to ensure the event does not interrupt University operations.

Protests, rallies, or demonstrations slated to occur on an adjacent street or sidewalk (see Approved Locations) may require town permits and/or adherence to town ordinances. Students proposing such events will need to work within the parameters as set forth by local and state government.

**Approved Emmitsburg Locations Include:**
In front or alongside Patriot Hall

Protests and demonstrations may not take place in classrooms, corridors, or in or near administrative offices, but may take place inside designated university event spaces if approved in advance.

As part of advanced planning, event organizers can work with the Dean of Student Life to identify an interior location on campus that could serve as a location in inclement weather or another location that would meet an extenuating need of the event.

The entirety of the Emmitsburg and Frederick campuses and all University-owned buildings (in Emmitsburg and Frederick) are private property.
**Building Occupancy**
Students hosting protests, rallies, or demonstrations must do so in a manner consistent with established building occupancy codes. Doing so is but one measure of ensuring the safety of participants. Building occupancy will be determined by the Public Safety Department based on square footage requirements, current furniture configuration and proper egress. Building opening and closing times will be determined by the Public Safety Department based on regularly scheduled usage, which varies depending on the time of year. Building occupancy and opening/closing times can be obtained from the Public Safety Department upon request.

**Restriction from Buildings (individuals and groups)**
The University may deny individuals access to all or some University property, if a person(s) is known to have or has engaged in criminal activity, suspicious activity, or behavior that is or is likely to be threatening, violent, or disruptive to University operations and activities. The Mount may restrict access to buildings and outdoor areas during both business and nonbusiness hours.

**Construction**
The Dean of Students must approve any structure (stage, tent, etc.) to be erected for use during a protest, rally, or demonstration. Necessary consultation will occur with the Public Safety Department and/or Facilities.

**Disorderly Behavior**
Conduct which is disorderly; breach of peace; or aiding, abetting, or procuring another person to breach the peace on University premises is prohibited (See “V. Code of Conduct Policies #3” of Mount St. Mary’s University Student Handbook, Conduct Codes [https://inside.msmary.edu/student-affairs/msmu-student-code-of-conduct.pdf](https://inside.msmary.edu/student-affairs/msmu-student-code-of-conduct.pdf)).

Disruption and Obstruction; the following actions are prohibited: Intentional or unintentional obstruction of the free flow of pedestrian or vehicular traffic on University premises or at University-sponsored or supervised functions. Participation in any behavior which disrupts the normal operations of the University and infringes on the rights of other members of the University community is also prohibited. (See “V. Code of Conduct Policies #3” of Mount St. Mary’s University Student Handbook, Conduct Codes [https://inside.msmary.edu/student-affairs/msmu-student-code-of-conduct.pdf](https://inside.msmary.edu/student-affairs/msmu-student-code-of-conduct.pdf)).

**Noise Levels**
While amplified sounds (voices, music) may be part of a protest, rally, or demonstration, those that impact the operations of the University may need to be lowered at the discretion of the University official on site. Amplified sound may only be used between the hours of 9am and 10pm.

**Special Circumstances**
The University recognizes that some demonstrations may occur over a period of hours or days (i.e. late night into morning events). Similarly, some protests, rallies, or demonstrations may draw large attendance warranting the need for an increased presence among University officials including Public Safety. Any such events will require the approval of the Dean of
Students/Associate Provost (or designee), who will consult with the Office of Public Safety. It will also be necessary that the faculty or staff advisor associated with the club or organization be present throughout the duration of the event when it occurs over a period of hours or days, is expected to draw a large crowd, or when a counter protest should be anticipated.

**Solicitation and Distribution of Information**
When handbill distribution is associated with a particular event, whether indoor or outdoor, the locations of distribution may be restricted to preserve safety and security and material distribution may be wholly prevented or restricted (e.g. at a campus event-commencement etc.). Distribution is subject to the Mount St. Mary’s University Posting and Solicitation Policy as found in the Mount St. Mary’s University Student Handbook, [https://inside.msmary.edu/student-affairs/msmu-student-code-of-conduct.pdf](https://inside.msmary.edu/student-affairs/msmu-student-code-of-conduct.pdf).

**Posters, Placards, Banners and Signs**
Students, student organizations, faculty, staff, and employees commonly post signs and flyers to inform the University community of upcoming events. The University allows this practice within regulations designed to reasonably govern what, when and where the event takes place for the protection of the students, University property, and appearance of the campus.

Banners and/or signs must be approved in accordance with the policies of the Office of the Dean of Student Life.

Placards, banners, and signs used during a protest, rally, or demonstration may not impede upon the operations of the University and thus should not block sidewalks, entryways, or the like. While allowed, if found to impede upon the operation of the University, or to be inappropriate by using inappropriate or crass language, placards, banners, and signs may be relocated or disallowed at the request of University officials.

**Media/Public Relations**
The Office of Communications is responsible for communications including media relations, public relations, publications, advertising/marketing and web sites for the University. All communications with the media should be coordinated through the Office of Communications. Students are encouraged to contact the Office of Communications with items that might be of interest. Faculty, staff and students may not speak on behalf of the university unless previously approved.

**Student Conduct Procedures**

**Administration**
The conduct process proceeds under the direction of the VPSL/DoS. The VPSL/DoS retains discretion to appoint a designee to act on his/her behalf. This designee should be an Office of Student Life staff member. Throughout the Code of Conduct reference to the VPSL/DoS should also be considered to include reference to a designee of the VPSL/DoS.
Reporting Methods
Reports can come from a variety of sources. The purpose of this multi-reporting system is to institute a culture of community care. It is the community’s responsibility to hold each member of the community accountable. As such, reports can come to the Office of Student Life from the following sources:

1. Public Safety Reports - Officers from Mount Public Safety write reports outlining violations of University policies by students, other members of the University community, and campus guests. They also generate reports documenting health and safety calls (i.e., ambulance, fire alarm, etc.). These reports are sent to the Office of Student Life.

2. Incident Reports - Resident Assistants (RA) document Student Code of Conduct violations and incidents that take place in the residence halls. When RAs are aware of a violation of University policies, they complete an online Incident Report. Appropriate staff members are notified via email and can view the report on the University’s online conduct management system.

3. University Confidential Reporting Hotline (powered by Symplicity) - Mount St. Mary’s University has engaged the services of a trusted third party provider, Symplicity. Community members are encouraged to use this hotline in situations the reporter prefers to place an anonymous report relating to violations stated in the University’s written standards and policies, as well as asking for guidance related to policies and procedures: https://msmary.edu/reporting.html

4. Conduct Complaints – University community members, including students, faculty, staff, guests and visitors, may file a conduct complaint against a student alleging a violation of the Student Code of Conduct: https://form.jotform.com/81914173707156. The University may institute an investigation or proceeding based on information it receives even if not filed as a formal student conduct complaint.

Findings
The final outcomes with regard to responsibility or lack thereof for violations of the Code of Conduct are as follows:

a. Not Responsible: There is not enough evidence/information to indicate that the student is/was in violation of the Code.

b. Responsible: The evidence/information available to the University indicates a violation of Code.

c. Complicit: While a student was initially suspected of being in direct violation, it is now clear that the student witnessed, was present at or was determined to be responsible for hosting/encouraging violations.

d. Adjudication Withheld: The case was diverted to, or the student chose to accept, an educational diversion program, causing the adjudication of the case to be withheld.

Preliminary Investigation
1. Investigation of Complaints - The DoS will investigate all suspected and reported violations of the Code whether initiated internally without a formal complaint or when referred by students, faculty and staff, Public Safety, local law enforcement, guests, visitors or any other credible third party source.

   a. Upon receiving a complaint, the DoS will designate an investigator who may be a member of the staff of the Office of Student Life. In certain investigations, the Title IX Coordinator may also participate jointly in an investigation as described below.
2. Following the preliminary investigation, the DoS may take any of the following actions:
   a. If the DoS finds no information or evidence to support an alleged violation of the Code, the complaint will be closed with no further action. If the Title IX Coordinator finds no information or evidence in cases of alleged sexual misconduct, domestic violence, dating violence and stalking, a notice that no further action will be taken will also be provided to the Complainant.
   b. If the DoS finds reasonable cause to believe that a student may have engaged in conduct in violation of the Code of Conduct, the DoS will determine which of the following processes will be followed based on the nature and severity of the violation and/or whether the student alleged to have engaged in misconduct has a prior history of misconduct:
      i. Behavioral Hearing Meetings may be assigned for any first time or repetitive violations that are not expected to result in suspension or expulsion.
      ii. Behavior Hearing meeting with the DoS for repetitive violations or egregious violations that may result in suspension or expulsion.
      iii. Adjudication Withheld is where the students is invited and agree to participate in a diversion program. Upon completion of the program, the case is closed.

