

To the Point

Student Handbook

2011-2012

Message from the Dean of Students
St. Mary's College of Maryland

Dear Students,

Welcome to the 2011-12 academic year at St. Mary's College. *To the Point* is a student handbook representing a roadmap for you to navigate the byways of student life at St. Mary's. It contains information for students about available services, emergency procedures, administrative policies and procedures, conduct standards and regulations, and student government. I encourage you to read this handbook thoroughly and acquaint or re-acquaint yourself with the policies, procedures, and resources available to you as a student at St. Mary's.

We are dedicated to providing you an engaging atmosphere during your time in college and we value healthy and informed decision-making. Your involvement in your education is absolutely necessary for academic and personal success. How you devote your time and energy in the following areas determines your involvement: academics, interactions with faculty and staff, residence hall and commuter living, community service, social activities, and clubs and organizations. Being successful also means having some understanding of who you are, where you are going, and how you are going to get there. It means asking yourself "What kind of person am I?" and "What kind of person do I want to become?" When you answer these questions, you can set some goals for each semester, for your total St. Mary's experience, and even for your life.

Your involvement will challenge you to make responsible choices about doing your best in ways uniquely your own: choices about conducting yourself with integrity; about establishing yourself as a trusted member of the St. Mary's community by creating humane and mature relationships with peers; about establishing a sense of personal vision and direction for academic involvement and personal success; and about making responsible choices in all situations involving St. Mary's conduct code and student rights and responsibilities. To be successful at St. Mary's, be responsible for yourself, your learning, your behavior, and your involvement.

Have a wonderful year; and if you have any questions, feel free to contact me and other members of the Student Affairs Staff.

Sincerely,

Laura A. Bayless, PhD
Dean of Students

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ST. MARY'S COLLEGE OF MARYLAND
MISSION STATEMENT

St. Mary's College of Maryland, designated the state's honors college, is an independent public institution in the liberal arts tradition. We promote scholarship and creativity by challenging our students to achieve academic excellence through classroom activities, experiential learning, and close relationships with faculty. Our faculty and staff foster intellectual, social, and ethical development within a community dedicated to diversity and accessibility. We provide students with opportunities to understand and serve local, national, and global communities and to accomplish social change.

Founded on the site of Maryland's first capital, the College stands as a living legacy to the ideals of freedom and inclusiveness. Our beautiful residential campus on the banks of the St. Mary's River inspires our work, our play, and our commitment to the environment.

We value:

- Creative and intellectual exploration
- Diversity in all its forms
- Social responsibility and civic-mindedness
- Global engagement
- Environmental stewardship
- A spirit of community revolving around our students

St. Mary's College of Maryland pursues the following goals:

- Maintaining a high standard of academic excellence
- Strengthening student/faculty interaction through small classes and close collaborations
- Enhancing accessibility, affordability, and diversity
- Providing an integrative curriculum and fostering intellectual autonomy
- Expanding global engagement opportunities for our students and faculty
- Promoting and maintaining a community built on respect
- Offering a variety of educational, cultural, and recreational experiences for the campus and local communities

THE PUBLIC HONORS COLLEGE



St. Mary's College of Maryland
at Historic St. Mary's City

**STUDENT CODE
AND
STUDENT RIGHTS AND RESPONSIBILITIES**

STUDENT CODE AND STUDENT RIGHTS AND RESPONSIBILITIES

St. Mary's College recognizes its responsibility to provide an environment conducive to free inquiry and free expression, and to encourage fair and just relationships among the members of the College community. The purpose of the Code is to set forth the standards, policies, and procedures essential to safeguard students' rights and their freedom to learn, as well as to provide a fair and efficient process for adjudicating complaints concerning student misconduct. In addition, this code aims to provide students with an educational experience with regard to protecting community standards.

The authority for student conduct and discipline is delegated to the dean of students. The dean oversees actions of the judicial system and delegates the operations to the judicial affairs officer. The dean acts as the appeal officer.

The goal of the campus judicial process is to help students develop responsibility, commitment, and understanding by way of the campus judicial process. As a result of compliance with this Code, each member of the College community will be able to live in a community based on mutual trust, guided by a spirit of self-regulation. If a student is in violation of College regulations, or of local, state, or federal laws, campus judicial action may be required.

The philosophy of this College is that most violations are best handled in a way so as to inform and guide students toward the development of personal responsibility and mature, moral, and ethical standards. Judicial proceedings in the College are administrative in nature rather than criminal. The emphasis of the College judicial system rests upon the questions of student conduct rather than questions of legal or criminal guilt. The authority of the College to discipline students for violations of its regulations, and the power of civil authorities to deal with violations of criminal law are clearly separate proceedings, each with a different nature and purpose. The aim of the College judicial proceedings is to arrive at fair, impartial, and consistent decisions that presume that individuals are fully responsible for their actions and which ensure the rights, freedom, and safety of all members of this educational community.

Article I

BASIC RIGHTS AND RESPONSIBILITIES

Section 1: Rights and Responsibilities

Students, as members of the College community, shall have certain rights. These rights shall include the freedom to pursue educational goals, the freedom of expression and inquiry, the right to privacy and confidentiality of records, and the right to due process as established in the Code of Student Conduct. These rights are subject to the limitations of the Code.

Students also have certain responsibilities:

- The responsibility to act in such a manner as to ensure that other students may enjoy the rights mentioned above.
- The responsibility to respect and comply with College rules and regulations.
- The responsibility to respect and comply with local, state, and federal law.
- The responsibility to act in a manner which promotes an atmosphere of learning and free expression.
- The responsibility to respect the human rights, dignity, and worth of every individual in the College community.

Section 2: Campus Expression

Discussions and expressions of various opinions and views are encouraged within the College, provided that order is maintained, individual rights are preserved, and College operations are not disrupted.

Section 3: Student Housing

Any student living in College housing is subject to the regulations outlined in the Housing Contract and the housing regulations. Failure to abide by the Code of Student Conduct will result in disciplinary action. All violations of the Student Housing Contract shall be referred to the associate dean of students for appropriate action.

Section 4: Student Records

The Family Education Rights and Privacy Act of 1974 (The Buckley Amendment) regulates the maintenance, confidentiality, and accessibility of students' educational records. This Act protects the privacy of students by providing them with certain rights regarding specified records. The complete text of and information about the Act are available in the Registrar's Office and the Office of the Dean of Students. Disciplinary records are covered by this Act and, therefore, are available to the student for inspection.

Incidents will result in the development of a student disciplinary file in the name of the referred student or student organization. The files are retained in the Office of the Dean of Students, except for academic misconduct files which are retained by the Office of the Vice President of Academic Affairs and Dean of Faculty. Student files will be retained as disciplinary records seven years from when the student graduates or leaves the College due to death, withdrawal, or academic dismissal. Files for student organizations will be retained at the discretion of the Dean of Students. Student disciplinary records of cases resulting in suspension, expulsion, or organizational deactivation may be retained for longer periods of time or permanently at the discretion of the dean of students.

Article II

CODE OF STUDENT CONDUCT

The following misconduct is subject to disciplinary action, as provided for in this Code:

- A. Violation of published College policies, rules and regulations.
- B. Violation of federal, state or local laws.
- C. Acts of dishonesty to include:
 - 1. Cheating, plagiarism, or other forms of academic dishonesty.
 - 2. Furnishing false information to any College instructor, official, or other office with an intent to deceive.
 - 3. Forgery, alteration, or misuse of any College document, record, instrument, or identification.
- D. Intentional disruption or obstruction of teaching, research, administration, disciplinary proceedings, or other College-sponsored activities.
- E. Physical, written, verbal, electronic, or mental abuse, threats, intimidation, harassment, coercion, and/or other conduct which threatens or endangers the health, safety, or emotional well-being of one's self or others.
- F. Theft, destruction, misuse or abuse to property of the College or property of a member of the College community.
- G. Failure to comply with a reasonable request of authorized College personnel or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- H. Tampering with, removal of, setting off, or damage to the equipment or alarm systems in any College building when no apparent fire or immediate danger exists.
- I. Unauthorized possession or use of keys to any College door or facility, unauthorized operation of any locking mechanism; unauthorized entry to or use of College facilities.
- J. Controlled substance violation to include:
 - 1. Use, possession, or distribution of narcotics or other controlled dangerous substances, and related paraphernalia on College premises, except as expressly permitted by law and College regulations.
 - 2. Violation of the College Alcohol Policy.
- K. Illegal or unauthorized use, possession, or distribution of firearms, explosives, or other dangerous weapons or chemicals on College premises.
- L. Conduct which is disorderly, lewd, or indecent; breach of peace; or aiding, abetting, or procuring another person to breach the peace.
- M. Abuse of the Judicial System, including:
 - 1. Failure to respond to a summons of the Judicial Board or the judicial affairs officer.
 - 2. Initiation of a judicial proceeding knowingly without cause.
 - 3. Attempt to influence the impartiality of a member of the Judicial Board prior to or during the course of a judicial proceeding.
 - 4. Failure to complete or comply with a disciplinary sanction assigned by the Judicial Board/Hearing Officer.
 - 5. Verbal, physical, or mental harassment or intimidation of any member of the judicial body, witnesses, complainants, or respondents prior to, during, or after a judicial proceeding.
- N. Violation of the College Sexual Misconduct Policy.
- O. Violation of the College Hazing Policy.

