



# Student Code of Conduct

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## Statement of Purpose

As the second oldest Catholic institution in the country, Mount St. Mary's University emphasizes our Catholic tradition and the God-given dignity of every human person. Therefore, Mount St. Mary's University is committed to its Liberal Arts mission, and to each student's pursuit of his or her educational goals. Through this commitment, the Mount regard in the highest our campus community and environment. 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.

## Student Rights and Responsibilities

Mount St. Mary's University is a community which depends upon a balance of personal rights and mutual responsibilities that exist for the good of all. Every student has the right to an atmosphere in which they can learn and grow, marked by the characteristics of openness, freedom, and creativity, as well as order, peace, and safety.

### A. Freedom of Expression

Academic institutions exist for the transmission of knowledge, the pursuit of truth, and the development of students for the general well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained search for truth. Freedom for the individual is defined as the right to act or speak, so long as it does not adversely affect the rights of others. Mount St. Mary's University, believing in this concept, will protect the freedom of action and freedom of speech for students, so long as their speech and actions are not of an inflammatory or demeaning nature, are truthful and accurate, and do not interfere with the students' living and study conditions.

Campus Expression Rights - Students enjoy freedom of speech and expression on campus and at University-sponsored off-campus events or activities.

Classroom Expression Rights - Students enjoy freedom of speech, research, legitimate classroom discussion, and advocacy of alternative opinions to those expressed in the classroom. Students will be evaluated on knowledge and academic performance and not on the basis of personal or political beliefs.

Responsibilities - Civil discourse, characterized by mutual respect for individuals and for opposing viewpoints, is an inherent responsibility of all members of the University community.

Of Special Note - *Free speech and expression does not include illegal activity or activity that endangers or threatens to endanger the safety of any member of the community, any of the University's physical facilities, or any activity that disrupts or impedes the functions of the University, or threatens such disruption or hindrance.*

### B. Public Speakers

Host Rights - Students may invite and hear speakers of their choice on subjects of their choice, subject to the limitation that the University may withhold approval of an event or a speaker if holding such an event or providing a forum for the speaker is determined to be contrary to the mission of the University.

Host Responsibilities - Any community member inviting a speaker to campus should reference the University Speaker Policy located in Mount St. Mary's Governing Documents, available through the dean of students, and do their due diligence prior to hosting.

### **C. Campus Publications and Communications**

Editorial Rights - The student press, television, and radio station enjoy reasonable editorial freedom. Student editors and managers will not be suspended because of student, faculty, administration, alumni, or community disapproval of reasonable editorial policy or content.

Editorial Responsibilities - This freedom carries with it the obligation to operate responsibly according to journalistic and broadcast ethics, consistent with the University's mission and any applicable legal regulations.

### **D. Human Dignity**

Student Rights - Free from discrimination based on race, sex, color, ethnicity, age, religion, disability, and sexual orientation. Additionally, students should expect freedom from harassment of any type: violence, force, threats, and abuse.

Community Responsibilities – All members of the community should treat everyone with the respect and dignity due them as members of the community and as a basic human right. All community members are expected to act when witnessing any violation of one's dignity.

### **E. Safe Campus Environment**

Student Rights - Students should enjoy the right to a reasonably safe campus.

Community Responsibilities - All members of the community share responsibility for the health and safety of fellow students and for the regulation of student conduct. Students are encouraged to hold each other accountable for their behavior and to seek appropriate help for peers needing medical, psychological, or physical safety assistance.

## **Community Care and Concern**

Responsibility for the good conduct which creates a healthy and positive college setting rests first and foremost with the students, who are expected to act as adult individuals and exercise sound judgment. In the interest of having a caring and thriving community, it is the expectation of every member and guest of the Mount community to show a consistent level of active care and concern for each other and respect for their physical environment. This consistency of care is expected at all times. The resources and expectations established here are intended to provide clarity of action and aid in fostering a safe, healthy, and caring community.

### **A. 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 are 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.

## **B. 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.

## **C. Missing Student Notification**

- a. Students, employees, or other individuals should report that a student has been missing to the Office of Public Safety, or to any Residence Life staff member immediately. Any missing student report will be referred to the Public Safety Office who will follow up appropriately.
- b. Through the Symplicity housing system, each student in housing may identify an emergency contact person to be notified within 24 hours of the Office of Public Safety's and Dean of Students' determination that the student is missing. Emergency contact information will be kept and maintained confidentially, be accessible only to authorized campus personnel, and may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation.
- c. If a student under 18 is determined by the Office of Public Safety to be missing, the University must notify a custodial parent or guardian, in addition to any emergency contact person designated by the student, as well as local law enforcement within 24 hours of the determination that the student is missing.

## **D. 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.

### **Residence Life/Student Affairs 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.

Desk Assistants (DAs)- From the hours of 6:00pm-12:00am on week nights and 6:00pm-2:00am on weekends a student desk assistant will be at the front desk of each residence hall (excluding the Apartments and Cottages) who can assist in getting help in any situation.

Assistant Directors/Associate Director/Dean of Students- Professional staff is available in the Dean of Students/Residence Life office 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 Systems-**

Mount Report- This system can be reached at <http://msmary.edu/student-life/public-safety/forms/MountReport.html>. The system will email major campus authorities and they will respond to all available information.

### **Sexual Misconduct and Discrimination-**

Title IX Coordinator- Michael Post is the University Title IX Coordinator for Students. He can be contacted at 301-447-7404 for any Title IX Sexual Misconduct or discrimination concern.