Documentation and Notification
1. Documentation of any possible Code of Conduct violation can be submitted to the DoS by any member of the Mount community. Due to their positions, the Residence Life and Public Safety members are specifically assigned and expected to confront and report any suspected violation. To report a violation go to a Resident Assistant or Office of Residence Life (if violation is in the residence halls), Public Safety, or the Office of Student Life.
2. An anonymous, untraceable report of a violation of the Code of Conduct or crime can be submitted to Public Safety. This report may prompt an investigation, if the content of the report is clear and can be examined or indicates egregious behavior.
3. Each report filed will be reviewed by the DoS through the lens of the expectations of Mount student behavior and Code of Conduct. Notification of a possible violation will be issued and may not indicate the Code violations intended by the original reporter.
4. Students accused of a possible violation(s) will be notified via email to their Mount email account. Students are responsible for maintaining their student-issued email account. Notification will include the date of the incident in question, the specific Code(s) of Conduct in question and instruction on how to resolve the matter.
5. Notification instructions will include the name of the hearing officer the student is to meet with in a Behavioral Hearing and may include information permitting the student to attend a Diversion Program.
6. Diversion Program invitations are based on the content of the original report and are described on pages 20-21
7. Students who do not follow the instructions in their notice, waive the right to a hearing.
   NOTE: The processes for cases involving Title IX or the University’s Nondiscrimination, which corresponds to the Code of Conduct on page 11, differ from the standard Code of Conduct process. See: https://msmary.edu/non-discrimination-notice.html
Restorative Actions

The restorative actions given in cases where students are found Responsible or Complicit are intended to be corrective and educational in nature, but depending on the severity of the situation, the consequences can be punitive when necessary. This code of conduct process is intended to make clear the expectations of student behavior at the Mount and to give students who violate the Code of Conduct an opportunity to more fully understand the expectations of living in the community.

The Restorative Actions for those found responsible and/or complicit in a violation may include a combination of interventions.

Failure to complete assigned consequences may result in the student’s record being placed on hold (known as a Dean’s Hold), which can prevent registration, participation in the housing selection process, release of grades/transcripts, participation in graduation and the granting of a degree. Additionally, students who fail to complete consequences may be offered an extended deadline, if requested in a timely manner.

A second missed deadline may result in the student being accused of a violation of compliance, which will initiate a new student conduct case or the consequences may be altered to monetary fines. Lastly, the University reserves the right to alter the consequence of suspension/expulsion to that of expulsion in any case where the student violates the terms of the suspension/expulsion.

The restorative actions/sanctions include, but are not limited to, the following:

- **Written Warning:** An official written notice of the University’s disapproval of a student’s actions, indicating that any future violation will be dealt with more severely.
- **Restriction:** Temporary or permanent loss of privileges or the use of/participation in a University facility, program or service.
- **Intervention:** Educational or informative workshops, events, reflective or research papers, meetings, counseling sessions or service activities related to the violation or incident.
- **Monetary Fine:** A disciplinary fine placed on the student’s account.
- **Restitution:** Compensation for loss, damage, or injury.
- **University Disciplinary Probation:** Official notice that any further/future violations are likely to result in suspension or expulsion from the University. A student on probation is not permitted to serve in select leadership positions in student organizations.
- **Interim Action:** Interventions or restrictions issued by the Vice President for Student Life and Dean of Students at his/her discretion prior to the adjudication of a conduct case could include, but are not limited to, interim suspension/expulsion, limitation of access to designated University facilities or residence halls by time and location, limitation of privilege to engage in specified University activities or reassignment to alternate housing.
- **Interim Suspension:** A denial of access to the residence hall(s), the campus (including classes) and to all other University activities or events, which the student might otherwise be eligible to participate in or attend.
- **Suspension:** A complete separation from all University classes, activities, events, services, facilities, grounds and campus property for a specific period of time or until specific conditions are met. Any violation of these terms will result in additional action, up to and including expulsion. Suspensions are immediate, regardless of the timing of the academic year.
- **Dismissal:** A complete separation of the student from the University involving denial of all student privileges. Dismissal shall be effective on the date of notice of the dismissal
or later if so stated in the notice; may be entered into the student’s transcript; and may prescribe the date and conditions upon which the student may petition for readmission. Readmission is at the sole discretion of the University and is not guaranteed. Students separated from the University by dismissal may not enter University premises or University-related premises without prior approval from the Vice President/designee. The dismissal notation will be removed from the student’s permanent record, by the Registrar, upon the student’s graduation. The dismissal notation can also possibly be removed earlier by petitioning the Vice President.

- **Expulsion:** Complete and permanent termination of the student’s relationship with the University. This termination pertains to all classes, activities, services, facilities and grounds and precludes any future enrollment in the University’s undergraduate, graduate and professional schools.

Listed in the table below are the standards used by hearing officers for those portions of the alcohol code that are most commonly violated. Again, these are not a minimum or maximum mandate, but rather a standard. Some violations start with a second offense standard, because they will likely qualify for a diversion program at the first offense. It should be noted that, when parent contact information is available, due to the severity of the health and safety of the student, the Dean of Students will notify the parents of any underage student placed on probation for violation of the University’s policy on alcohol or drugs. This notification is separate and apart from the letter students write themselves for underage alcohol use.

There are a few behaviors that can warrant a suspension or expulsion on the first offense. These offenses will be dealt with on a case by case basis. Cases are but not limited to: fire safety where people or property were harmed, distribution (or sale of) drugs (illegal or prescription), physical abuse, use of, or threatening another person with, a weapon.

<table>
<thead>
<tr>
<th>Code</th>
<th>Specific Behavior</th>
<th>Offense</th>
<th>Restorative Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alcohol</td>
<td>Underage alcohol 1st</td>
<td>1st</td>
<td>- Written warning</td>
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<td></td>
<td></td>
<td></td>
<td>- 10 hours of Intervention Service Hours (completion date within 2 months - $10 for every hour not completed by deadline)</td>
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<td></td>
<td>- Alcohol Education Program</td>
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<td></td>
<td></td>
<td>- Reflection Paper (500 words)</td>
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<tr>
<td>Underage alcohol 2nd</td>
<td>2nd</td>
<td>2nd</td>
<td>- Written warning</td>
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<td></td>
<td></td>
<td></td>
<td>- 15 hours of Intervention Service Hours (completion date within 2 months - $10 for every hour not completed by deadline)</td>
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<td></td>
<td></td>
<td>- Counseling Services Referral and/or Educational Program</td>
</tr>
<tr>
<td>Underage alcohol 3rd</td>
<td>3rd</td>
<td>3rd</td>
<td>- University disciplinary probation (3 months)</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>- 20 hours of Intervention Service Hours (completion date within 3 months - $10 for every hour not completed by deadline)</td>
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<td>- DoS Letter to Parents</td>
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<tr>
<td>Distribution to minors 1st</td>
<td>1st</td>
<td>1st</td>
<td>- University disciplinary probation (1 year from date of incident)</td>
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<td></td>
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<td>- 15 hours of Intervention Service Hours (completion date within 2 months - $10 for every hour not completed by deadline)</td>
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<td></td>
<td>- Alcohol Education Program</td>
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<tr>
<td>Distribution to minors 2nd</td>
<td>2nd</td>
<td>2nd</td>
<td>- Possible Suspension</td>
</tr>
<tr>
<td>Code</td>
<td>Specific Behavior</td>
<td>Offense</td>
<td>Restorative Actions</td>
</tr>
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<td>----------------------------------------------</td>
<td>---------------------------------------------------------------------------------------------------------------</td>
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<tr>
<td>Drugs/Cannabis</td>
<td>Use, smoking, Paraphernalia</td>
<td>1st</td>
<td>• Written warning</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>• 10 hours of Intervention Service Hours (completion date within 2 months - $10 for every hour not completed by deadline)</td>
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<td></td>
<td>• Reflection Paper (500 words)</td>
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<tr>
<td></td>
<td>Use, smoking, paraphernalia</td>
<td>2nd</td>
<td>• Written warning</td>
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<td></td>
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<td></td>
<td>• Counseling Services Referral</td>
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<td>Use, smoking, paraphernalia</td>
<td>3rd</td>
<td>• University disciplinary probation (3 months)</td>
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<td>• DoS Letter to Parents</td>
</tr>
<tr>
<td>Distribution/Selling</td>
<td></td>
<td>1st</td>
<td>• University disciplinary probation (1 year from date of incident)</td>
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<td></td>
<td></td>
<td></td>
<td>• 15 hours of Intervention Service Hours (completion date within 2 months - $10 for every hour not completed by deadline)</td>
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<tr>
<td>Distribution/Selling</td>
<td></td>
<td>2nd</td>
<td>• Possible Suspension</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• 30 hours of Intervention Service Hours (completion date within 2 months - $10 for every hour not completed by deadline)</td>
</tr>
<tr>
<td>Under the influence when driving (where no one is harmed)</td>
<td></td>
<td>1st</td>
<td>• University disciplinary probation (1 year from date of incident)</td>
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<tr>
<td></td>
<td></td>
<td></td>
<td>• 15 hours of Intervention Service Hours (completion date within 3 months - $10 for every hour not completed by deadline)</td>
</tr>
<tr>
<td>Driving under the influence (may involve injury, damage, and/or death)</td>
<td></td>
<td>1st/2nd</td>
<td>• Possible Suspension</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>• 30 hours of Intervention Service Hours (completion date within 2 months - $10 for every hour not completed by deadline)</td>
</tr>
</tbody>
</table>
Diversion Programs