Article III

JUDICIAL PROCEDURES FOR ACADEMIC MISCONDUCT

Preface

St. Mary's College of Maryland is committed to the ideals of honesty, personal integrity, and mutual trust. Academic integrity is a responsibility of all students, members of the faculty, and administrative officers. All students are expected to uphold the highest ideals of academic integrity throughout their career at St. Mary's. The following policy has been adopted for fair judgment in cases of suspected academic misconduct. Students who commit acts of academic misconduct (see "Definitions of Academic Misconduct" below) are subject to in-class penalties imposed by the instructor and to a hearing before the Academic Judicial Board with possibilities of additional penalties. See the "Code of Student Rights and Responsibilities" included in this student handbook, distributed each year to every SMCM student through the Office of Student Activities and also located on this web site: <http://www.smcm.edu/judicial/tothepoint.html>.

Please see glossary of terms on page 22.

Section 1: Definitions of Academic Misconduct

Academic misconduct may include, but is not limited to, the following acts:

1. Cheating

Cheating involves dishonest conduct on work submitted for assessment. Specific instances of cheating include, but are not limited to, the following:

- a) Assisting another student or receiving assistance from anyone to complete quizzes, tests, examinations, or other assignments without the consent of the instructor.
- b) Using aids unauthorized by the instructor to complete quizzes, tests, examinations, or other assignments.

2. Plagiarism

Plagiarism is the act of appropriating and using the words, ideas, symbols, images, or other works of original expression of others as one's own without giving credit to the person who created the work. If students have any questions regarding the definition of plagiarism, they should consult their instructor for general principles regarding the use of others' work. Among sources commonly used for documenting use of others' work are the style manuals published by the American Psychological Association, the Council of Biology Editors, the Modern Language Association, and Turabian's Manual for Writers of Term Papers. The final authority concerning methods of documentation is the course instructor. Specific instances of plagiarism include, but are not limited to, the following:

- a) Word-for-word copying of sentences or paragraphs from one or more sources that are the work or data of other persons (e.g., professional or peers; including books, articles, theses, unpublished works, working papers, seminar and conference papers, lecture notes or tapes, graphs, images, charts, data, electronically based materials, etc.), without clearly identifying their origin by appropriate referencing.
- b) Closely paraphrasing ideas or information (in whatever form) without appropriate acknowledgement by reference to the original work or works.
- c) Presenting material obtained from the Internet as if it were the student's own work.
- d) Minor alterations, such as adding, subtracting, or rearranging words, or paraphrasing sections of a source without appropriate acknowledgement of the original work or works.

3. Falsification

Falsification involves misrepresentation in an academic exercise. Misrepresentation includes, but is not limited to:

- a) Falsely attributing data or judgments to scholarly sources.
- b) Falsely reporting the results of calculations or the output of computer programs, or materials from other electronic sources.
- c) Presenting copied, falsified, or improperly obtained data as if it were the result of laboratory work, field trips, or other investigatory work.

4. Resubmission of work

No student may turn in work for evaluation in more than one course without the permission of the instructors of both courses.

Section 2: Procedures

1. Confidentiality requirements: All parts of an academic misconduct procedure are confidential. The following guidelines should be followed:

- 1.1. If an instructor seeks advice from colleagues or the school administration concerning a suspected case of academic misconduct, he or she should not divulge the name of the student or students involved before taking any action.
- 1.2. If the instructor imposes an in-course penalty (section 2 below), he or she may not divulge the name of the student or students involved except to the Office of the Vice President for Academic Affairs and Dean of Faculty, with all forms being submitted through the Office of Academic Services.
- 1.3. If the instructor or the vice president for academic affairs and dean of faculty requests a hearing from the Academic Judicial Board (AJB), the vice president for academic affairs and dean of faculty's designee from the Office of Academic Services shall inform the hearing officer of the AJB about the case, provide the hearing officer with a statement of purpose of the hearing, and provide the hearing officer with the materials in the files.
- 1.4. All hearings of the AJB (as described below) are confidential. The AJB shall submit its rulings and recommendations only to the student or students accused of misconduct, the instructor involved in the case, the vice president for academic affairs and dean of faculty, and other relevant SMCM personnel.
- 1.5. All records of academic misconduct are kept by the Office of the Vice President for Academic Affairs and Dean of Faculty. All such records are confidential and may not be discussed with the faculty or other staff members of the College, with the following two exceptions:
 - 1.5.1. As outlined below, the Office of the Vice President for Academic Affairs and Dean of Faculty shall forward relevant information concerning penalties for academic misconduct to the registrar, the dean of students, and any parties involved with the imposition of these penalties;

- 1.5.2. The Office of Academic Services shall inform the hearing officer of the AJB if the student or students involved in any action have been previously charged with or penalized for academic misconduct.
2. In-course penalties:

If an instructor has compelling evidence of a student's academic misconduct, he or she may impose an academic penalty, including assigning a final grade of "F" to the student for an assignment or for the course. The instructor shall send the student an Academic Misconduct form and /or a letter outlining the evidence of the student's academic misconduct and informing him or her of the penalty within four weeks of discovery of the misconduct. The written documentation shall be sent to the student either by hand delivery, overnight mail, or certified mail (return receipt requested). The student will also be notified by email with notification that the mail has been delivered and read-enabled (see Glossary, item H, on p. 35). The instructor shall send a copy of the documentation to the Office of Academic Services and the file will be forwarded to the vice president for academic affairs and dean of faculty. If the instructor submits an F for the course, the registrar will be informed that the student may not withdraw from the relevant course because of a penalty for academic misconduct.
3. Requests for a hearing by the Academic Judicial Board:
 - 3.1. If the instructor believes that the matter warrants a review before the Academic Judicial Board (AJB), he or she may ask the vice president for academic affairs and dean of faculty to request the Academic Judicial Board to schedule a hearing on the matter. The instructor shall send copies of the request to the student and the vice president for academic affairs and dean of faculty. The copy going to the student shall be sent either by hand delivery, overnight mail, or certified mail (return receipt requested). The student will also be notified by email with notification that the mail has been delivered and read-enabled (see Glossary, item H, on p. 35).
 - 3.2. If, after review of the documentation and any prior records in the student's file, the Office of Academic Services on behalf of the vice president for academic affairs and dean of faculty may request the Academic Judicial Board to schedule a hearing. The vice president for academic affairs and dean of faculty shall send copies of the request to the student and the instructor. The copy going to the student shall be sent either by hand delivery, overnight mail, or certified mail (return receipt requested). The student will be notified by email with notification that the mail has been delivered and read-enabled (see Glossary, item H, on p. 35).
 - 3.3. Appeal by the student: The student may appeal in writing an instructor's process for decision of responsibility or in-class penalty to the vice president for academic affairs and dean of faculty, who shall schedule a hearing on the appeal before the AJB. The student has 10 business days from the date the penalty letter was sent to make the appeal. The appeal must be sent either by hand delivery, overnight mail, or certified mail (return receipt requested). The student will also be notified by email with notification that the mail has been delivered and read-enabled (see Glossary, item H, on p. 35). Possible outcomes of such an appeal are outlined in section 4.5 below. If students have any questions or concerns about the process, please contact the assistant vice president for academic services.
4. Hearing Procedures:
 - 4.1. The AJB will inform the student of the hearing date within 14 business days from the time the hearing officer receives the request. The hearing shall take place as soon as the hearing participants' schedules will allow. If the request is received during a school holiday, the hearing will take place after classes resume. If the student is graduating, and the matter arises during the student's final semester, the student may not graduate until the hearing procedures have been completed.
 - 4.2. The student may not withdraw from the class or from the College before a decision is reached and the imposition of any penalties by the Office of the Vice President for Academic Affairs and Dean of Faculty.
 - 4.3. The AJB shall meet privately before the hearing to discuss the proceedings. The hearing shall be adjudicated by the members of the AJB. At least five members of the AJB must be present at any hearing, unless it is impossible to find a quorum of the regularly appointed members of the AJB within the set time. In this case, the hearing officer, in consultation with the judicial affairs officer, may appoint substitutes. The hearing officer of the AJB or his or her designate shall preside.
 - 4.4. The hearing officer shall keep a record of the hearing. The hearing officer shall forward all records of the hearing to the Office of the Vice president for Academic Affairs and Dean of Faculty for final storage. All records are held in the Office of the Vice President for Academic Affairs and Dean of Faculty for between five to seven years before they are destroyed.
 - 4.5. The hearing shall consist of four phases:
 - 4.5.1. Presentation of Evidence: The instructor shall present the evidence of academic misconduct to the board. The AJB shall also hear witnesses which it or the instructor may call.
 - 4.5.2. Presentation of Defense: The student shall present his or her defense. The student may call witnesses. The names of such witnesses shall be presented to the hearing officer of the AJB five business days prior to the hearing. The AJB may limit the number of witnesses called during the first two phases of the hearing. The AJB may question the instructor, the student, and any other parties giving evidence. AJB proceedings are not a court of law and should not be held to the same standard of procedure and evidence. At the conclusion of the presentation of all testimony, both the complainant and the respondent student will be given the opportunity to ask questions of the AJB concerning any discrepancies in testimony.
 - 4.5.3. Board Ruling: The board shall then rule on whether the student is responsible or not of academic misconduct if the