Residence Life/Public Safety Staff- Student 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

Ethics Point- The anonymous reporting system for all sexual misconduct and discrimination situations. Students can find the resource at [www.msmu.ethicspoint.com](http://www.msmu.ethicspoint.com).

University Employees- All University employees are mandatory reporters. As such, any time a University employee gets a report of sexual misconduct or discrimination it will get reported to the Title IX Coordinator.

## **University Polices**

The Student Code of Conduct is primarily a mechanism by which clear policies and procedures are established to provide the safest and best possible living and learning atmosphere for all students. The Student Code of Conduct is binding to all students upon their granted admission to the University and is designed to be an educational experience for all students involved. For the common good of all students and the campus community as a whole, conduct that goes against the law, community expectations, or a consistency of care for the university and fellow community members will be handled through the student conduct process. University policies are explained below.

### **A. Acts of Dishonesty**

- a. Unauthorized possession, use of, or fraudulent use of personal or University records, documents, instruments, or property (e.g. Mount Card, identification cards, keys);
- b. Providing false, misleading, or withholding information from Public Safety or Residence Life: or to any University official or office;
- c. Misrepresenting ownership of the University's or another's private property (e.g. selling textbooks as an authorized owner/seller).

### **B. Alcohol Policy**

- a. Possessing or consuming alcoholic beverages while under the age of 21;
- b. Providing alcoholic beverages to other persons under the age of 21;
- c. Misrepresenting one's age in order to obtain alcoholic beverages;
- d. Possessing and/or consuming from a common source of alcohol (kegs);

- e. Possession of, 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;
- f. Intoxication; defined as behaviors which exhibit disruptive or dangerous behavior due to excessive consumption of alcohol or other drugs;
- g. 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;
- h. Possession of liquor in excess of 100 proof alcohol by volume on campus or in any University owned or operated facility or property;
- i. Possession of open containers of alcohol in any public common area (e.g. stairwells, hallways, lounges, outdoors) anywhere on campus with the exception of a specified University-sponsored event. An open container of alcohol is defined as any can or bottle where the seal has been broken, or any secondary container that contains alcohol (whether covered or not);
- j. 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;
- k. Allowing a guest to bring alcohol into a room where all assigned residents are under 21;
- l. Display of empty alcohol bottles when under the age of 21;
- m. Hosting an unregistered party.

**C. Behavior Which Jeopardizes the Emotional or Physical Safety of Others**

- a. Endangering the emotional or physical safety of others;
- b. Acts of physical assault, abuse or violence;
- c. Threatening behavior (physical, verbal, or written);
- d. Physical or emotional harassment;
- e. Intimidation;
- f. Stalking;
- g. Forcible detention;
- h. Engaging in any form of retaliation for any reason;
- i. Use of surveillance devices or any equipment that invades the privacy of any person. Including but not limited to: cellular pictures, videos, and other recordings taken on campus without the knowledge or permission of the person(s);
- j. Bullying and Cyberbullying
  - i. Repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person in person, through a proxy, or through electronic outlets
- k. Harassment  
Unwelcome, abusive, and/or offensive behaviors towards any student, university official, or law enforcement, including but not limited to, profanity and threats, racist or degrading language, remarks, or “jokes”, unwanted physical contact, and bullying are considered harassment.

- i. Physical
- ii. Verbal, directly or indirectly;
- iii. Written or electronic communication (e.g. graffiti, physical letter/writing, social media posts, text messages, instant messages, internet posting).

**D. Complicity**

- a. Supporting, encouraging or condoning behavior which causes harm to any individual, the campus community, the physical campus or which violates any campus policy.

**E. Conduct Sanctions**

- a. Violations of restrictions, conditions or terms of any sanctions resulting from a previously held student conduct conference, or failure to complete conditions or terms within the designated time.

**F. Discrimination**

- a. Any act that limits or denies an individual's ability to partake in any university program, activity, or experience that is based on an individual's race, color, ethnicity, age, religion, disability, or other protected status.

**G. Disorderly Conduct**

- a. Acting in a manner to disturb, interfere with, or obstruct another/others within any university building or outside space;
- b. Shouting or making excessive noise either inside or outside a building, causing an annoyance to or disturbance of others;
- c. Behaving in a lewd or indecent manner (e.g. public urination, indecent exposure).

**H. Disruption of any University Activity or Space**

- a. Acts inhibiting, interfering with, obstructing, or damaging either an academic activity or any organized student activity;
- b. Any intentional act substantially interfering with the freedom of expression of others on University property or at University sponsored activities;
- c. Any activity which disrupts or interferes with normal University functions or operations;
- d. Sleeping in public use areas (outdoors, classrooms, lounges, lobbies) by any student or guest;
- e. Storing or leaving personal belongings in public areas (outdoors, classrooms, lounges, lobbies).
- f. Conducting or contracting for any business enterprise, inclusive of University approved activities, within the residence halls that creates a disturbance between roommates and/or community;

**I. Drugs, Illegal and Controlled Substances**

- a. Possession, use of, or being in the presence of illegal drugs, illegal, synthetic or un-prescribed narcotics, hallucinogens, and counterfeit or otherwise dangerous substances as determined by University officials (e.g. Salvia, Ketamine, Spice/K2);

- b. Possession or use of drug paraphernalia (e.g. hookahs, rolling papers, bowls, pipes, bong, vaporizers, handmade devices);
- c. Selling, intent to sell or purchase, manufacture, transfer or distribution of illegal drugs, illegal, synthetic or un-prescribed narcotics, hallucinogens, and counterfeit or otherwise dangerous substances as determined by University officials (e.g. Salvia, Ketamine, Spice/K2);
- d. Selling, intention to sell or purchase, or distribution of legal prescription drugs;
- e. Possession or use of legal prescription drugs which were not prescribed to the person in possession;
- f. Misuse of prescribed drugs and/or over the counter drugs;
- g. Failure to take prescribed drugs or over the counter drugs as agreed in a contract between a University Official and the student.