Diversion programs are offered to students at the Mount who choose to participate. These programs are designed for first offenses, which gives the student the ability to make amends while receiving assistance/education on a particular topic. These programs are offered as a courtesy to students and are intended to provide certain types of offenses with an educational intervention without the student incurring a conduct record reflecting a violation. The student must be invited to participate in one of these diversion programs. Invitations to diversion programs are offered in cases where the content of the original report meets the criteria for the program, and the hearing officer feels that if the behavior occurred, it could be best remediated with education on the expectations of living in a University community. In addition to the diversion programs offered, the Dean of Students has the authority to divert a case to mediation before considering it for the Student Conduct System, as long as the accusations do not involve sexual violence or discrimination.

Appeals

Appeals must be presented in detailed writing by the student, via email, addressed to the appeal authority listed in the sanction letter within 5 calendar days of the sanction date. An appeal is not a new conference. It is a review of the record of the original conference. An appeal may be dismissed if not sought on proper grounds. Any sanction imposed as a result of a conference shall remain in effect during the process of appeal. The appeal officer has the authority, under extenuating circumstances, to defer the imposed sanction while an appeal is in process. If an appeal is upheld, the case will be referred to back to the original conference authority for alternate sanctioning. This sanctioning will be decided by the conference and appeal authority and the decision will be final. In any event, sanctions may not be increased as a result of an appeal. An appeal may be sought by the student on the following three grounds:

A. A procedural error occurred that significantly impacted the outcome of the hearing.
B. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or restorative action. A summary of this new evidence and its potential impact must be included.
C. The restorative actions imposed fall outside the typical range of actions for the offense and, if applicable, the cumulative conduct history of the respondent.

The VPSL/DoS reserves the right to assign appeals to the appropriate conference authority. The following are the University Conference and Appeal Authorities:

<table>
<thead>
<tr>
<th>Hearing Officer</th>
<th>Appeal Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Graduate Hall Coordinator</td>
<td>Associate Dean of Students</td>
</tr>
<tr>
<td>Area Coordinator</td>
<td>Associate Dean of Students</td>
</tr>
</tbody>
</table>
Student Conduct Files

Retention and Access The Family Educational Rights and Privacy Act (FERPA) of 1974, as amended, is a federal law which states that a written institutional policy with respect to student records must be established, and that a statement of adopted policy procedures covering the privacy rights of students be made available annually. The law provides that the University will maintain confidentiality of student records. The general requirements of this law with respect to student discipline records are covered in the information that follows.

When a student is found responsible for violating the University Code of Conduct, a student conduct file is created. This file contains all the information pertinent to the conduct process in which a student has been involved. Each subsequent time a student is found responsible for violations, his/her record is used in determining sanctions. The records of any student contained in the disciplinary file shall be maintained by the office of the Dean of Students until three years following graduation of the student from the University, at which time it will be destroyed. In the case where the student either withdraws or is dismissed/expelled, the student’s file will be maintained permanently and may have a notation of Expelled or Withdrawn (for withdrawal and suspension) or Dismissal may become part of the student’s academic record.

No one outside the institution shall have access to the student’s records nor will Mount St. Mary’s University disclose any information from these records without the written consent of the student except in those cases permitted by the FERPA. Students are advised that employers and graduate schools may request information on disciplinary standing. It is the student’s right to deny access. Only when a signed permission form is presented to the Dean of Students/designee will any information be made available. Within the University community, only those members individually or collectively, acting in the student’s educational interest, are allowed access to records. It shall be the responsibility of the Dean of Students/designee to provide an explanation, in writing if necessary, as to the nature and severity of any violation in which the student in question has been sanctioned when an authorized inquiry to inspect the record of any student is made.

Any student has the right to inspect his/her own student conduct file. The information contained therein will be made available to the student by the Dean of Students Office upon written request. After a request is received, a copy of the file (excluding other student’s personal information) for review only will be made available within 72 hours of receiving the written request.

A disciplinary record will be kept on files for seven years following the student’s last date of attendance at the Mount. After seven years (with no new enrollment or re-enrollment at the Mount) the student’s disciplinary file will be destroyed/deleted.
VI. **Campus Housing**

The Office of Residence Life at the Mount provides a safe, inclusive and comfortable living environment by striving to model Catholic virtues by building a community of respect, honesty, integrity, love and compassion. The department creates co-curricular opportunities for its diverse student population to live, learn and grow as ethical leaders as they lead lives of significance to God and others.

**Campus Housing Eligibility Requirements**

The Mount provides a safe and engaging living environment to students looking to enhance their academic, social, and spiritual growth during their college experience. To be eligible to reside in campus housing, a student must be admitted and enrolled as a full-time (minimum of 12 credits) degree seeking undergraduate at the University and have paid required University fees. Exceptions must be approved by the Associate Provost in conjunction with the Dean of Students. Students are responsible for terms and conditions of their existing housing contract and must fulfill mandatory immunization requirements as outlined by Health Services to live in residential facilities.

Students who are younger than 17 years of age or older must request permission in writing to reside on campus. Additionally, students who are under the age of 18 require parental consent to reside on campus. These requests must be submitted to the Dean of Students or designee and will be processed on a case by case basis. Students permitted to reside on campus who are younger than 17 years of age or who are 23 years of age or older may be subject to semester reviews where residential eligibility is examined. Mount St. Mary’s University reserves the right to make housing decision based on the holistic development of the student and individual circumstances.

**Housing Application**

All new students interested in living on campus for the upcoming fall semester will need to apply for housing through the Mount's Symplicity Residence Housing System. To apply, students will use their Mount email and password to login into the Symplicity Residence Housing System. All incoming new students will receive their Mount email and password in their personal email after they have paid their deposit with the university. After the student has logged in to Simplicity, they will be asked to complete and finalize the Housing Application. Official housing assignments and roommate information is sent to the student’s Mount email account in August. Students should check their Mount email for housing assignments. Students having trouble with their email/password should contact the Information Technology Support Center at 301-447-5805.

"Roommate Matching" found on the Symplicity Residence Housing System is where student’s find their personal passcode for setting up roommates in their housing application. Students are not required to select a specific roommate. Residence Life will match all students who do not select a specific roommate with other students based on compatible answers to the Roommate Questionnaire.