instructor's ruling was appealed by the student. All deliberations by the AJB shall be made in private, with only members of the AJB present, and their counsel, if any. All decisions of the AJB are made by a majority vote of those voting, with all members, including the hearing officer, eligible to vote. If a student is found not responsible in a charge of academic misconduct, he or she may not be tried again for the same instance of misconduct.

4.5.4. Assessment of Penalty

4.5.4.1. If a student is found not responsible for academic misconduct, the AJB may recommend that the instructor remove any penalty that has been imposed. Because there may still be a dispute over the student's grade or class standing, the AJB shall recommend a course of action for the instructor to take concerning the student. The recommendation shall be made in consultation with both the student and the instructor. The vice president for academic affairs and dean of faculty shall arbitrate any disputes which cannot be resolved in this manner. The vice president for academic affairs and dean of faculty shall also consult with the AJB hearing officer privately to discuss the board's reasoning behind its recommendations.

4.5.4.2. If a student is found responsible of academic misconduct, mitigating circumstances may be taken into account when recommending a penalty. It is, however, the student's responsibility to know the policies and definitions regarding academic misconduct. If appropriate, the AJB shall then recommend an alternate academic penalty to the vice president for academic affairs and dean of faculty. The AJB may interview the student to learn of any possible mitigating circumstances before recommending any penalty.

4.5.4.3. If the case was referred to the AJB at the request of the instructor or the vice president for academic affairs and dean of faculty, or if the student appeals her/his responsibility and is found responsible, the penalty may range from simply upholding any penalty given by the instructor to expulsion from the College. In this case, the board may not recommend a penalty lighter than any imposed by the instructor. If the case was referred to the AJB because of an appeal of an in-class penalty by the student, the board may recommend that the faculty member consider a lesser penalty if deemed appropriate.

4.5.4.4. The penalties that may be recommended by the AJB include, but are not limited to:

- Upholding any in-class penalty applied by the professor (e.g.) F for the course
- Non-removable F for the course
- Non-repeatable F for the course
- Notation on the transcript that the F was due to academic misconduct
- Suspension for a semester or a year
- Ineligibility to participate in sports and/or study abroad
- Any combination of these penalties
- Expulsion

4.6. The hearing officer shall send a letter to the student informing him or her of the ruling and (if appropriate) any penalty recommendations. The official letter must be sent either by hand delivery, overnight mail, or certified mail (return receipt requested). The hearing officer has the option of sending an unofficial electronic copy of the letter to all persons involved. A copy of the letter will also be sent to the vice president for academic affairs and dean of faculty and to the assistant vice president for academic services, and the AJB hearing officer may divulge any pertinent information to the board members.

4.7. A student may appeal any finding of responsibility by the AJB to the vice president for academic affairs and dean of faculty. A letter of appeal must be sent within 10 days after the letter of decision from the AJB was sent. The appeal must be sent either by hand delivery, overnight mail, or certified mail (return receipt requested). See Article II, Section 11 for appeal procedures.

5. Further Procedures and Policies:

5.1. In any hearing, the student shall be presumed not responsible unless a preponderance of the evidence establishes his or her responsibility.

5.2. All hearings are private. The only people present at the hearings shall be those determined by the AJB to be material to the proceedings.

5.3. The student may request that an employee or student member of the College community be present to offer advice to and consult with the student concerning procedural matters during the hearing. This individual shall not testify at the hearing. Both parties have the right to be assisted by an attorney. They may do so only if they notify the hearing officer of the AJB or his or her designee 48 hours in advance of the hearing. The attorney may not participate in the hearing and may not address the board or hearing officer. Attorneys are present as a support and have no speaking role in the hearing process.

5.4. In cases where several students are accused of a linked act of academic misconduct, the students may petition the AJB to sever their cases (treat them separately). It is up to the AJB to decide on this matter.

5.5. The student may not be compelled to testify against him- or herself.

5.6. An accused student who fails to attend a hearing may be found responsible of violation of Academic Misconduct rules and may be assessed appropriate penalties, based on the evidence presented. Should this occur, the respondent student shall be informed in writing of the outcome of the AJB hearing.

6. Penalties imposed by the vice president for academic affairs and dean of faculty:
 - 6.1. The vice president for academic affairs and dean of faculty may not impose a penalty if the student was found not responsible of academic misconduct by the AJB.
 - 6.2. If the vice president for academic affairs and dean of faculty imposes a penalty for academic misconduct, he or she shall:
 - 6.2.1. Send a letter to the student stating the penalty. The letter must be sent either by hand delivery, overnight mail, or certified mail (return receipt requested). The student will also be notified by email with notification that the mail has been delivered and read-enabled (see H on p. 35).
 - 6.2.2. Send a copy of the letter to the instructor and the hearing officer of the AJB.
 - 6.2.3. If appropriate, inform the Office of the Registrar, assistant vice president for academic services and the dean of students that the student may not withdraw from the relevant course or from the College because of a penalty for academic misconduct.
 - 6.2.4. Send all relevant information concerning the penalty to all parties involved in the imposition of the penalty.
 - 6.2.5. The penalty may range from simply confirming any penalty imposed by the instructor to expulsion from the College.
7. Composition of the AJB
 - 7.1. The Academic Judicial Board shall consist of seven members: four faculty members and three students.
 - 7.2. The faculty members shall be chosen by the Faculty Senate from the full-time faculty of St. Mary's College. Faculty members shall serve for a two-year term and shall be appointed at the beginning of the school year. The Faculty Senate will appoint one of the faculty members of the AJB to serve as hearing officer during her or his term. The hearing officer will also serve as the chair of the AJB.
 - 7.3. The Student Judicial Board shall choose the student members of the AJB. Student members shall serve for a one-year term and shall be appointed at the beginning of the school year.
8. Case Records

The Family Educational Rights and Privacy Act of 1974 (the Buckley Amendment) regulates the maintenance, confidentiality, and accessibility of students' education records. This act protects the privacy of parents and students by providing them with certain rights regarding specified records. The complete text of, and information about, the act are available to the student for inspection. When a student has been found not responsible, all records related to the case will be destroyed, except for information concerning findings of not responsible due to ignorance of the rules of definitions of academic dishonesty. This information will be kept on file for purposes of judging any future claims of ignorance that may occur.
9. At the end of the academic year, the AJB hearing officer will submit a report of the types of penalties recommended throughout the year. This report will be available for the future AJB hearing officer.
10. Basis upon which an Appeal May Be Considered

An appeal may be made for one or more of the following purposes:

 - 10.1 To determine whether the original hearing was conducted in conformity with the prescribed procedures of this Code. Minor deviations from designated procedures will not form the basis for sustaining an appeal unless it is determined that such deviation resulted in significant prejudice. For any substantial deviations from designated procedures, the appeals officer may, at his or her discretion, remand the matter for reconsideration.
 - 10.2 To present new evidence which could not reasonably be made available at the time of the original hearing. Such cases, at the discretion of the appeals officer, may be remanded back to the appropriate hearing format for reconsideration in light of new evidence.
 - 10.3 To determine whether the sanction imposed was appropriate to the violation with which the respondent student was charged.
11. Appeal Procedures
 - 11.1 The respondent student may appeal any decision reached as a result of an AJB hearing.
 - 11.2 All appeals must be made in written form specifying all reasons given for the appeal and given to the Office of the Vice President for Academic Affairs and Dean of Faculty within ten (10) business days after the initial hearing. The respondent student shall be able to present in person his/her appeal to the appropriate appeals officer after submitting the written appeal. Such presentation shall be limited to no more than forty-five (45) minutes.
 - 11.3 The Office of the Vice President for Academic Affairs and Dean of Faculty or his/her designee will notify the complainant(s) and hearing officer of a pending appeal in order to permit the complainant(s) to submit an "impact statement" to be considered along with the respondent's appeal.