**J. Failure to Comply with the Request of a University Official**

- a. Failure to comply with a reasonable and lawful request or directions by a University official (e.g. faculty, administrators, staff, Residence Life staff, Public Safety staff, and/or law enforcement),
- b. Interference with students, faculty, administration, staff, or Public Safety officials acting in the performance of their official duties;
- c. Fleeing the scene of an incident while an investigation or inquiry is in progress;
- d. Failure to comply with a conduct letter or communication from the Dean of Students/designee (e.g. mandated sanctions, no contact orders, interim measures)

**K. Falsifying University Records**

- a. Falsifying, forging, altering, or furnishing false information (written or oral) on, or relative to, University records, or to University officials;
- b. Falsifying, forging, altering, or furnishing false information related to identification cards, absence excuses, parking permits, transcripts, computer records, or other University documents.

**L. Fire Regulations**

- a. Failure to comply with evacuation procedures (e.g. leaving the building during a fire alarm);
- b. Tampering with fire protection apparatus in the absence of a fire emergency; (Smoke detectors, sprinkler systems, fire extinguishers);
- c. Unauthorized use of, tampering with, or misuse of electrical equipment, fire exit doors, or giving false alarms or false reports of fire or emergency;
- d. Setting fire to university property or private property (e.g. trash cans, vegetation, furniture)
- e. Possession, use, or threatened use of fireworks, bombs, or explosive devices of any character;
- f. Use of open flame devices or open heat sources within a university building (e.g. incense, candles, coffee pots without automatic shut offs, space heaters), or combustible materials, including chemicals, which endanger the safety or well-being of the University Community;

- g. Smoking any substance within University buildings. (Including e-cigarettes, personal vaporizers);
- h. Room decorations that violate fire code (hanging anything from the ceiling, items blocking the doorways or exit routes, fresh cut trees, dried vegetation, decorations within 3 feet of a heat source, halogen bulbs not UL labeled);
- i. Wire/cord regulations (not in areas of foot traffic, not labeled UL or FM lights, more than 3 strings of lights strung together, frayed cords of any kind, extension cords of any kind- ONLY powers strips are permitted).

### **M. Guest Policy**

Students must be present with their guest at all times and will be responsible for all actions of their guests. Residents must obtain permission from all roommates before hosting a guest. The privilege to have guests in the residence hall may not interfere with a roommate's right to privacy, sleep, and/or quiet space. The host and guest are expected to go elsewhere when one of the roommate's rights comes into question. Overnight visits should occur on a limited basis and not to exceed three consecutive nights. All evening guests must register at the Office of Public Safety with their host and a valid state issued picture ID. Hosts of guests of the opposite gender are responsible for finding alternate sleeping arrangements other than the host's room. In this case, the student the guest will be staying overnight with must check them in at Public Safety as the documented host. Children and infants are only allowed as occasional visitors for short periods of time during the day in the residence halls. The following are violations of the University Guest Policy:

- a. Being present anywhere on the floor, room, suite, or apartment of the opposite gender after 12 a.m. on Sunday-Thursday evenings and after 2 a.m. on Saturday and Sunday mornings (effectively Friday and Saturday evenings);
- b. Unregistered guests visiting campus between the hours of 10:00pm to 8:00am;
- c. Not gaining proper approval from roommates to host a guest;
- d. Not obtaining prior written permission from the Dean of Students and parents of any guest under the age of 16, 48 hours in advance;
- e. Hosting a guest of the opposite gender overnight or after visitation hours in their residence hall room;
- f. Hosting overnight guests for more than 3 consecutive nights or having a guest store his/her belongings in the room;
- g. Hosting a guest that is banned from campus;
- h. Allowing student entry to a university building from which that person has been restricted from;
- i. Refusing to sign in a guest, or a guest refusing to show an ID at the front desk during desk hours;
- j. Hosting more than 4 guests at a time.

### **N. Hazing**

Defined as abusive affiliation/initiation practices that endanger, intimidate, degrade, or have the capacity to endanger the emotional or physical well-being of a person or group (including athletic teams), regardless of consent.

- a. Theft of personal, public or University property;
- b. Coerced or forced consumption of alcohol or drugs;
- c. Acts of a physical or psychological nature that may endanger, intimidate, and degrade a person or group.

**O. Health**

- a. Not providing health records and/or documentation of immunization requirements as outlined by Health Services;
- b. Smoking within 25 feet of any University building;
- c. Cleanliness and Sanitation:
  - i. Not disposing of trash appropriately (e.g. leaving trash in room for extended time, leaving trash in common areas, misusing trash receptacles, leaving trash in the room over breaks or after move out);
  - ii. Actions or negligence that requires a special exterminator treatment, or not being prepared for a scheduled treatment;
  - iii. Causing unsafe or unsanitary condition or irresponsible use of individual rooms or common areas including electrical, plumbing, sanitary, heating, ventilating, air conditioning, and/or appliances.