Students who need housing accommodations are asked to contact Learning Services. Students will be required to complete the following form by the required deadline (Returning Students by February 10th and New Incoming Students –by June 30th): [https://inside.msmary.edu/learning-services-office/accommodations-form.html](https://inside.msmary.edu/learning-services-office/accommodations-form.html).
Housing Contract
A Housing Contract is established between the student and the University upon the student’s electronic signature in the Resident Student through the Symplicity Residence system. The Housing Contract is for the entire academic year, or if entered into after the beginning of the academic year, for the remainder of the academic year. Student occupancy begins when student is assigned/given their residence keys and will end 24 hours after the student completes their last final exams, or after 6:00 PM on the last day of the Contract period, whichever is earlier.

Check-In Procedure
Immediately upon occupying a room, a student reviews the Room Condition Report (RCR). Any damage or missing items must be noted at this time. It is the student’s responsibility to return this form to the designated staff member in the building as soon as possible after checking in. Room occupants will be held financially responsible for unnoted damages or missing items.

Check-Out Procedure
(Please see the withdrawal section if you are leaving during the academic year.)
All student rooms, furniture, bathrooms, private lounges and corridors must be clear of personal belongings, free of debris, and clean prior to the time the student checks out of the residence hall. To avoid charges, furniture must be placed where it was located at the time of check-in. The check-out procedure consists of three steps:
- Clean room and surrounding areas.
- Room will be inspected by a Housing and Residence Life staff member who will check the condition of your room against the Room Condition Report filled out at the beginning of the semester. (The student will sign the form to verify all information recorded. Final billing assessments will be made based on any discrepancies found by the Housing and Residence Life staff member.)
- Return residence hall keys to the appropriate residence hall staff member and any other University keys to the Public Safety Office.
- Room (or apartment) occupants will be held responsible for the condition of their room (or apartment), the furnishings in the room (or apartment) and any damages to the room (or apartment) or furnishings that occur during occupancy.

Roommate Agreements
Cooperation and compromise are crucial skills that students will develop in community living. All students, regardless of age or status are responsible for completing a roommate agreement upon moving into University Housing. Students are responsible for completing the agreement properly and turning the agreement into the appropriate Residence Life staff member.

Throughout the year, students should update written and verbal agreements with roommates as needed. Once made, it is expected that agreements will be adhered to or, if they need to be changed, will be modified through consensus. It is the experience of the University that if students take care during this process, there will be stronger communication between students and conflict will be resolved much easier throughout the school year.

Room/Hall Changes
The following rules govern University Housing Changes:
• After check-in, there is a two-week waiting period before students can move to another room.
• Students shall not move into any room they are not assigned. This includes moving in belongings. Unapproved moves will result in your having to return to your originally assigned room.
• When a space becomes available in a multiple occupancy room, the remaining resident(s) must keep the empty bed clear, and a proportionate amount of closet and dresser space empty. A new resident may be assigned at any time to this space.
• Students are not entitled to a room change. Students must exhaust all parts of the conflict resolution process before the Office of Residence Life will consider a room change or roommate separation. Students experiencing challenge in their current room assignments should contact their Resident Assistant, another building Resident Assistant, or the Assistant Director of Residence Life responsible for their living community.
• The University reserves the right to require a Resident Student to move to different accommodations: (a) to make the most effective use of its facilities (including consolidation of vacancies); (b) when the appropriate Residence Life officials deem it advisable for the welfare and benefit of the Resident Student or other students; (c) when repairs and maintenance are required to correct a condition dangerous to the health and/or safety of the Resident Student or the residents of the building; (d) when renovations are required in order to meet the University's short or long term housing needs or (e) when Residence Life determines that, to meet the University's short or long term housing needs, a reallocation of student housing is required. The Office of Residence Life reserves the right to occupy any or all vacant spaces within any assigned room.

Cancellations
The Housing Contract is binding for the entire academic year (or if entered into after the start of the fall semester, for the remainder of the academic year). Releases will be approved only for the circumstances listed below:
• Graduation from Mount St. Mary's University.
• Withdrawal from Mount St. Mary's University for the entire Contract period, or the remainder thereof, for the Office of Residence Life approved circumstances.
• Any authorized University special program that makes it mandatory for a Resident Student to be away from the campus (e.g., student teaching, study abroad, internship, practicum, etc.) will automatically release the Resident Student for the time involved, provided that the Contract release is processed.
• Ineligibility to continue enrollment due to failure to meet academic requirements.
• Medical Leave will result in a contract release when they can be appropriately documented.

Cancellation of the Housing Contract for any reason other than those described above, will result in a $500 cancellation fee. Students are required to follow proper check out procedures with the Residence Life Staff. Failure to check-out properly will result in a $50 improper check-out charge. If the student fails to check in to his/her assigned residence by midnight on the second day of classes of each academic semester, the Contract will be terminated unless prior arrangements for late arrival have been made with the Office of Residence Life.

All students withdrawing from Mount St. Mary’s University should notify the Residence Life Office and the Academic Affairs Office immediately. The procedure for withdrawing during the semester follows.
• Students must notify the Office of Residence Life, in writing, and be approved by the Dean of Students in order to be considered for Housing Contract Termination.
• A Residence Life staff member will inspect the room and complete checkout procedures within 24 hours of notification.
• All keys must be turned in to Public Safety.
• Students wishing to cancel their meal plan must notify the Mount Card Office in the McGowan Center.

*Note: Moving out of University Housing does not release the student from his/her Housing Contract. Students are responsible for the terms of the contract. Contact the Office of Residence Life and the Associate Provost’s office for more details.

**Student Responsibilities upon departing Campus Housing**

Upon expiration or termination of the student’s housing contract, the student shall:

• Vacate the residence (if housing agreement is terminated student shall vacate within 24 hours of notice of termination, unless special written permission has been obtained from the Dean of Students or designee) removing all the student’s personal property.
• Properly sweep and clean the residence, including plumbing fixtures, refrigerators, stoves and sinks, removing all rubbish, trash, garbage and refuse.
• Perform such other acts as are necessary to return the residence, and any appliances or fixtures furnished in connection therewith, in the same condition as when the student took possession of the residence; provided, however, the student shall not be responsible for ordinary wear and tear.
• Fasten and lock all doors and windows; close blinds and shades.
• Return assigned University keys.

If the student fails to sweep out and clean the residence, appliances and fixtures, the student will be charged University cleaning fees. The student agrees that failure to comply with these duties will also result in an improper checkout fine.

In the event the student does not vacate (by the Expiration Date, if living in an apartment or within the allowed time period, if living in a residence hall) any property of the student remaining in the room or building may be treated as abandoned property. The University may remove such personal property from the residence and donate it to any kind of charitable institution or organization without liability to the student whether for trespass, conversion or otherwise. Any charges for removal and disposal will be assessed to the student. Failure to perform proper check-out procedures of the assigned room will result in an improper checkout fine in addition to charges for damages and/or lost/not returned keys.

After student has vacated the residence, the room and common areas will be inspected by the University in order to assess any damages and necessary repairs.

**Temporary Assignments and Relocation**

In some cases it becomes necessary to assign students to temporary housing until another space becomes available. Students who are assigned to a temporary assignment must understand that they may be given short notice to relocate to a permanent or other temporary space. Failure to relocate in the time allocated by Residence Life may result in the loss of the assignment offered.
The Office of Residence Life reserves the right to relocate a student during a semester. Should this become necessary, the student may submit a request to the Dean of Students to review the decision made.

**Breaks and Vacations**

Room and board are only provided when the University is in session and the residence halls are open. Residence Halls are closed during breaks (according to the Mount St. Mary’s University calendar). Students must leave their assigned residence prior to the date and time established for hall closings and may not re-enter any closed campus residence halls during the break period without approval from the Office of Residence Life.

Charges for room and board do not include services during official Mount St. Mary’s vacation periods or term breaks.

- Residence halls will be closed between semesters and during fall, Thanksgiving and spring and Easter breaks. Closing and opening dates will be communicated to students through University email and Residence Life web postings.
- During breaks and at the end of the fall and spring semesters, all students are required to vacate the residence halls.
- At the end of fall and spring semesters, students must follow specific checkout procedures and return all necessary keys.
- University housing is not available during breaks and vacation periods except for students approved through the Residence Life Stay over Request procedure.