Article IV

JUDICIAL PROCEDURES FOR BEHAVIORAL MISCONDUCT

Please see glossary of terms on page 35.

Section 1: Components of the Judicial System

- A. judicial affairs officer: This staff member, appointed by the dean of students, is responsible for setting all cases into motion, providing notice to the complainant and respondent, making logistical arrangements for the hearings, maintaining procedures, and ensuring that the

procedures are properly observed, that the records are properly maintained, and that the sanctions are properly enforced. The judicial affairs officer shall advise and prepare the complainant and the respondent student or student organization on all aspects of the hearing. The judicial affairs officer may offer a Case Resolution Meeting to the respondent(s).

- A Case Resolution Meeting is a formal meeting with the judicial affairs officer (or a designee by the judicial affairs officer) to review the charges and the available options a respondent has available to them to resolve the case without a formal Judicial Board/Administrative Hearing.

- During a Case Resolution Meeting, the judicial affairs officer (or designee) comes to an agreement with the respondent in question, regarding responsibility and appropriate sanctions based on the minimum expected sanctions outlined in Article VIII section 2.

- Upon agreement with the judicial affairs officer, the respondent waives the right to an appeal.

- If an agreement is not reached with the judicial affairs officer, the respondent will proceed through a formal Judicial Board/Administrative Hearing.

- Any questions concerning the interpretation or application of particular provisions of the Code of Student Rights and Responsibilities should be referred to the judicial affairs officer for resolution.

B. Student Judicial Board: The Student Judicial Board shall hear complaints, except as specifically indicated otherwise within the Code of Student Conduct (Article II), made by any student or student organization or by any member of the College community or anyone else involving violations as set forth in Article II of this Code. The composition of the Student Judicial Board shall be as follows:

- A total of five students with one taking on the role of chairperson.

- Advisor to the Student Judicial Board (ex officio) selected from trained College professional staff.

- Student membership shall be based upon an application and interview process, as set forth in the Student Judicial Board procedures whereby a Student Judicial Board pool of at least 15 members is maintained. In each judicial session, student membership to the Student Judicial Board shall be determined by assignment by the judicial affairs officer and the chairperson. Each student selected to the Student Judicial Board pool may remain in the pool for his/her duration of attendance at St. Mary's College, except for the following:

- Each member shall have and maintain a minimum grade-point average of 2.5, or be released from service.

- A student who is found responsible for a major violation of the Code shall be released from service.

- Each member shall miss no more than one Student Judicial Board hearing without reasonable cause (as determined by the Judicial affairs officer) and must attend orientation and training sessions or be released from service.
- Each member is expected to uphold the rule of confidentiality, as defined by the judicial affairs officer, or be released from service.

- Each member shall be reviewed by the judicial affairs officer and the appropriate Student Judicial Board chairperson at the end of each academic year and be either retained or released from service.

C. Administrative Hearing Officers: The judicial affairs officer may assign a case to an administrative hearing officer(s) rather than the Judicial Board, depending on the nature of the case and/or scheduling difficulties. Procedures regarding administrative hearings are outlined in Article V of this Code.

D. College Judicial Board: The College Judicial Board shall hear complaints of the most serious, complex, and controversial nature, as assigned by the judicial affairs officer, made by any student or student organization or by any member of the College community or anyone else involving violations as set forth in Article II of this Code. The composition of the College Judicial Board shall be as follows:

- A total of five members of the College community to be selected from the Student Judicial Board pool, the faculty, and the staff. One member of the College Judicial Board will take on the role of chairperson.

- Advisor to the College Judicial Board (ex officio) selected from trained College professional staff.

- A membership pool of at least nine members is maintained.

- Each member shall miss no more than one College Judicial Board hearing without reasonable cause (as determined by the judicial affairs officer) and must attend orientation and training sessions or be released from service.

- Each member is expected to uphold the rule of confidentiality, as defined by the judicial affairs officer, or be released from service.

- Each member shall be reviewed by the judicial affairs officer and the appropriate College Judicial Board chairperson at the end of each academic year and be either retained or released from service.

- The Sexual Misconduct Hearing Board is a subset of the College Judicial Board. See pages 28-30 for details about the sexual misconduct hearing process.

E. Appeal Officer: The dean of students serves as the appeal officer.

F. Student Judicial Advisors (SJA): The student judicial advisors will provide students with counseling towards upcoming judicial hearings, and act as trained student advisors at the hearings.

- Student membership shall be based upon an application and interview process, as set forth in the student judicial advisors procedures whereby a student judicial advisor pool of at least 10 members is maintained. Student membership on the student judicial advisors shall be determined by assignment by the judicial affairs officer and the chairpersons. Each student selected to the student judicial advisors pool may remain in the pool for his or her duration of attendance at St. Mary's College except for the following:

- Each member shall have and maintain a minimum grade point average of 2.5 or be released from service.

- A student who is found responsible for a major violation of the Code of Student Conduct shall be released from service.
- Each member must attend orientation and training sessions or be released from service.
- Each member is expected to uphold the rule of confidentiality, as defined by the judicial affairs officer, or be released from service.
- Each member shall be reviewed by the judicial affairs officer and the appropriate student judicial board chairpersons at the end of each academic year and be either retained or released from service.

Section 2: Jurisdiction

- A. This Code covers student or student organization misconduct which occurs on College premises, contiguous properties, or which arises out of College-sponsored activities off the College premises, including study abroad, or which disrupts or endangers the College community, the College's responsibilities, or its pursuit of its objectives, or which poses a threat to the safety and well-being of any individual.
- B. The Student Judicial Board shall have jurisdiction over cases of alleged student or student organization misconduct covered by Article II of this Code, unless the judicial affairs officer chooses to reconcile the charges through an administrative hearing, College Judicial Board, Sexual Misconduct Hearing Board, or Case Resolution Meeting as described in Article V of this Code.
- C. All disciplinary actions shall ultimately be acted upon by the dean of students or, in the dean's absence, by the dean's designated representative. The dean of students, in addition to other responsibilities under this Code, shall in consultation with appropriate students and College leaders develop changes in policies for the administration of the judicial program and changes in procedural rules for the conduct of hearings.
- D. The dean of students, the judicial affairs officer, the president of the SGA or his/her designee, and the president of the Faculty Senate or his/her designee shall comprise the Student Handbook Committee. All proposed changes to the Code of Student Conduct and Student Handbook must be submitted to this committee.