**P. Improper Uses of Computers and Technology**

- a. Violation of the Electronic Communications Acceptable Use Policy. The full policy can be viewed at <http://msmary.edu/administration/IT/ITSC/>;
- b. Plagiarism of programs;
- c. Misuse of computer accounts (e.g. using another account than your own, creating false accounts, unauthorized use of passwords);
- d. Unauthorized destruction of files.

**Q. Misappropriation or Misuse of Student Organization Funds or Property**

- a. Misuse or over-extension of the budget of a student organization;
- b. Spending receipts prior to proper deposit;
- c. Unauthorized personal use of equipment.

**R. Posting and Solicitation**

- a. Posting without approval of a University administration or staff member;
- b. Posting on exterior of buildings, trees, lamp posts, stretched or hung across hallways, doors, ceilings, slipped under doors, or posting anywhere in residence halls without approval from Residence Life;
- c. Unapproved soliciting for donations or contributions of time, money, goods, or services;
- d. Unapproved canvassing and other promotional activities;
- e. Unapproved efforts to offer a product or service in return for money, goods, or other services;
- f. Posting or display of any material which goes against the Freedom of Expression statement.
- g. Display of lewd, indecent, or obscene material;

- h. Possessing or display of any street or traffic signs.

**S. Property Damage and Vandalism**

- a. Damage, vandalism, destruction, or abuse of/to University or private property;
- b. Removing any university furniture from its designated room;
- c. Making alterations, additions, or improvements in or to the residence without written authorization.

**T. Residential Policies**

- a. Quiet Hours and Noise

Quiet hours are in effect daily beginning at 12 AM on Monday-Friday evenings and ending at 8 AM the same day and at 2 AM on Saturday-Sunday mornings and ending at 10 AM that same day (effectively “Sunday-Thursday” and “Friday and Saturday” evenings, respectively). At all other times courtesy hours, applicable to any disruptive noise, are in effect. In the interest of studying for finals, 24 hour quiet hours will be in effect beginning the Friday before finals start and ending following the last final exam. The following are violation of this policy:

- i. Excessive or disruptive noise during quiet hours or courtesy hours;
- ii. Possession of musical, stereo, or other equipment that is continual disruption;
- iii. Playing instruments in common areas (interior or exterior) without prior approval from Residence Life and/or Campus Activities.

- b. Windows and Screens

- i. Removal of windows or screens;
- ii. Throwing or dropping objects from windows, balconies or other elevated areas;

- c. Pets

- i. Having any animal within the residence hall (excluding non-carnivorous fish in tanks 10 gallons or less, service animals, and upon request, emotional support animals).

- d. Appliances and Furnishings

- i. Individual air conditioning units (except within the Graduate House);
- ii. Cooking appliances other than University issued appliances;
- iii. Additional refrigerators larger than 4.4 cubic feet;
- iv. Bed lofts other than a university issued loft;
- v. Waterbeds, other beds, any large pieces of furniture, (e.g. wardrobes, dressers, etc.) may not be brought into the residence halls;
- vi. Stacking furniture or using furniture other than its designated use.

- e. Indoor Sports

- i. Participation in any sport activity within non-athletic campus buildings (e.g. scooters, skateboards, hoverboards, nerf or water guns, or use of any ball or projectile).

- f. Painting, marking, driving nails or screws into, or otherwise defacing or altering walls, ceilings, floors, windows, cabinets, woodwork, furnishings or any other part of the residence;

- g. Tampering with, accessing, or interfering with moveable ceiling tiles. (e.g. storing items in the ceiling);
- h. Damage, vandalism, destruction, or abuse of/to University services including computer and telephone services.
- i. Arriving early, staying over breaks, or staying after closing without approval.
- j. Not adhering to standards/expectations associated with themed housing
- k. Moving to a room other than where you are assigned without prior approval
- l. Other violations of housing contract

**U. Theft**

- a. Theft or possession of stolen University, personal or public property.

**V. Unauthorized Entry/Exit or Presence in or on University Property**

- a. Refusal to present University issued identification when entering a residence hall during desk hours;
- b. Allowing duplication or use of University issued keys or ID by any other individual other than whom they were issued to;
- c. Improper or unauthorized entry or exit of a University building, facility, or campus residence (e.g. entering or exiting a residence hall or University building through a window, emergency exit or use of doors other than the main entrance during restricted hours);
- d. Propping open a university door under restricted access, any residence hall door or tampering with any locking device allowing anyone to enter through a restricted door;
- e. Forced entry to any university area;
- f. Residing in or entering a residence hall during official University breaks without approval;
- g. Failure or refusal to leave University grounds, a University facility, or a specific portion thereof, when requested by an authorized University official;
- h. Community bathrooms are designated by gender. The entry of community bathrooms by persons of the opposite gender is prohibited.

**W. Unauthorized use of the name, logo or the official seal of the University**

- a. Violating the University branding guide.  
<http://msmary.edu/administration/university-marketing/>

**X. Violation of Copyright**

- a. Downloading or sharing of the intellectual property and copyrighted works of others without permission or consent of the copyright holder (e.g. music, motion pictures, computer software, photos, data files, and configuration files and maps) using Mount St. Mary's University computer resources.

**Y. Violation of the Title IX Policy on Sexual Harassment, Discrimination, and Misconduct**

- a. Unwanted sexual touching, sexual assault, rape, sexual harassment or misconduct, making unwelcome sexual advances, request for sexual favors, dating violence

or failure to obtain consent. The full policy can be read at [www.msmary.edu/titleix](http://www.msmary.edu/titleix).