**VII. Residence Life Policies**

**A. Abandoned Property**

- The University may remove such personal property from the residence and donate it to any kind of charitable institution or organization without liability to the student whether for trespass, conversion or otherwise. Any charges for removal and disposal will be assessed to the student.

**B. Appliances and Furnishings in Student Rooms:** All rooms are furnished with single beds, dressers, desks, and chairs. No university furniture can be removed from the student room for any reason without exception. Students need to provide your own linens, pillow, desk lamp and wastebasket. Any other luxury items are the responsibility of the student. The following is not permitted in the residence hall/room:

- **a.** Individual air conditioning units.
- **b.** Only one Underwriters Laboratory (UL) seal of approval, 3.6 cubic foot, 1.5 amp (120 volts, 60 cycle AC) maximum refrigerator with a 3-prong electric plug and 3 wire cord is allowed per room (Energy Star rated models preferred).
- **c.** The possession of other electrical cooking appliances, including personal microwaves, is prohibited in student bedrooms, including Apartment, Powell and Cottages bedrooms. Students are able to rent a microfridge unit from the approved vendor of myfridgerental.com. Coffee markers with exposed heating elements/hot plate are prohibited. In Apartment complex kitchens, students may store and use only approved appliances with an enclosed heating element. Heating or cooking devices that utilize flammable liquids or flammable compressed gases are strictly prohibited from use in university housing by fire code.
- **d.** The use of all power tools (e.g. power drills, saws, screwdrivers, etc.).
e. The misuse of any electrical appliance (e.g., iron, hair dryer, etc.). This includes items with frayed wires or ground plugs that have been altered.

f. Mattresses are to be used on the bed frames provided and not on the floor. All beds, except bunk beds, must remain on the floor and may not be elevated in any manner. Waterbeds, other beds, any large pieces of furniture, (i.e., wardrobes, dressers, etc.) may not be brought into the residence halls. Furniture is to remain upright and used as designed and is not to be disassembled in any manner. Furniture may not be stacked.

g. Lounge furniture that is provided for the general use of all students in the common or lounge area is not to be removed for use in individual rooms. Lounge furniture found in student rooms will be removed by University Staff and a charge for this removal will be assessed to the students’ account.

h. Common area furniture cannot be removed from the common area which includes moving it into student rooms. Furniture in other public areas in the building cannot be moved into the common area.

i. Apartment Complexes: All furniture in the apartment must stay in the apartment. Furniture in other public areas in the building cannot be moved into the apartment.

C. Building Access: Residents of a residence hall, has access to their building only. Residents are expected to have their Mount Card at all times and use their card to access their building.

a. Entering and exiting of residence halls is permitted only through designated front doorways. Main doors are locked and have restricted 24-hours of access. Entry or exit through windows, or unauthorized areas is prohibited.

b. It is prohibited to enter, exit or allow anyone to enter, or exit through any door other than the front doorways, except in case of an emergency.

c. Students may not enter the residence halls when the halls are closed for breaks or between semesters unless they have written permission.

D. Cleanliness and Sanitation

a. Residents are responsible for removing trash and recyclables on a regular basis, depositing the items fully inside the appropriate trash receptacle or recycling bin.

b. It is the responsibility of each resident to clean and maintain his or her room or apartment. We regularly exterminate all residential facilities. If residents develop a pest problem, please contact the Physical Plant at 301-447-5377 immediately. If Physical Plant needs to arrange a special visit by the exterminator due to your actions or negligence, charges will be billed to your student account. The University will not be liable for the presence of bugs, vermin, or insects. Food should be kept in tightly closed plastic or metal containers.

c. Residence Life staff will perform Health and Safety Inspections in resident rooms to ensure they continue to be a safe and functional environment. Except in the case of emergency, you will be given 24 hours’ notice before an inspection. During inspections, any violations of these rules or The Code of Student Conduct will be documented.

E. Courtesy and Quiet Hours: Mount St. Mary’s University strives to create living/learning communities supportive of our rigorous academic standards. Disorderly or disruptive conduct is prohibited. This is conduct that threatens, harms, or interferes with the normal or regular functions of a residential community living environment. Such conduct includes but is not limited to; fighting, excessive noise, public disturbance, harm to oneself or others, lewd and/or indecent conduct.

a. Students are expected to adhere to 24 hour Courtesy Hours. This means that students should be conscious of their noise level and take care not to disturb others. Students who are asked to be quiet during courtesy hours should comply with any requests to end the disturbance of others.
b. Music may be played at a reasonable volume within a students’ residence. Speakers may not be placed in window sills facing a building’s exterior. Amplifiers are not permitted in the residence halls, no exceptions. Students wishing to use amplifiers for musical performance will need to use designated practice areas in Knott Auditorium.
c. Students are not permitted to play instruments in common areas (interior or exterior) without prior approval from the Office of Residence Life and Campus Activities.

F. Damage, Vandalism, and Care for Facilities
   a. The student shall not paint, mark, drive nails or screws into, or otherwise deface or alter walls, ceilings, floors, windows, cabinets, woodwork, furnishings or any other part of the residence or decorate the residence or make any alterations, additions, or improvements in or to the residence without written authorization from the University.
b. Students may not tamper with, access, or interfere with moveable ceiling tiles, including but not limited to, storing items in the ceiling. Students will be billed for any and all damage that exceeds normal wear and tear.
c. Any damage or vandalism to residence hall floors or apartment/suite areas (should the responsible individual(s) not be found) will be divided equally among the entire floor/tower. Students responsible for damage should contact residence life staff in order for essential repairs to take place. During checkout procedures, students who are responsible for damage will have the opportunity to fill out a damage responsibility form in order to alleviate responsibility from their roommates.

G. Doors
   a. At no time shall an individual compromise the security of others by propping open an exterior residence hall door.
b. The state fire code requires that doors be closed in most residence halls and apartments. Tampering with doors or preventing the door from latching is a violation of fire and safety policy. Propping open quad doors is prohibited.
c. No additional locking device may be placed on any university door (room, bathroom, suite, quad or closet).
d. Propping open stairwell doors is prohibited.
e. Suite and Apartment doors shall not be propped open or have the locking device tampered with by any means that would prevent the door from locking/latching.
f. Forcing entry into residence halls by compromising a locking mechanism will not be tolerated and can result in removal from the residential community and substantial fines.

H. Entrance and Exit: Your safety and the safety of your fellow students should be of the utmost importance to you. Residents are issued keys, and MOUNTCARD IDs that are for your exclusive use. The Office of Residence Life expects residents to uphold a high standard of safety and care for the community.

I. Fire Safety: Fire safety is everyone’s responsibility. The following policies exist for the safety and security of the entire residential community:
   a. Students present on a floor where a fire alarm sounds must immediately leave the building. Once outside the building, persons may not enter a building while the alarm is sounding anywhere in the building. The building may be entered only after instructions are given by the appropriate official. For safety reasons, fire drills will be routinely scheduled during the semester in all residence halls and apartments.
b. Fire alarms and fire extinguishers are located on every floor in every building. Familiarize yourself with their locations.
c. Candles are not permitted in University Housing. The uses of any objects with open flames are prohibited.
d. No items inside a student room, suite or apartment shall obstruct the doorway or impede exiting or entering the room. This includes furniture, curtains, hanging beads, clutter on the floor, wires or any other object that could impede entry or exit. Additionally, a clear view from the doorway into the room, suite or apartment is required. Therefore, no items shall block the view into the room (e.g., curtains, furniture, linen, sheets, paper, etc.).

e. No items may be hung, adhered or affixed to any fire equipment including sprinkler systems.

f. Wires shall not be placed in an area where they can be stepped upon. Wires must never be taped to the floor/carpet. This includes wires from power cords, speaker wires, cable TV coaxial, phone wires, etc. If wires are in a foot traffic area, they must be in a cord cover that is Underwriters Laboratory (UL) approved. Residents need to assure that wires are not located where they can be worn or damaged. Note: Students should take caution when running wires along the walls, around doorframes, and behind furniture. Make sure that the wires are not pressed against any furniture that may move and cause damage. Any damaged wires must be discarded. Also, wires may not be attached to or hung from the ceiling. (students may purchase 3m hooks to place around the top of the wall of a room to hang lights that meet the above requirements)

g. Persons, whose actions cause a fire alarm to sound, interfere with a fire alarm system or with fire fighters, tamper with, inappropriately use or remove fire extinguishers or other fire safety devices, including sprinkler systems, smoke detectors, exit signs, call boxes, and room alarms are subject to disciplinary action and removal from University Housing. Behavior that activates the fire/safety system will be considered a major policy violation.