Section 3: Procedural Standards

- A. Filing of Charges: Charges may be filed against any student or student organization for conduct violations. The charges shall be prepared in writing and directed to the judicial affairs officer. Any student or student organization, any member of the College community, or anyone else may file charges involving violations of conduct as set forth in Article II and Article III of this Code.
- B. Preliminary Investigation and Orientation: The judicial affairs officer will make the choice whether to proceed with an administrative hearing as set forth in Article V of this Code or to proceed with a hearing before one of the Judicial Boards. The judicial affairs officer may also meet with the respondent student or student organization to present and inform the student or student organization of the procedures of this Code.
- C. Presentation of Charges: All charges shall be presented to the respondent student or student organization in written form within ten (10) school days of their receipt by the judicial affairs officer. A time shall be set for the hearing which shall not be less than seventy-two (72) hours nor more than fifteen (15) school days after the letter is sent to the student or student organization advising of the charges. Hearings will be scheduled around the classes of the complainant(s) and the respondent(s). Work schedules and extracurricular activities, including but not limited to, athletics, clubs, and organizations, etc., will not be considered when scheduling judicial hearings. Maximum time limits for scheduling hearings may be extended at the discretion of the judicial affairs officer. Alternative delivery methods may be employed at the discretion of the judicial affairs officer (for example, email or phone notification of a letter to be picked up, delivery by the student's Residence Hall Coordinator, etc.). It is the student's or student organization's responsibility to check his or her mailbox on a regular basis, to keep his or her email inbox accessible for incoming messages, and respond to email or phone messages to ensure timely receipt of charge and outcome letters. Judicial Affairs will make reasonable accommodations for a qualified student with a disability. Students requesting an accommodation for a judicial hearing should contact the judicial affairs officer 48 hours in advance of their scheduled hearing.
- D. Hearing Record: A record shall be made of the judicial hearing. The judicial affairs officer has the responsibility to ensure that such a record is filed.
- E. Hearing Participation: In a case where the respondent student or student organization fails to appear at the hearing, the evidence in support of the charges should be presented and considered and violation of conduct policies established by the preponderance of evidence presented. A respondent student or student organization who fails to respond to a hearing may be charged with a violation of conduct rules and regulations as outlined in Article II, section M1 of the Code. Should this occur, the respondent student will be informed in writing of the outcome of the judicial hearing.
- F. Appeals: An appeal of any decision reached by any of the Judicial Boards or an administrative hearing shall be according to the procedures set forth in Article VI of this Code.
- G. Sanctions: All sanctions determined through this Code shall conform to Article VIII of this Code. It is the responsibility of the student to disclose to the judicial affairs officer any ADA-related information that will impact the completion of their sanctions within 10 days of the sanction being issued. To be considered, any disability must be previously registered with Academic Services. Judicial Affairs will consult with Academic Services to determine what accommodations are appropriate, if any.

- H. Complainants and respondents have the right to be assisted by advisors of their choice who provide support throughout the hearing process. Such advisors may be any member of the College community. Advisors are present as a support and have no speaking role in the hearing process. Students may directly contact the judicial affairs officer for an advisor referral from the Student Judicial Advisors. The judicial affairs officer must be notified with the name of the advisor no less than 48 hours in advance of the hearing.
- I. Respondent students or student organizations who wish to bring an attorney to their judicial hearing may do so only if they notify the judicial affairs officer 48 hours in advance of the hearing. The attorney may not participate in the hearing and may not address the board or hearing officer. The attorney may only provide advice to the respondent.

Section 4: Student and College Judicial Hearing Board Procedures

- A. The judicial affairs officer shall decide upon a chairperson. The chairperson shall declare the purpose of the hearing, introduce all members of the Judicial Board, and request the names of all persons present at the hearing. The chairperson shall then explain the following guidelines:
 - 1. A respondent is presumed not responsible of all charges of violations of conduct until the contrary is established by a preponderance of evidence.
 - 2. Hearings shall be closed. At the discretion of the respondent and the consent of the Judicial Board and the Judicial Board advisor, SMCM student, faculty, or staff observers may be admitted but shall not have the privilege of participating in the hearing. The judicial affairs officer reserves the right to declare a case closed due to its nature or accommodations.
 - 3. The complainant may request to give testimony and allow for questioning by means other than being in the same room as the respondent. The complainant must submit this request in writing to the judicial affairs officer within 48 hours of the hearing.
 - 4. Both the respondent and the complainant have the right to be assisted by the advisors of their own choice. Such advisors may be any member of the College community. Advisors are present as a support and have no speaking role in the hearing process. The judicial affairs officer must be notified with the name of the advisor no less than 48 hours in advance of the hearing. Students may directly contact the judicial affairs officer for an advisor referral from the Student Judicial Advisors.
 - 5. The respondent has the right to have an attorney present at the judicial hearing. The judicial affairs officer must be notified at least 48 hours in advance of the hearing. The attorney may not participate in the hearing, does not have a speaking role, and may not address the board or hearing officer. The attorney may only provide advice to the respondent.
 - 6. Both the respondent and complainant have the privilege of presenting a reasonable number of relevant eyewitnesses. The judicial affairs officer must be notified with the name(s) and statements of the eyewitnesses no less than 48 hours in advance of the hearing. Character witnesses are not permitted at hearings. All witnesses are subject to questioning by the Judicial Board. The respondent, complainant, and the Judicial Board advisor may raise questions of discrepancies in the testimony with the Board.
 - 7. Witnesses shall be sequestered and will only be present for their own testimony and questioning.
 - 8. Evidence which is reasonable and prudent shall be accepted for consideration by the Judicial Board at its discretion. Examples of types of evidence include, but are not limited to, testimony of people such as the complainant(s), respondent(s), victims, eyewitnesses, and investigating Public Safety Officers; pictures showing the violation(s) (such as damage or vandalism, behavior, injury, etc.), which may be from both electronic and physical sources; and other types of documentation such as hospital or doctor's reports, Residence Life, Public Safety, or Sheriff's Office reports, etc. All evidence must be submitted no less than 48 hours in advance of the hearing to the judicial affairs officer.
 - 9. In a judicial matter involving more than one student, a student organization, and/or more than one student organization, group hearings may be permitted.
- B. The chairperson will read the charges, and then the chairperson will ask the respondent to indicate responsible or not responsible for violation of the Code of Student Conduct as charged. If the respondent takes responsibility for violation of the Code of Student Conduct, the Judicial Board may render a decision based on the circumstances in which the incident occurred.
- C. The chairperson will ask the complainant (or in their absence, the advisor to the Board) to read the incident report(s). The complainant will also be asked for any additional information for purposes of clarification.
- D. Witnesses for the complainant will then be asked to give their accounts of the incident. If the witness(es) are not in attendance, but have submitted a written statement, the advisor to the Board will read the witness statement(s).
- E. At the conclusion of the presentation of each witness, both the complainant and the respondent will be given the opportunity to ask questions of the Board concerning any discrepancies in testimony.
- F. The respondent will be asked to give an account of the incident.
- G. Witnesses for the respondent will then be asked to give their accounts of the incident.
- H. At the conclusion of the presentation of each witness, both the complainant and the respondent will be given the opportunity to ask questions of the board concerning any discrepancies in testimony.
- I. At the conclusion of the presentation of all testimony, both the complainant and the respondent will be given the opportunity to ask questions of the Board concerning any discrepancies in testimony.

- J. Board members reserve the right to ask questions at any time during the course of the hearing and the right to separate witnesses from each other during presentations. Once the board has completed questioning of the witnesses, the witnesses will be excused. Further questioning of the respondent may occur.
- K. When all aspects of the case have been discussed to the satisfaction of all Board members, the chairperson will clear the hearing room, with the exception of the Board members and the Judicial Board advisor, for the deliberation.
- L. During the deliberation, the Board will first determine the facts of the case. The Board will then decide whether or not the accused student or student organization is in violation of conduct regulations as charged. If the decision is “yes,” the Board advisor will inform the Board members of past violations and sanctions to be taken into account when determining sanction(s). The Board will then decide on sanctions for the respondent. All decisions and determinations of the Board shall then be made by majority vote. All aspects of the hearing and deliberations are confidential.
- M. The respondent will be asked to return to the hearing room, and the decision will be read. If there are multiple respondents, they will be called back in individually. If found to be in violation, the respondent will be informed of the right to appeal as set forth in Article VI of this Code.
- N. At the conclusion of the judicial session, the chairperson will remind the Board as to the confidentiality of the proceedings and then adjourn the Board.
- O. Victims and complainants directly involved with a case may obtain outcome information from the judicial affairs officer on a need-to-know basis in compliance with FERPA and Title IX regulations. The judicial affairs officer retains the right to keep outcome information confidential if there is insufficient reason to disclose this information.
- P. The judicial affairs officer will, upon written request, disclose to the alleged victim of any crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student or student organization that is an alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such crime or offense is deceased, the next of kin of such victim shall be treated as the alleged victim.

Article V

ADMINISTRATIVE HEARING / CASE RESOLUTION MEETING

Section 1: Jurisdiction

The judicial affairs officer may choose to reconcile the charges of conduct violations through an administrative hearing as stated in Article IV, Section 2B of this Code. Hearing officer(s) shall be appointed by the dean of students and will be selected to hear a case by the judicial affairs officer.

Students or student organizations may also be offered an alternative to the formal judicial process by pursuing a Case Resolution Meeting. A Case Resolution Meeting is a formal meeting with the judicial affairs officer (or designee) to review the charges and options available to the respondent, allowing the respondent to resolve the case without a formal judicial or administrative hearing. During a Case Resolution Meeting the judicial affairs officer (or designee) develops an agreement with the respondent regarding the respondent’s responsibility in the case and establishes appropriate sanctions. Upon agreement, the respondent waives their right to an appeal. If an agreement is not reached, the judicial affairs officer will schedule a judicial or administrative hearing for the alleged actions.