*\*For all specific procedures for all Title IX Sexual Misconduct cases please see the Sexual Misconduct – Title IX Policy: [www.msmary.edu/titleix](http://www.msmary.edu/titleix)*

## **Z. Weapons**

- a. Possession, storage (anywhere are on campus), or use of firearms or ammunition (e.g. bb guns, soft pellet guns, air soft guns, paint ball guns);
- b. Possession, storage (anywhere on campus), or use of any weapons (e.g. brass knuckles, swords, nunchakus, butterfly knives, spring assisted/automatically opening knives, or knives with blades greater than three 3 inches in length, swords, all types of martial arts weaponry, any device capable of casting a projectile, concealed weapons, explosives);
- c. Possession of more than two knives, excluding items designed and typically used for kitchen applications, and that are used and housed there.

## **Other Residential Policies and Expectations**

The University believes that living on-campus is an important part of the liberal arts experience, and gives an opportunity for social growth and development. With that comes responsibilities specific to the residential community, roommates/suitemates and residential spaces.

### **Eligibility Requirements:**

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 or graduate 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 who are younger than 17 years of age or older than 23 years of age 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 older than 23 years of age may be subject to semester reviews where residential eligibility is examined.

### **Care of Residence Hall Spaces**

#### **A. Cleanliness and Sanitation**

Students are responsible for keeping a clean sanitary space at all times, as well as demonstrating respect for all University property. Trash should be removed regularly and all areas of the room/suite/apartment should be cleaned on a weekly schedule. Residence halls are regularly maintained by an exterminator. If residents develop a pest problem, please contact the floor RA immediately. The University will not be liable for the presence of bugs, vermin, or insects. With prior notification, Residence Life will perform Health and Safety inspections on a regular basis. Students will have 5 days to correct a failed inspection. After a second failed inspection students will be referred to the student conduct process.

## **B. Room and Hall Damage**

Students will be billed for any and all damage that exceeds normal wear and tear. Any damage or vandalism to residence hall common areas or apartment/suite areas (should the responsible individual(s) not be found) will be divided equally among the entire room/floor/tower. Students responsible for damage mid-year should contact residence life staff in order for essential repairs to take place. The University is not responsible for the loss or damage of personal property of residents. Residents are advised to carry insurance for belongings and remove any valuables from their room over break periods.

## **C. Public Spaces**

All lounges and lobbies are for the use of every community member. They should remain free of personal items, are not to be used for sleeping, and cannot be reserved as meeting spaces.

## **D. Maintenance or Repair of Student Room Facilities**

Contact your RA for any maintenance needs in your residence hall space. Work orders will be placed and updates on progress will be sent to you and/or your RA.

## **E. Keys**

The student will 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 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. Students will be charged 10 dollars for each lock out.

## **F. Service and Emotional Support Animals**

Service Animals A resident who requires the use of a service animal should make the offices of Residence Life and Learning Services aware that a service animal will be a part of the community.

Emotional Support/Assistance Animals are defined as animals that must in some way ameliorate, lessen or better some part of a student's disability. Students with a documented disability must request accommodations for an emotional support animal through Learning Services and Residence Life at least 30 days before the animal would arrive. This reasonable accommodation, with appropriate documentation, will be met on a case by case basis.

## **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 with the assistance of their Resident Assistant. 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. This document will be used as a written contract in case of roommate disagreements. 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 more easily throughout the school year.

### **Room/Hall 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. Unapproved moves will result in the student having to return to his/her 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 to this space at any time.
- 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 a Resident Assistant or the Assistant Director of Residence Life responsible for their living community.

### **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 ask the Dean of Students to review this decision.

### **Term Breaks, Holiday Closings, Etc.**

- 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, spring and Easter breaks, and at the end of the fall and spring semesters. All students are required to vacate the residence halls during breaks and at year end.
- University housing is not available during breaks and vacation periods except for students approved through the Residence Life Interim Housing procedure.
- Students must follow the appropriate Interim Housing procedures for breaks. This includes early arrivals before breaks end and staying late after breaks start. Housing cannot be guaranteed once deadlines have passed.

### **Check-Out Procedure**

If leaving mid-year, a student must notify the Office of Residence Life of departure. Students will not be released from their housing contracts without this notification. It is a non-negotiable requirement that all student rooms, furniture, bathrooms, private lounges and corridors must be clear of personal belongings, free of debris, and clean. University furniture must also be returned to its original location and all personal furniture removed, prior to the time the student checks out of the residence hall. If this is not the case, students will be required to stay until all requirements

have been accomplished. Charges will apply for any cleaning, damage, or improper check outs. To avoid charges, furniture must be placed where it was located at the time of check-in. All residents must vacate their room assignment 24 hours after their last final or 24 hours after the termination of their housing contract. In the event that a student does not vacate the room within the timeline above, any remaining items in the room will be considered abandoned after 5 days. All items will be donated or disposed of. The check-out procedure consists of three steps:

- A. Clean room and surrounding areas:
  - a. 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.)
- B. Return residence hall or university keys to the appropriate residence hall staff member or the Public Safety Office;
- C. Occupants will be held responsible for the condition of all furnishings, and all space in their room/suite/apartment, 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.

## **Academic Violations**

All academic violations are independent from the Student Code of Conduct and are governed through academic departments and the Office of the Provost. For information on academic policies please refer to the [Course Catalogue](#).