J. **Guest Policy:** A residents’ privilege to have guests in their residence hall room may not interfere with a roommate’s right to privacy, sleep, and quiet space. Cohabitation, which is defined as overnight visits with a romantic partner, is incompatible both with the Catholic character of the University and with the rights of the roommates.

a. On campus residents may have a guest from another residence hall.

b. Male students or guests should not be present anywhere on a female residence hall floor, room, suite, or apartment after 12 a.m. Sunday through Thursday nights and after 2 a.m. on Fridays and Saturday nights.

c. Similarly, female students should not be present anywhere on a male residence hall floor, room, suite, or apartment after 12 a.m. Sunday through Thursday nights and after 2 a.m. on Fridays and Saturday nights.

d. University residences are designed to support a community of young adult students and are not the proper environment for children.

e. Students are responsible for the actions of their guests at all times. When a student is hosting an on campus guest in their residence hall room, he/she is vouching for that guest and asking that he or she be allowed to enter a community that is home to hundreds of other people.

f. Overnight guests (off-campus guests/non-Mount students) will be required to be registered with the Office of Residence Life 48 hours prior to the guest’s arrival. Residents can register their guest at the Office of Residence Life. For a weekend guest, residents must register their guest by Friday at noon. Overnight guests of the opposite sex are not permitted. Overnight guests are not permitted to stay more than 3 consecutive days.

K. **Host Responsibilities:** For everyone’s safety and comfort, a host must accompany their guest(s) at all times while they are on campus and in on-campus residences. The Host is
responsible for the conduct of their guests at all times. Any violation of University policies or procedures may result in the restriction of the guest on campus. Likewise, the host will be held responsible through the Student Conduct process. If it is found that a guest’s presence is not for the purpose of visiting but for having a place to reside for any length of time (including during University Break periods, while looking for other accommodations, etc.), the host will be held responsible through the Student Conduct process and may lose their ability to live on campus, host future guests and/or other possible conduct sanctions.

L. **Keys:** Keys assigned to the student are the property of the University and must be returned at the expiration or termination of the housing agreement. The student shall not duplicate or give his/her assigned keys to anyone else or take possession of the keys of any other student. The student shall pay a fee to replace his/her keys and change locks to the residence if the student fails to return his/her keys at the expiration or termination of the housing agreement. The student shall not install his/her own locking devices on any doors to or in the residence. The student agrees to immediately report the loss of his/her assigned keys to the University and to pay the charges for replacement keys and changing the locks. Those violating this policy or possessing keys other than the one(s) assigned are in violation of the housing agreement and subject to disciplinary action, fines, and fees.

M. **Lounge, Lobby, and Public Use:** Residential lounges, lobbies and community space are for the general use of the students who reside in those buildings. The following are rules and regulations governing these spaces:

a. Persons attending meetings or events are expected to know and follow all University Residential Policies and Procedures. Students attending (approved and scheduled) meetings must go directly to the meeting and then depart the residence hall once the meeting has ended.

b. Students are not permitted to sleep in public use areas.

c. Public space areas are not able to be reserved; group use must be approved by the Office of Residence Life.

d. Students may not store or leave personal belongings in public areas.

N. **Pets:** With the exception of service animals and non-carnivorous fish in an aquarium 10 gallons or less, animals are not permitted in the residential facilities. A resident who requires the use of a service animal due to a documented disability must contact Residence Life and Learning Services in advance of his or her residency on campus (See Appendix A). The policy is necessary for reasons of health and sanitation. Violators of the pet policy are subject to disciplinary action and violators will be charged the cost of extermination and/or deodorizing.

O. **Posting, Solicitation, and Commercial Operations**

a. Only Residence Life, student organizations and University entities may post in the residential areas. Posting is only permitted when stamped by a designated Student Affairs staff member and hung in designated areas. Posting on exterior of buildings, trees, and lamp posts is prohibited. Items may not be stretched or hung across hallways, doors, or exteriors of buildings. Nothing can be attached or hung from ceilings. No postings or advertisements can be slipped under doors. It is also prohibited to post items on, in, or under doors or windows in our residential communities unless posted by Residence Life Staff members.

b. Solicitation is defined as any effort to ask for donations or contributions of time, money, goods, or services. Soliciting also refers to canvassing and other promotional activities. Sales are efforts to offer a product or service in return for money, goods, or other services. Solicitation and sales are prohibited in all residential facilities unless approval is granted by the Office of Residence Life.
c. Students may not conduct or contract for any business enterprise, exclusive of University approved activities, within the residence halls or apartments. Subleasing or otherwise loaning the use of an apartment or room is also prohibited.

d. Possession or display of lewd, indecent, or obscene material, including pornographic material, is prohibited in all University residence halls, apartments and public posting forums.

e. Maryland State Law disallows the possession or display of any street or traffic signs. In addition, possession or display of other signs or banners that appear to be property of parties other than the residents is prohibited unless a resident can show receipt of lawful ownership. In both cases, signs will be confiscated and returned to their lawful owners and disciplinary action will occur.

f. Pursuant to Fire Code regulations and for the aesthetics of the campus, residents are prohibited from displaying any physical property or writing from their room window.

P. Prohibited Items

a. The possessions of incense or candles are not permitted in University Housing.

b. The possession, carrying or use of explosive items, hazardous materials or chemicals, e.g., bullets, fireworks, firecrackers, etc., is prohibited.

c. Personal microwaves are not permitted in residence hall rooms, with the exception of the Apartment, Powell and Cottage common areas. Microfridges can be rented through myfridgerental.com.

d. Extension cords of any kind. Power strips or surge protectors are allowed in the residence halls.

e. Students or guests (including those licensed to have a weapon) may not bring any item categorized as a weapon onto campus at any time. Prohibited weapons include knives with blades greater than three (3) inches in length, archery equipment, bayonets, firearms (e.g., guns, rifles), swords, and all types of martial arts weaponry, paint ball guns and any device capable of casting a projectile. Persons participating in programs that involve the need to use any of these items must contact the Department of Public Safety for permission and storage at the Public Safety office. Firearms and other weapons should not be brought onto campus or stored anywhere on campus.

f. Athletic and recreational activity or the use of athletic and recreational equipment is prohibited in and immediately outside University Housing. This includes the use of bicycles and skates/skateboards.

Q. Room Decorations All decorations must meet all applicable university policies. These policies include:

a. Fresh-cut trees are prohibited.

b. Dried vegetation (cornstalks, dry moss, leaves, sawdust, etc.) is prohibited.

c. All decorations must be at least three (3) feet away from a heat source.

d. Electrical light sets must be UL or FM labeled and identified for indoor use. No extension cords can be used, they cannot be attached or hung from the ceiling, and no more than three (3) strings of lights shall be connected together. Light sets must be turned off whenever the room or apartment is unattended.

e. No items may be attached to or hung from the ceiling. Residents are not to attach items to any other surface (wall, door, floor or furniture) unless an adhesive is used which will not cause any marks or damage.

f. You may not use glue, nails, tacks, staples or screws.

g. No papering or painting of rooms or furniture is permitted.

h. Students will be financially responsible for removal, cost of University repair or any damage caused by room decorations.

R. Room Occupancy
In an effort to reduce density in public spaces, classrooms, and residence hall rooms, there are capacity limits for each space. Most public spaces have the total occupancy allowed posted. For individual residence hall rooms, the total occupancy allowed in each room is four (4) individuals. For common spaces in apartments, Powell, and Cottages is seven (7) total. Students will be expected to uphold these requirements. If a room is over capacity, students should expect a University staff member to ask all parties to leave the space/room. For residence hall lobbies/common spaces, please see occupancy chart below.