Section 2: Procedures for Administrative Hearings

- A. Administrative hearings shall be conducted according to the following guidelines:
 1. Hearings shall be closed. At the discretion of the respondent and with the consent of the hearing officer(s), observers may be admitted but shall not have the privilege of participating in the hearing.
 2. A respondent is presumed not responsible of the charges until the contrary is established by a preponderance of evidence.
 3. In a judicial matter involving more than one student, a student organization, or more than one student organization, severance (separate hearings) may be permitted.
 4. The complainant may request to give testimony and allow for questioning by means other than being in the same room as the respondent. The complainant must submit this request in writing to the judicial affairs officer within 48 hours of the hearing.
 5. Both the respondent and the complainant have the right to be assisted by advisors of their own choice. Such advisors may be any member of the College community. Advisors are present as a support and may not be active participants in the hearing process. The judicial affairs officer must be notified with the name of the advisor no less than 48 hours in advance of the hearing. Students may directly contact the judicial affairs officer for an advisor referral from the Student Judicial Advisors.
 6. The respondent has the right to have an attorney present at the administrative hearing. The judicial affairs officer must be notified at least 48 hours in advance of the hearing. The attorney may not participate in the hearing, does not have a speaking role, and may not address the board or hearing officer. The attorney may only provide advice to the respondent.

7. Any party to the proceedings shall have the privilege of presenting a reasonable number of eyewitnesses. The judicial affairs officer must be notified with the name(s) and statements of the eyewitnesses no less than 48 hours in advance of the hearing. Character witnesses are not permitted at hearings. All witnesses are subject to cross-examination by the hearing officer(s), the complainant, and the respondent.
8. Evidence which is reasonable and prudent shall be accepted by the hearing officer(s) at his/her discretion. Examples of types of evidence include, but are not limited to, testimony of people such as the complainant(s), respondent(s), victims, eyewitnesses, and investigating Public Safety Officers; pictures showing the violation(s) (such as damage or vandalism, behavior, injury, etc.), which may be from both electronic and physical sources; and other types of documentation such as hospital or doctor's reports, Residence Life, Public Safety, or Sheriff's Office reports, etc. All evidence must be submitted no less than 48 hours in advance of the hearing to the judicial affairs officer.
9. The hearing officer(s) shall make a decision as to whether a violation of campus conduct regulations has taken place and, if appropriate, determine sanction(s).
10. Victims and complainants directly involved with a case may obtain outcome information from the judicial affairs officer on a need-to-know basis in compliance with FERPA and Title IX regulations. The judicial affairs officer retains the right to keep outcome information confidential if there is insufficient reason to disclose this information.
11. The judicial affairs officer will, upon written request, disclose to the alleged victim of any crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student or student organization who is an alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such crime or offense is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim.

Section 3: Sexual Misconduct Hearings

In addition to any criminal or civil remedies available, the violation of federal, state, local laws or St. Mary's College of Maryland policy regarding sexual misconduct, students or student organizations will be subject to the campus judicial system. The Sexual Misconduct Hearing Board shall hear complaints made by any student, member, student organization or guest of the College community involving violations as set forth in Article II of this Code. These are not criminal proceedings, and they do not determine the criminal guilt or innocence of the accused. Any member of the College community choosing to pursue a sexual misconduct or intimate partner violence Judicial Hearing against another student must file a report with Public Safety following the incident. Any student choosing to pursue a sexual harassment Judicial Hearing against another student must file a report with the judicial affairs officer. After filing the report, the complainant must inform the judicial affairs officer of his or her desire to have a Judicial Hearing. An assigned public safety staff will conduct a full investigation of the formal complaint(s). This full investigation is not limited to but may include the questioning of all parties involved (complainant, respondent, and direct witnesses) and evidence collection. If an interim suspension is determined necessary at any point of the investigation by the director of public safety or the dean of students, the respondent will be informed of the decision and be escorted off campus by public safety. In a situation where an interim suspension is issued, the hearing will take place no more than four school days following the effective date of the suspension. Students who are the victims of alleged sexual misconduct, intimate partner violence, stalking, and/or sexual harassment or alleged perpetrators may change academic and living situations, if an alternative is reasonably available, by contacting Residence Life at 240-895-4207 or Public Safety after-hours at 240-895-4911. The College reserves the right to require alternative housing for the respondent.

Following the reporting student's (complainant) desire to pursue a Judicial Hearing, the judicial affairs officer will explain the administrative hearing process, sanctions associated with it, and options for appeal to both the complainant and the respondent. The judicial affairs officer will also encourage both parties to utilize on- and off-campus resources.

Because of the sensitive nature of these charges, it is in the best interest of all parties involved in the hearing to have no contact with one another before and after a hearing. In addition, verbal, physical, or mental harassment, and intimidation of any member of the judicial body including complainants, respondents, and any witnesses prior to, during, or after a judicial proceeding is a violation of College policy and will result in additional judicial proceedings and possible sanctions.

In addition to any criminal or civil remedies available, any students or student organizations in violation of federal, state, local laws or St. Mary's College of Maryland policy regarding sexual misconduct, intimate partner violence or sexual harassment will be subject to the campus judicial system. The Sexual Misconduct Hearing Board shall hear complaints made by any student, member, student organization or guest/visitor of the College community involving violations of policy committed by a currently enrolled student at the College.

Policy violations committed by faculty, staff or guests will be handled through another department (Human Resources, local police authority), depending on the relationship of the respondent to the College.

The Sexual Misconduct Hearing Board shall be a panel of three faculty, staff, and students from the College community and the judicial affairs officer serving as advisor. This panel will hear violations of the College's Sexual Misconduct Policy, Intimate Partner Violence Policy, Stalking Policy, and Sexual Harassment Policy. The three members of the panel will be selected from a pool of candidates trained to hear judicial cases. Both

the complainant and respondent shall have the opportunity to dismiss a member of the hearing board due to reasons such as a personal or working relationships with said member of to avoid a conflict of interest.

The judicial affairs officer is present only to ensure that the judicial procedures are followed and is not part of the decision process. The respondent and complainant must notify the judicial affairs officer no less than 48 hours prior to the hearing, in writing, of the following:

- If the complainant desires to give testimony and allow for questioning by means other than being in the same room as the respondent
- Name of, if any, advisor(s)
- Desire to have an attorney present, including the name of said attorney
- Names and statement of any eyewitnesses for either party involved
- Any evidence that one desires to be examined by the board
- The complainant must inform the judicial affairs officer how they wish to be informed of the outcome of the hearing (be present in the hearing room when the board meets with respondent to inform the person of the decision, have verbal notification immediately following the meeting, or have the information provided to them in writing following the hearing). The complainant will also receive the outcome of the hearing in writing following the hearing.

Any evidence or witnesses submitted less than 48 hours prior to the hearing that the respondent or complainant desires to be included will be decided on by the judicial affairs officer, but will most likely not be allowed.