## **Conduct Process**

*It should be clearly understood that there is a fundamental difference between the nature of student discipline and that of criminal law. By common educational standards the guideline of Preponderance of Evidence (more likely than not) will be used as the basis for determining a student's responsibility.*

The conduct process is initiated if a student is allegedly found engaging in behavior outside of the expectations of the Student Code of Conduct. The purpose of the practices described below is to engage students in an educational way as developing adults. Ideally this results in increased self-awareness about insensitive and/or potentially harmful behaviors, an opportunity to identify and connect with appropriate means of support and assistance, and the self-advocating drive to be an active agent in correcting those behaviors for themselves, and to be a positive influence within their community. Below is what students can expect after the conduct process is initiated.

If a student, allegedly involved in a violation of the Code of Student Conduct, separates or graduates from the University prior to resolution, the student conduct process can continue at the discretion of the University. If a conference is not pursued upon the separation of the student, the pending charges will be need to be resolved, at the discretion of the University, prior to any future readmission. Below is what students can expect after the conduct process is initiated.

### **A. Receiving of a Report**

Any member of the campus community may register a complaint in writing with the Dean of Students/designee against a student for alleged violation of University policy.

Reports are received by the Dean of Students Office/Office of Residence Life through one of the following ways- Residence Life Staff Report, Public Safety Report, Student Report, Anonymous Reporting System, or through a member of the Faculty, Administration or Staff. Based on the complexity, severity, or need for additional information of a reported incident, an investigation may be conducted and a report provided to the Dean of Students/designee.

B. Initiation of Charges

The Dean of Students/designee will review instances of reported behavior violations to determine if student conduct proceedings should be initiated. In the absence of sufficient information, as determined by the Dean of Students/designee, a complaint will be dismissed. Possible charges are listed below.

C. Notification of Charges and Conference Date

Once it is determined that student conduct proceedings will be initiated, all charges and date, time and location of the conduct conference will be issued to the charged student. All charge and conference notices will be (a) e-mailed to the student's University e-mail account, (b) mailed to the on-campus address of the charged student, or (c) mailed by certified, return receipt requested first class mail to the off-campus address on file in the University Registrar's Office. Notices sent by these methods will be presumed to be delivered unless returned as undeliverable. Students are responsible for ensuring that their mailing address of record is current and complete. Students are also responsible for checking their University assigned e-mail account. In some cases, the Dean of Students/designee may notify a student of charges in person. Students will be given 48 hours from time of notification of charges to time of scheduled conference. With the exception of finals week where all cases should conclude before the end of the year except in extenuating circumstances.

D. Student Conduct Conference Procedures

- a. Students will meet with the designated conference authority assigned to the case in a closed session informal conference. The conference authority will exercise control over the conference to avoid needless consumption of time, repetition of information, call a recess if needed, and/or ensure the proper treatment of all participants;
- b. During this conference, students can expect the following:
  - i. The opportunity to discuss and understand all charges and the conduct process;
  - ii. The opportunity to speak truthfully about the events in question, cover details extensively, and discuss responsibility or lack thereof in the situation;
  - iii. These conferences will, above all, be focused on what responsibility a student has in the situation and how to work to correct future behavior. Students are expected to take responsibility for any misconduct and to be willing participants in correcting said behavior;
  - iv. Discussion of appropriate sanctions if found responsible. This could include a full discussion of all sanctions or the possibility of sanctions to be determined later. If sanctions are to be determined later it will be by the

- conference authority only using information presented in reports and during the conference;
- v. If responsibility is acknowledged or is determined prior to the determination of the sanction, the conference authority can allow the introduction of written and/or oral statement(s) which detail the impact on the victim the violation caused;
  - vi. Students will have the ability to receive sanctions in person if they so choose. Otherwise all sanctions will be sent in the same fashion as the charges;
  - vii. If found not responsible the case will be considered dismissed.
- c. During a conference, the charged student is entitled to:
- i. Appear in person and be an active participant in the conference.
  - ii. Have an advisor present for the conference;
    - 1. The name of the advisor must be submitted to the conference authority in writing, at least 24 hours prior to the scheduled conference. The advisor may not address the conference authority or other persons at the conference unless permitted by the conference authority. The role of the advisor will be to consult with the charged student at reasonable intervals during the course of the conference. The advisor may not be a family member or an attorney except in cases of sexual assault, intimate partner violence, or stalking. Witnesses who have been interviewed as part of the investigation may not serve as advisors.
  - iii. Have relevant witness statements considered as part of the proceeding;
    - 1. The student can provide a list of firsthand witnesses to the event or actions in question
    - 2. A witness writing a statement must be a person who has direct knowledge of the event or actions in question. Character witnesses are not permitted;
    - 3. A student must submit in writing the names of any witnesses that he/she would like witness statements taken from to be considered as part of the conference. The list of witnesses must be submitted to the conference authority at least 24 hours prior to the scheduled conference;
  - iv. Elect not to appear at the conference, in which case the conference shall be conducted in the charged student's absence;
  - v. Refuse to answer any questions or make a statement; the conference authority shall make its decision on the basis of information available at the time of the conference;
  - vi. Confidentiality. All conferences shall be conducted in private session. All statements, information, or comments given during conferences will be held in the strictest confidence by the student, the authority, University staff, and advisers before, during, and after deliberation. **Video, audio,**

**stenographic, or photographic recording of conference proceedings are prohibited.**

- vii. The right to an appeal.

### **Extenuating Circumstances**

In some situations, University action is required before the student conduct process begins. While all students will be afforded due process and no student will be assumed responsible before a conduct conference, there are times when it may be determined that a form of separation is what is best for the students involved or the community as a whole.