S. Security: Keep your door locked at all times. Do not open your room door unless you know the person. University Staff will identify themselves. The University is not responsible for the loss or damage of personal property of residents. Residents are advised to carry personal property insurance, and to remove all valuables from their rooms during vacation periods.

T. Smoking: Smoking of any substance is prohibited in all University Buildings. Employees and students must smoke outside and must be 15 feet away from any door and/or window of a residence hall.

U. Surveillance Devices
   a. Use of surveillance equipment or any electronic device that invades the privacy of any person is prohibited. This includes but is not limited to cellular pictures, videos, and other recordings taken on campus without the knowledge or permission of the person(s).

V. Windows and Screens
   a. Windows and screens are not to be removed for any reason. If they are removed, the student occupant(s) are subject to disciplinary action and will be charged for labor costs for their replacement, as well as any damage caused.
   b. No objects may be thrown or dropped from windows, balconies or other elevated areas.
   c. No items may be hung or displayed outside of a window or anywhere on a building.
   d. Offensive items or language may not be displayed in University housing or viewable from windows.

VIII. Student Records

Confidentiality of Student Records
Mount St. Mary's University complies with the provisions of the Family Educational Rights and Privacy Act of 1974 (FERPA), as amended, and any regulation promulgated thereunder. A copy of the Mount St. Mary's University institutional compliance statement is located in the Registrar's Office and will be made available upon request.

Notification of Student Rights under FERPA
FERPA affords students certain rights with respect to their educational records. They are:

1. The right for the student to inspect and review their educational records within 45 days of the day the University receives a request for access. Students should contact the Registrar's Office to schedule an appointment to review their educational records and receive an explanation or interpretation of the records requested.

2. The right for the student to request amendment of their records to ensure that they are accurate and not in violation of their privacy or rights.
3. The right for the student to consent to disclosures of personally identifiable information contained in their educational records, except to the extent that FERPA authorizes disclosure without consent.

4. The right for the student to file with the U.S. Department of Education a complaint concerning alleged failures of Mount St. Mary's University to comply with the requirements of FERPA.

Students and others who wish to have specific information regarding their rights of access to institutional educational records maintained in their name should contact the Office of the Registrar at 301-447-5215.

**Directory Information and Confidentiality of Student Records**

Mount St. Mary's University may disclose any information deemed as Directory Information without prior consent unless notified in writing to the contrary. Mount St. Mary's University has designated the following information as Directory Information:

- Name, Address, Telephone Number, Dates of Attendance, Previous Institutions Attended, Major Fields of Study, Enrollment Status, Awards, Honors, Degree(s) conferred (including dates), Date and Place of Birth.

Students wishing to prevent disclosure of any aspects of the directory information must file a "Request to Prevent Disclosure of Directory Information". This form is available in the Registrar's Office and online (below). The form must be submitted to the Registrar's Office by 5 p.m. on the last day to add classes as listed in the Academic Calendar. Please consider very carefully the consequences of any decision to withhold a category of directory information. Should you instruct the institution not to release any or all of this "Directory Information", any future requests for such information from non-institutional persons or organizations will be refused. This includes potential employers who want verification of your degree(s). Regardless of the effect upon you, the institution assumes no liability for honoring your instructions that such information be withheld.

Mount St. Mary's University will annually inform students of FERPA as amended. Forms to withhold information will be considered valid throughout the student's active enrollment in the college. Any changes must be made in writing.

More information on FERPA and Student Records can be found at: [https://msmary.edu/ferpa.html](https://msmary.edu/ferpa.html)

**Student Conduct Records**

The Office of Student Life is responsible for maintaining student conduct records. A routine disciplinary record is expunged 7 years after graduation or after a student has withdrawn from the University. Conduct records will be permanently retained for any student who is dismissed, expelled or when such records are deemed to be of a serious nature. A student may request that permanent conduct records be destroyed by submitting a written request to the Dean of Students, including the specific basis for the request. The DoS will evaluate requests on a case-by-case basis and the decision of the DoS is final.
Appendix A

**Emotional Support Animal Policy**

This Emotional Support Animal policy exists to support the care of our students and to demonstrate our compliance with the Fair Housing Act (federal law) which allows individuals with disabilities the presence of emotional support animals in university housing. By law, an emotional support animal means any service animal, as well as an animal needed for emotional support. An individual may keep an emotional support animal as an accommodation in university housing if:

1. The individual is disabled.
2. The individual has presented documentation from a licensed medical provider to the Office of Learning Services that describes the functional limitations of the individual’s disability.
3. The animal is necessary to afford the individual an equal opportunity to use and enjoy a residential dwelling.
4. Medical documentation from a licensed medical provider demonstrates that the animal alleviates an identified symptom of effect of the existing disability and a nexus between the animal and the disability.

An accommodation for an emotional support animal is unreasonable if it presents an undue financial or administrative burden on The Mount, poses a substantial and direct threat to personal or public safety, or constitutes a fundamental alteration of the nature of the service or program.

**Definitions**

**Americans with Disabilities Act (ADA):** A disability is defined under the Americans with Disabilities Act as “a physical or mental impairment that substantially limits one or more major life activities.” Examples of major life activities include major bodily functions, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, working, performing manual tasks, and caring for oneself.

**Fair Housing Act:** The Fair Housing Act is a federal law that prevents discrimination against tenants in their homes. Under the Fair Housing Act, a disability is defined as a physical or mental impairment which significantly limits a person’s major life activities, and the Mount is required to make what is called a “reasonable accommodation” to allow Students to possess assistance animals, including animals that provide emotional support, access, in university housing.

**Service Animal:** Any dog (or miniature horse) individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability and meets the definition of “service animal” under the Americans with Disabilities Act (ADA) regulations. The work or tasks performed must be directly related to the individual’s disability. Examples include, but are not limited to assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. Service animals are generally permitted in University facilities when the service animal accompanies by an
individual with a disability who indicates the service animal is trained to provide, and does provide, a specific service to them that is directly related to their disability.

The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition of service animal.

**Emotional Support Animal**: Emotional support animals are animals that are necessary to afford the person with a disability an equal opportunity to use and enjoy university housing and that can be reasonably accommodated in university housing. Emotional support animals provide emotional or other support that ameliorates one or more identified symptoms or effects of a person's disability. Unlike service animals, emotional support animals are not required to be trained to perform work or tasks, and they include species other than dogs and miniature horses. An emotional support animal may provide physical assistance, emotional support, calming, stability and other kinds of assistance. Emotional support animals do not perform work or tasks that would qualify them as “service animals” under the Americans with Disabilities Act. Emotional support animals that are not service animals under the ADA may still be permitted, in certain circumstances, in university housing pursuant to the Fair Housing Act. Emotional support animals are not considered service animals and are not permitted in any area other than the student’s on-campus residence and immediate surrounding area considered part of the residential dwelling. Emotional support animals are generally not allowed to accompany persons with disabilities in all public areas as a service animal is allowed to do, but an emotional support animal may reside in housing, including accompanying such individual in all public or common use areas of university housing, when it may be necessary to afford the person with a disability an equal opportunity to use and enjoy university housing.

**Approval Process**

Any student having a medical need for an emotional support animal must request Housing Accommodations through Learning Services. The medical documentation required by this policy must be submitted to Learning Services in order for the request to be considered. If Learning Services approves the request for Housing Accommodations, Learning Services will submit the request to the Office of Residence Life for a determination about whether the proposed emotional support animal can be reasonably accommodated in university housing. If the request is approved by the Office of Residence Life, the student must meet with a representative from the Office of Residence Life to discuss the rights and responsibilities regarding the emotional support animal. The Department of Public Safety will be notified of all approvals of emotional support animals.

**Rights and Responsibilities of Student with an Approved Emotional Support Animal**

Students approved to have an emotional support animal in university housing have the right to have their approved emotional support animal in their place of residence (room and/or apartment). Please note: emotional support animals are not allowed in classrooms or in public places on campus, unless they are trained service animals.