- A. Sexual Misconduct Hearing Board Procedures: The judicial affairs officer shall decide upon a chairperson. The chairperson shall declare the purpose of the hearing, introduce all members of the hearing board, and request the names of all persons present at the hearing. The chairperson shall then explain the following guidelines:
1. A respondent is presumed not responsible of all charges of violations of conduct until the contrary is established by a preponderance of evidence.
 2. Hearings shall be conducted in private. The judicial affairs officer reserves the right to declare a case closed to outsiders due to its nature or accommodations. The judicial affairs officer and the hearing board may remove anyone disruptive to the hearing process and limit the hearing to those directly involved in the incident.
 3. The complainant may request to give testimony and allow for questioning by means other than being in the same room as the respondent. The complainant must submit this request in writing to the judicial affairs officer within 48 hours of the hearing.
 4. Both the respondent and the complainant have the right to be assisted by an advisor of their own choice. Such advisors must be members of the College community. Advisors are present as a support and have no speaking role in the hearing process. The judicial affairs officer must be notified with the name of the advisor no less than 48 hours in advance of the hearing. Students may directly contact the judicial affairs officer for an advisor referral from the Student Judicial Advisors.
 5. Both the respondent and the complainant have the right to be assisted by an attorney. They may do so only if they notify the judicial affairs officer 48 hours in advance of the hearing. The attorney may not participate in the hearing and may not address the board or hearing officer. Attorneys are present as a support and have no speaking role in the hearing process.
 6. Both the respondent and complainant have the privilege of presenting a reasonable number of relevant eyewitnesses. The judicial affairs officer must be notified with the name(s) and statements of the eyewitnesses no less than 48 hours in advance of the hearing. Character witnesses are not permitted at hearings. All eyewitnesses are subject to questioning by the hearing board. The respondent, complainant, and members of the hearing board may raise questions of discrepancies in the testimony with the board.
 7. Witnesses shall be sequestered and will only be present for their own testimony and questioning.
 8. Evidence which is reasonable and prudent shall be accepted for consideration by the hearing board at its discretion. Examples of types of evidence include, but are not limited to, testimony of people such as the complainant(s), respondent(s), victims, eyewitnesses, and investigating public safety officers; pictures showing the violation(s) (such as damage or vandalism, behavior, injury, etc.), which may be from both electronic and physical sources; and other types of documentation such as hospital or doctor's reports (Sexual Assault Forensic Exam reports), Residence Life, Public Safety, or Sheriff's Office reports, etc. All evidence must be submitted no less than 48 hours in advance of the hearing to the judicial affairs officer.
- B. The chairperson will read the charges, and then the chairperson will ask the respondent to indicate responsible or not responsible for violation of the Code of Student Conduct as charged. If the respondent indicates responsibility for violation of the Code of Student Conduct, the Sexual Misconduct Hearing Board may render a decision based on the circumstances in which the incident occurred.
- C. The complainant will be asked to give an account of the incident.
- D. Eyewitnesses for the complainant will then be asked to give their accounts of the incident.

- E. At the conclusion of the presentation of each witness, both the complainant and the respondent will be given the opportunity to ask questions of the board concerning any discrepancies in testimony.
- F. The respondent will be given the opportunity to give an account of the incident.
- G. Eyewitnesses for the respondent will then be asked to give their accounts of the incident.
- H. At the conclusion of the presentation of each witness, both the complainant and the respondent will be given the opportunity to ask questions of the board concerning any discrepancies in testimony.
- I. Any additional testimonies or evidence will then be submitted or heard by the board (e.g. investigating public safety officer's report).
- J. At the conclusion of the presentation of all testimony, both the complainant and the respondent will be given the opportunity to ask questions of the board concerning any discrepancies in testimony.
- K. Board members reserve the right to ask questions at any time during the course of the hearing and have the right to separate witnesses from each other during presentations.
- L. When all aspects of the case have been discussed to the satisfaction of all board members, the complainant will be asked for input on sanctioning if the respondent is found responsible. The chairperson will clear the hearing room, with the exception of the board members and the judicial affairs officer, for the deliberation.
- M. During the deliberation, the board will first determine the facts of the case. The board will then decide whether or not the accused student or student organization is in violation of conduct regulations as charged. If the decision is "yes," the judicial affairs officer will inform the board members of past violations and sanctions to be taken into account when determining sanction(s). All decisions and determinations of the board shall then be made by majority vote. All aspects of the hearing and deliberations are confidential.
- N. The respondent will be asked to return to the hearing room, and the decision will be read. The judicial affairs officer will, upon written request prior to the hearing, disclose to the alleged victim of any crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College against a student who is an alleged perpetrator of such crime or offense with respect to such crime or offense. The complainant will be allowed to return to the hearing room to hear the decision if a written request was submitted to the judicial affairs officer within 48 hours of the hearing. If the complainant does not wish to be present at this time, the complainant may write to the judicial affairs officer for information regarding the conclusions of the board. If the alleged victim of such crime or offense is deceased, the next of kin of such victim shall be treated as the alleged victim and can be notified upon receipt of a written request. If found to be in violation, the respondent will be informed of their sanctions and their right to appeal as set forth in Article VI of this Code. The complainant will also be informed of their right to appeal as set forth in Article VI of this Code following the conclusion of the hearing.
- O. At the conclusion of the judicial session, the chairperson will remind the hearing board as to the confidentiality of the proceedings and then adjourn the board.

Section 4: Case Resolution Meetings

A Case Resolution Meeting (CRM) shall be conducted according to the following guidelines:

- 1. The judicial affairs officer (or designee) shall meet with the respondent to review the details of the case, pending charges and possible sanctions.
- 2. If the respondent pleads "responsible" during the CRM and an agreement is reached, the respondent then agrees to complete the outlined sanctions.
 - a) By reaching an agreement with the Judicial Affairs officer during a CRM the respondent waives the right to an appeal.
 - b) A copy of accepted sanctions will become a part of the student's or student organization's judicial record.
- 3. If an agreement is not reached during the CRM, the respondent will proceed through a formal judicial board or administrative hearing as outlined in Article IV section 4 or Article V section 2.

Article VI

APPEALS

Section 1: Basis upon which an Appeal May Be Considered

An appeal may be made for one or more of the following purposes:

- 1. To determine whether the original hearing was conducted in conformity with the prescribed procedures of this Code. Minor deviations from designated procedures will not form the basis for sustaining an appeal unless it is determined that such deviation resulted in significant prejudice. For any substantial deviations from designated procedures, the appeals officer may, at his or her discretion, remand the matter for reconsideration.
- 2. To present new evidence which could not reasonably be made available at the time of the original hearing. Such cases, at the discretion of the appeals officer, may be remanded back to the appropriate hearing format for reconsideration in light of new evidence.
- 3. To determine whether the sanction imposed was appropriate to the violation with which the respondent student or student organization was charged.

Section 2: Appeal Procedures

- A. The respondent student or student organization, or the complainant, may appeal any decision reached as a result of a Judicial Board or administrative hearing.
- B. All appeals must be made in written form specifying all reasons given for the appeal. Respondents should submit the appeals via the link found in their hearing results letter within seven (7) calendar days after the initial hearing. Complainants can submit appeals directly to the judicial affairs officer within seven (7) calendar days after the initial hearing. The judicial affairs officer will forward the appeal letter (except violations of Article II, Section C1) and the student's or student organizations' judicial file to the dean of students. All appeals concerning violations of Article II, Section C1 (academic misconduct) shall be forwarded to the vice president for academic affairs and dean of faculty. The complainant or respondent shall be able to present in person his/her/its appeal to the appropriate appeals officer after submitting the written appeal. Such presentation shall be limited to no more than forty-five (45) minutes.
- C. The judicial affairs officer will notify the complainant or respondent of a pending appeal in order to permit them to submit an "impact statement" to be considered along with the appeal. The complainant or respondent may either submit a written letter to the judicial affairs officer, to be forwarded to the appeals officer, or may make an appointment with the appeals officer to discuss the impact statement in person.

Section 3: Sanction Reduction

- A. In keeping with the educational mission of the College, the Office of the Dean of Students will accept requests for sanction reduction. These requests are available to all students and student organizations after one calendar year of the date sanction was assigned as a judicial sanction.
- B. A three-person panel consisting of the dean of students or the dean's designee and two students from the student judicial board will hear all requests. Requests should be submitted in writing to the judicial affairs officer along with one letter of recommendation from a member of the College community.
- C. The student or student organization must prove to the panel's satisfaction that he/she/it has developed increased self-discipline as a result of the sanction period and can contribute to the College community through increased involvement opportunities. The request should demonstrate significant contributions, both of an academic and co-curricular nature, to the panel.
- D. All decisions of the panel are final and not subject to appeal. If a student or student organization is not granted a sanction reduction, the student or student organization may re-apply after one calendar year. If a student or student organization is granted a sanction reduction and is later found responsible for violating the Code of Student Conduct, the student or student organization could face disciplinary suspension, deactivation, or expulsion.

Article VII

RIGHTS OF THE RESPONDENT AND COMPLAINANT

Section 1: Rights of the Respondent

- A. The right to be presumed not responsible until a preponderance of evidence indicates otherwise.
- B. The right to have his/her case processed without prejudicial delay.
- C. The right to written notice of the charges no less than 72 hours before the hearing, except when faced with the end of a semester. In such cases, the student may waive his or her right to 72 hours notification in order to expedite the timely conclusion of a pending hearing. Otherwise, the judicial affairs officer may choose to have the hearing take place during the break period or be held over to the next semester.
- D. The right to written notice of the time, date, and place of the hearing.
- E. The right to testify on his/her behalf.
- F. The right to be present at the hearing.
- G. The right to confront any witnesses appearing or evidence presented against him/her, to produce eyewitnesses on his/her behalf, and to present evidence. The judicial affairs officer must have at least 48 hours in advance of the hearing the names of any witnesses, copies of witness statements, and all evidence.
- H. The right to have an advisor of his/her choosing present at the hearing. The advisor may not participate in the hearing but may only provide advice to the respondent. The advisor must be a member of the College community. The judicial affairs officer must be notified at least 48 hours in advance of the hearing.
- I. The right to have an attorney present at the judicial hearing. The judicial affairs officer must be notified at least 48 hours in advance of the hearing. The attorney may not participate in the hearing, does not have a speaking role, and may not address the board or hearing officer. The attorney may only provide advice to the respondent.
- J. The right to written notice of the decision of the judicial board or hearing officer.
- K. The right to file an appeal for reasons outlined in Article VI, Section 1 and 2 of the Student Code.