#### **A. Summary Suspension**

An action which requires a student to immediately leave University property, and not return during the suspension period, and/or comply with other stated conditions for a specified period. This could include temporary suspension of enrollment eligibility or University attendance, presence on the campus, and/or presence at University event, academic or otherwise. Summary suspension may be imposed upon a student by the Dean of Students/designee when there is reason to believe, based on available facts, that the student represents an immediate threat to the safety, health, or welfare of other persons or property, or is found in possession of illegal drugs. This summary action is warranted by potential or threatened danger or disruption, but is used when the serious nature or immediacy of the incident makes it impractical or unsafe to follow normal disciplinary procedures. A student may be summarily suspended for a specified period of time or the suspension may be scheduled contingent upon certain events or conditions.

When a student is summarily suspended, she or he will be given a verbal or written explanation (a) e-mailed to the student's University e-mail account, (b) mailed to the on-campus address of the charged student, or (c) mailed by certified, return receipt requested first class mail to the off-campus address on file in the University Registrar's Office, including the reason for, and duration of the suspension, as well as any conditions that may apply. A student notified of such summary action shall, upon written request by email; be given an opportunity to meet with the Vice President or a designee within seven business days from the date of the request. This meeting shall be held to consider only the following issues related to the summary action:

- a. The reliability of information alleging a student's misconduct, and;
- b. Whether the conduct or surrounding circumstances reasonably indicate whether the student's presence on campus or continued unrestricted participation in campus affairs would pose an immediate threat to the safety, health, or welfare of other persons or property.

Following the imposition of summary suspension, standard University disciplinary procedures shall be provided as expeditiously as possible. Unless circumstances render the implementation of standard disciplinary procedures impossible or unreasonably difficult, these procedures shall be initiated within 10 business days from the effective date of the summary action.

Any student who is summarily suspended and returns to the campus or University property and/or violates other stated conditions during the specified period shall be subject to further separate action and may be treated as a trespasser. Permission to be on

campus for a specific purpose (e.g., to take an exam, to consult with the Vice President or designee, or to participate in disciplinary procedures) must be requested and obtained in writing or by telephone prior to any conduct contrary to the suspension or conditions, and may be granted by the Vice President or their designee.

B. Notice of Restriction/Relocation

The University reserves the right to restrict a student from any building or area on University property in preparation for a conduct hearing and/or as a sanction of the conduct hearing.

C. Order of No Contact

The University may decide that it is in the best interest of the University community and/or the well-being of certain students or parties to have no contact. In such cases, the University, without prejudice, will restrict and mandate a no contact order between said students or parties. Such restrictions and mandates may involve limited access to facilities or residence hall relocation.

## Student Conduct Sanctions

Students are expected to take responsibility for their actions and work to understand the impact of potential harm on themselves, on individual community members, and the campus community as a whole. To that effect, sanctions are meant to be educational and restorative by nature. This ensures that students are genuinely conscious of how their actions have affected themselves and others, as well as of how to restore a negative situation. The severity of the sanctions assigned are intended to correspond with the severity or frequency of behavior, as well as the student's willingness to positively participate in the conduct conference, and willingness to recommit him or herself to The Mount community, of which they are a part.

\* When found responsible for violations of the alcohol or drug policy, notification to the responsible students' parents or legal guardians of these violations as allowed by Federal law. This will only occur after the conference authority has discussed this possible notification with the student and the student is under the age of twenty-one (21);

Possible sanctioning could include one or more of the sanctions listed below, or sanctioning could be tailored specifically for the student or situation.

**A. Conduct Conversation.** Problematic behavior, while not serious enough for further sanctioning, is discussed and worked to correct. Repeated or similar behavior will result in more serious sanctioning;

**B. Disciplinary Warning.** Involves written notice to the student indicating that specific behavior or activity was in violation of this code and that repetition of similar, or other unsatisfactory behavior would likely result in more serious judicial action;

**C. Educational Project/Presentation.**

**D. Alcohol Education.** Online education or attendance in alcohol and/or other drug educational program;

**E. Restorative Service.** The opportunity to help restore any harm done;

**F. Financial Restitution.** For any loss or harm sustained or incurred by the institution or member(s) of the University community;

**G. Counseling Session(s).**

**H. Monetary Fines.**

**I. Order of No Contact.** with designated persons;

**J. Disciplinary Probation.** A period of review and observation, during which a student will be officially notified that his/her conduct, although not serious enough to warrant more severe action, was inconsistent with the expectation of behavior. Subsequent violations of University rules, regulations or policies (even after a particular probationary period expires) could result in a more severe sanction;

**K. Loss of University Privileges.** Including guest privileges, athletic privileges, housing privileges, co-curricular privileges, party reservation privileges and facility-use privileges, driving university vehicles, or parking privileges;

**L. Suspension of computer account/Internet use.**

**M. Restriction.** From specific University buildings, areas, or facilities or access to campus during specific time periods or weekends;

**N. Housing Reassignment/Reapplication.** Residence Life housing reassignment or loss of ability to re-contract or reapply for on campus housing;

**O. Termination of the Privileges of a Registered Student Organization.** The loss of any or all privileges of a registered student organization. Imposition of this sanction does not preclude student conduct charges against individual members of the organization;