Any student who has been approved for an emotional support or service animal is responsible for the behavior, care and supervision of the animal, including ensuring non-disruptive or non-aggressive behavior and animal health such as vaccinations, cleanliness, and flea and odor control. The student is responsible to be aware of the animal’s needs to relieve itself and the student must attend to the proper collection and proper disposal of the animal waste. The owner is responsible for ensuring that the animal’s needs are met while the student is away from the students’ assigned housing during the day, and the owner is not permitted to leave the animal when the owner is away overnight; in those instances, the owner must remove the animal from university housing and it cannot be left overnight in the care of another student.
The Mount is not responsible for the animal’s care or supervision.

Students approved to have an emotional support animal in university housing have the following responsibilities:

- To provide the animal
- To provide appropriate care and supervision for the animal
- To incur all costs associated with the animal (licensing, food, medical care, damage that is the responsibility of the animal, etc.)
- To keep animal on lease or lead in public areas
- To keep the animal clean, fed, watered, and in good health
- To dispose of all waste from the animal
  - The owner is responsible for the cleanup and disposal of the animal’s waste. Animal waste disposal via university plumbing is prohibited. Outside trash receptacles are appropriate for waste disposal.
- To be in compliance with any State or local laws pertaining to animal licensing, vaccination, and owner identification.
- To provide proof of flea prevention, proof of sterilization (spayed/neutered), proof of up-to-date vaccinations as required by law, when requested
- To comply with all rules regarding noise, safety, disruption, and cleanliness
- To keep the animal under control and taking effective action if it becomes out of control
- To comply with this policy
- To complete and sign the Emotional Support Animal Agreement that is provided by The Mount.

The owner is solely responsible for the behavior of the emotional support animal including any and all damage or injury to persons or property caused by the animal. In all cases, the owner of the animal must hold harmless The Mount for any damage or injury to others.

The Mount does not require any fees for the use of an approved emotional support animal in the residence halls because it is a disability-related accommodation. However, the animal’s owner may be charged for damage caused by the emotional support animal to the same extent that any student would be charged for damage they cause to university property.

The owner’s residence may be inspected for pests as needed. If pests are detected, the residence will be treated using a university approved pest control service. Pest treatment expenses incurred above and beyond standard pest management in the residence halls will be the owner’s responsibility. Additionally, cleaning and repair expenses incurred above and beyond standard cleaning and repair are also the responsibility of the owner.

A student will be permitted to have no more than one approved emotional support animal.

In the event the above conditions are not being met, The Mount reserves the right to ask an individual to remove said approved animal from campus. If the Mount properly excludes a service animal, it must give the approved individual the opportunity to obtain goods, services, and accommodations without having the animal on university property.

The University may exclude or remove an emotional support animal from university housing if the owner fails to comply with this policy or if the animal is not housebroken, causes damage to university property or the property of others; poses a threat to the health or safety of others; creates a disturbance or interference with
university operations, or would fundamentally alter the nature of any university program or service, or otherwise cannot be reasonably accommodated.

The University will base such determinations upon the consideration of the behavior of the particular animal at issue and not on speculation or fear about the harm or damages an animal may cause. Should the emotional support animal be removed from the premises for any reason, the owner is expected to fulfill their housing obligations for the remainder of the housing license agreement.

The student is responsible for notifying roommates about the animal. The notification should include the type and size of the animal, as well as clear expectations and any instructions for appropriate interaction with the animal. The student has a responsibility to be sensitive to others who may fear their animal or have allergies to the animal. The owner may post “Animal in Residence” signs, but they are not required by the university.

Mount St. Mary’s University
Emotional Support Animal Agreement

First Name: _____________________ Last Name: ______________________________

Residence Hall and Room: _________________________

Student Cell Phone Number: _______________________

Animal Name: ____________________ Animal Type: ____________________

Animal Breed: ____________________

Veterinarian name: ______________________________

Veterinarian phone: ______________________________

I have received, read, and agree to all of the terms of Mount St. Mary’s University’s Emotional Support Animal Policy. I understand my rights and responsibilities under this policy. I also understand that if I have questions, concerns, or need assistance that I will contact the Office of Residential & First-Year Programs. I agree to indemnify Mount St. Mary’s University from and against any claims for damages or injuries caused by my emotional support animal.

________________________________________
Student Signature

_______________
Date
Appendix B
Mount St. Mary’s University

Procedures for Reporting and Responding to Bias Incidents and Hate Crimes

I. Purpose

Mount St. Mary’s University is committed to our guiding principles on diversity, equity and inclusion (see shaded column to the left). We must foster an environment that is free from hate crimes and acts of bias, hate or prejudice. The Mount does not tolerate incidents that are counter to our culture of dignity and respect, and we will seek resolution of such matters. These procedures provide guidance for those who may have witnessed or experienced such acts and who wish to report them. They also identify the University’s response when students, staff or faculty are alleged to have committed a hate crime or bias incident.

II. Definitions (What are considered bias incidents or hate crimes?)

Bias Incident

Incidents involving verbal, written, or physical behaviors which are not criminal offenses, but target a person because of their actual or perceived identity, personal characteristics, or group membership(s), such as race, color, religious beliefs, sexual orientation, gender, gender identity, disability, or national origin, or because another person or group is homeless. Biased behavior can be in the form of language, words, signs, symbols, threats, or actions that potentially cause alarm, anger, fear, or resentment in others, or that endanger the health and safety of a member of the community.

Examples:

- Verbal abuse/slurs
- Distribution of hate literature or displaying hate material

Hate Crime

A hate crime is a crime, including a threat to commit a crime, committed because of another person’s or group’s perceived personal characteristic or group membership. The crime is motivated either in whole or in substantial part by another person’s or group’s race, color, religious beliefs, sexual orientation, gender, gender identity, disability, or national origin, or because another person or group is homeless.

All hate crimes are bias incidents, but not all bias incidents are hate crimes.

III. Process for Reporting (Where can I report a bias incident? What do I...
If you are in immediate danger or have been or are the victim of any crime, immediately contact 9-1-1 and/or the Department of Public Safety at 301-447-5911.

Bias incidents can hinder our capacity to work with, teach, and learn from one another. Mount St. Mary’s University takes these incidents seriously. We understand the potential emotional and psychological trauma that can result from them. The health, safety, and well-being of our students is of paramount importance underscoring the Mount’s clear and unwavering focus on providing a safe living and learning environment. If you observe or experience an incident of bias, we strongly encourage you to report the incident through the Mount Report (powered by Symplicity) at https://msmary.edu/reporting.html. A link to the Symplicity site is also available at the bottom right corner of your main MyMount page. Please ask a member of the staff or faculty if you need assistance reporting an incident. While you may report anonymously, this may hinder the University’s ability to act on the report you submit. The university will provide support to community members who file a report, keep records of bias incidents, and analyze trends in efforts to continually improve our campus environment and opportunities for education consistent with our values.

The university will investigate all complaints of possible bias-related incidents, including those of a criminal nature by taking appropriate action to identify any University community member, campus guest, or other individual responsible for the behavior. Reports should include as much detail as possible. Record where and when the incident occurred, document the names of witnesses, if applicable; document detailed information about the perpetrator(s), if applicable. In addition, retain any physical evidence of the incident (e.g., photos of messages written on doors, physical objects, etc.).

**IV. Case Management (What happens when I file a report?)**

All reports are sent to the Office of Equity and Success and will remain confidential. After a report has been submitted through Advocate at https://msmary.edu/reporting.html, the Office of Equity and Success will respond to the reporting party promptly. Upon communication with the reporting party, the Vice President for Equity and Success will assess the needs of the complainant and determine next steps by working with appropriate personnel. If the action violates the law or any Mount policy, further action may be taken by the following organizations or offices which include, but are not limited to:

a. Public Safety/law enforcement  
b. Student Life  
c. Human Resources  
d. Office of the Provost  
e. Appropriate campus administrators (vice presidents, deans, or supervisors)

The university will work with those involved to keep them informed regarding the progress, institutional follow-up and any possible programming, activities, or actions that will result from the incident.

Bias incident accounts will be compiled and categorized into regular annual reports by the Office of Equity and Success and shared with the campus community. Trend analysis on aggregate data will inform campus prevention and education strategies via an action plan and/or designed campus initiatives necessary to address climate issues. Hate Crimes and the Security and Fire Safety Report are reported annually through Public Safety and posted on the Mount website (CLERY Report).