**P. Loss of Institutional Scholarships.** Should the University determine that a student is in violation of the Code of Student Conduct, it may revoke a percentage of institutionally funded scholarships. Revocation of institutionally funded scholarships is generally imposed in lieu of dismissal or more restrictive sanctions for a severe violation under the Code of Student Conduct. Once imposed, the percentage of revoked scholarship assistance will be based upon the severity of the offense as well as the student's conduct history. The revocation of institutionally funded scholarships applies to the following semester(s); however, each circumstance will be determined individually. A student may appeal to the Vice President for reinstatement of aid after successful completion of the revocation period and full compliance with all related sanctions and conditions;

**Q. Residence Hall Separation.** Residence Hall Separation involves removal from the campus residence hall community for conduct which clearly demonstrates an inability to function appropriately in the residence hall community. Such separation may be permanent or for a specified number of semesters. Such separation prohibits accessibility to all or designated residence halls. Visitation will not be permitted without securing prior approval in writing from the Dean of Students/designee. In no case will separation be less than the remainder of the semester in which it takes place. Under this sanction, a student will be required to vacate their housing within 24 hours of notification and at the discretion of the Dean of Students/Designee be extended.

**R. Full Campus Restriction.** Loss of privilege of living and being on campus except to attend classes. The student may not be on campus or University owned property/facilities for any reason during the stated period of dismissal and is prohibited from participating in all activities sponsored by the University or an organization affiliated with the University, whether on or off campus;

- S. University Dismissal.** Dismissal is a separation 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;
- T. Expulsion.** Expulsion is permanent separation from the University involving denial of all student privileges. Expulsion shall be effective on the date of notice of the expulsion, or later if so stated in the notice; and may be entered into the student’s transcript. Students separated from the University by expulsion may not enter University premises or University-related premises without securing prior approval from the Vice President.

## 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 sanction. A summary of this new evidence and its potential impact must be included;
- C. The sanctions imposed fall outside the typical range of sanctions for the offense and, if applicable, the cumulative conduct history of the respondent.

The Dean of Students reserves the right to assign appeals to the appropriate conference authority.

The following are the University Conference and Appeal Authorities:

<u><i>Conference Authority</i></u>	<u><i>Appeal Authority</i></u>
Graduate Assistant	Associate Director
Assistant Director of Residence Life	Associate Director
Associate Director	Dean of Students or Designee
Dean of Students	Vice President

## **Authority and Execution of the Code of Conduct**

The Vice President of Enrollment Management and Student Affairs is vested with the responsibility for the Code of Student Conduct. This responsibility includes formulating and implementing operating procedures for the consideration of conduct violations and the imposition of sanctions in an efficient, consistent, fair, legal and educational manner.

- A.** The Vice President delegates the daily operation of the Code of Student Conduct to the Dean of Students or appropriate designee hereto in referred to as Dean of Students/designee;
- B.** The Dean of Students/designee may determine the appropriateness of cases to be processed either through the student conduct system or through appropriate alternatives;
- C.** The Vice President/designee are vested with the authority to adjudicate all violations of the Code of Student Conduct. If it is determined that circumstances warrant different procedures, the Vice President/designee may follow procedures other than those outlined below. In all cases, due process shall be afforded to any student accused of misconduct;
- D.** Any recommendation for modification of any aspect of the Code of Student Conduct shall be forwarded to the Vice President for approval and implementation. When appropriate, the Vice President will inform the President of University who retains the right to make final decisions in accordance with the governance policy of the institution;
- E.** The University reserves the right to make changes to the Student Code of Conduct at any time. All changes will be communicated via university email to all students.
- F.** The Vice President, or their designee, will conduct a biennial review of all education programs and disciplinary sanction to determine their effectiveness, and implement changes as necessary.

## **Jurisdiction of the Code of Conduct**

The Student Code of Conduct and the student conduct process covers all persons taking courses through the University (including summer sessions), both full and part time, pursuing undergraduate or graduate studies, and any person residing in University housing. The University may take jurisdiction over any violation of the Code of Student Conduct committed during the time in which the student is enrolled, including incidents off campus, time between semesters, during breaks, semesters abroad, and during leaves of absences. The University reserves the right to take appropriate action when behavior of an individual or individuals presents a danger to the health, safety, and well-being of themselves and/or others in the community.

The Student Code of Conduct applies to all university guests and at all University sponsored events. Students and guests, may be subject to an inspection by the University of any packages, bags, pouches, or other such portable items that can be used to carry, contain or conceal prohibited items, including alcoholic beverages.

If a student, allegedly involved in a violation of the Code of Student Conduct, separates or graduates from the University prior to resolution, the student conduct process can continue at the discretion of the University. If a conference is not pursued upon the separation of the student,

the pending charges will need to be resolved, at the discretion of the University, prior to any future readmission.

Students accused of serious criminal offenses on or off campus shall be subject to university action through the Code of Student Conduct, including Emergency Administrative Action. Serious criminal offenses shall include, but is not limited to behavior which (a) is defined as a felony under local, state or Federal laws, and (b) indicates that the student constitutes a substantial danger to the safety or property of the University, or members of the campus community. The University reserves the right to take action through its Student Conduct System prior to the disposition of any action that may result from criminal proceedings.

## **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 may be expunged and/or a transcript notation removed for good cause by the Dean of Students/designee. A "Petition to Expunge" shall be submitted by the

Student Petitioner to the Dean of Students/designee for review. Factors to be considered shall include the following:

1. Present demeanor of the Petitioner;
2. Conduct of the Petitioner since the violation;
3. Nature and severity of the violation; and
4. Nature and severity resulting from the misconduct.

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