Section 2: Rights of the Complainant

- A. The right to have his/her case heard by an appropriate hearing board or administrative hearing officer.
- B. The right to have his/her case processed without prejudicial delay.
- C. The right to written notice of the charges no less than 72 hours before the hearing, except when faced with the end of a semester. In such cases, the student may waive his or her right to 72 hours notification in order to expedite the timely conclusion of a pending hearing. Otherwise, the judicial affairs officer may choose to have the hearing take place during the break period or be held over to the next semester.
- D. The right to written notice of the time, date, and place of the hearing.
- E. The right to testify on his/her behalf.
- F. The right to be present at the hearing.
- G. The right to confront any witnesses appearing or evidence presented, to produce eyewitnesses on his/her behalf, and to present evidence. The judicial affairs officer must have at least 48 hours in advance of the hearing the names of any witnesses, copies of witness statements, and all evidence.
- H. The right to have an advisor of his/her choosing present at the hearing. The advisor may not participate in the hearing but may only provide advice to the complainant. The advisor must be a member of the College community. The judicial affairs officer must be notified at least 48 hours in advance of the hearing.
- I. Complainants directly involved with a case may obtain outcome information from the judicial affairs officer on a need-to-know basis. The judicial affairs officer retains the right to keep outcome information confidential if there is insufficient reason for disclosure.
- J. The right to file an appeal for reasons outlined in Article VI, Section 1 and 2 of the Student Code.

Article VIII

SANCTIONS

Section 1: General Sanctions

Sanctions may be imposed upon a student who has been found in violation of campus regulations as follows:

- A. **Warning:** Written or verbal notice that the student has been found in violation of a specific regulation, and that repetition or continuation of this violation may result in further disciplinary action.
- B. **Restitution:** Reimbursement by the student to the College or a member of the College community to cover the cost of damage to or misappropriation of property.
- C. **Restriction:** Withdrawal or restriction of certain privileges for a specified period of time.
- D. **Work Sanctions:** The assignment of tasks or work appropriate to the violation, which will benefit all or part of the College community.
- E. **Educational Sanctions:** Assignments imposed in an attempt to serve an additional educational purpose. These “educational projects” may include any of the following (this list is not exhaustive): educational newsletter, interview with a professional in the community, creating a bulletin board, planning and implementing a program, or writing a paper on a related topic.
- F. **Mandated Assessments:** Mandated assessments are performed at the Counseling and Health Center by trained clinicians. Judicial Affairs is the referring office for mandated assessments. A referral may be made for a student who has demonstrated a significant history of concerning behavior that may indicate a disposition toward alcohol or drug abuse or addiction, or inappropriate behavior. The referred student will attend two or three mandated assessment sessions with a clinician. Counseling Services does not provide mandated counseling. The above sessions are for assessment purposes only and do not constitute therapeutic intervention.
- G. **Disciplinary Probation:** An official and final warning directing the student to exhibit good conduct during a specified probation period. Further violations will require that the student automatically return to the judicial system and, if found in violation once more, face a more severe sanction. Disciplinary probation may impact a student’s ability to hold certain campus leadership positions.
- H. **Housing Contract Revocation:** Temporary or indefinite separation from living in on-campus housing. Normally, housing contract revocation also involves restriction from all housing facilities.
- I. **Disciplinary Suspension:** A temporary separation from the College with the right to apply for re-admission to the dean of students. The terms of the suspension may be set or indefinite, and special conditions upon re-admission may be designated. He or she loses all privileges of a regularly enrolled student and is required to leave campus. No tuition and room refunds apply in such cases. However, students are eligible for board refunds according to the College’s established policy. Students placed on conduct suspension will receive a W for “withdraw” on their academic transcripts. Any suspended student who returns to the campus during the suspension period is subject to expulsion unless he or she has prior written approval from the associate dean of students or the dean of students.
- J. **Expulsion:** A permanent termination of a student’s status at the College for disciplinary reasons. No tuition and room refunds apply in such cases. However, students are eligible for board refunds according to the College’s established refund policy. When a student is expelled from the College, the parents are notified. Expelled students are not allowed on campus. Any expelled student may submit a written request for access to the campus to the dean of students no earlier than June 1st, three years after their date of expulsion.

- K. Parental Notification: Correspondence from the judicial affairs officer to the responsible student's parents or guardians regarding violation(s) of the College Alcohol and/or Drug policy. All correspondence with parents and guardians will be conducted in compliance with FERPA.

Section 2: Student Organization Sanctions

Sanctions may be imposed upon a student organization that has been found in violation of campus regulations as follows:

- A. Sanctions listed above in Article VIII, Section 1.
- B. Loss of selected rights and privileges for a specified period of time.
- C. Deactivation. Loss of all privileges, including College recognition, for a specified period of time.

Section 3: Minimum Expected Sanctions

The following violations may lead to certain sanctions, depending on any mitigating circumstances.

- A. Alcohol violations (each case may be subject to an alcohol citation requiring a court appearance in Leonardtown):
 - 1. Kegs and other similar multi-liter violations:
First time: parent notification and housing contract revocation.
Second time: parent notification and suspension from the College.
 - 2. Other alcohol violations:
First time: warning and alcohol education program with mandatory fee (to pay for supplies and materials).
Second time: parent notification, disciplinary probation, and educational project.
Third time: parent notification and housing contract revocation or suspension from the College. Referral to an alcohol treatment program may be recommended.
- B. Pulling false fire alarms:
First time: parent notification and housing contract revocation or suspension. Second time: parent notification and expulsion.
- C. Vandalism:
First time: restitution and work sanction.
Second time: restitution, educational project, and disciplinary probation.
Third time: restitution, parent notification, and housing contract revocation or suspension.
- D. Drug violations (each case may be subject to criminal charges requiring a court appearance in Leonardtown):
First time: parent notification, disciplinary probation, and educational project.
Second time: parent notification and housing contract revocation or suspension.
Third time: parent notification and expulsion.
- E. Pet policy violations:
 - 1. Resident-student pet owners:
First violation: \$250 cleaning/extermination charge, community service, and/or educational project.
Repeat violation(s): \$250 cleaning/extermination charge disciplinary probation, and housing contract revocation or suspension.
 - 2. Commuter-student pet owners:
First violation: \$250 cleaning/extermination charge, community service, and/or educational project.
Repeat violation(s): \$250 cleaning/extermination charge disciplinary probation, and residence restriction or suspension.
 - 3. Residents who permit unauthorized pets in their room, suite, apartment, townhouse:
First violation: community service project.
Repeat violation: disciplinary probation.

F. Sexual Misconduct

Sexual Misconduct I: Sexual Penetration. The recommended sanctions for Sexual Misconduct I policy violations shall include disciplinary suspension with additional conditions and/or expulsion.

Sexual Misconduct II: Sexual Contact. The recommended sanctions for Sexual Misconduct II policy violations shall include, but not be limited to, alteration of schedule, loss of privileges, housing contract revocation, disciplinary suspension, and/or expulsion.

Sexual Misconduct III: Sexual Exploitation. The recommended sanctions for Sexual Misconduct III policy violations shall include, but not be limited to, alteration of schedule, loss of privileges, housing contract revocation, disciplinary suspension, and/or expulsion.

Intimate Partner Violence I: Physical Harm. The recommended sanctions for Intimate Partner Violence I policy violations shall include disciplinary suspension with additional conditions and/or expulsion.

Intimate Partner Violence II: Threat of Physical Harm. The recommended sanctions for Intimate Partner Violence II policy violations shall include, but not be limited to, alteration of schedule, loss of privileges, housing contract revocation, disciplinary suspension, and/or expulsion.

Intimate Partner Violence III: Psychological/Emotional Harm. The recommended sanctions for Intimate Partner Violence III policy violations shall include, but not be limited to, alteration of schedule, loss of privileges, housing contract revocation, disciplinary suspension, and/or expulsion.

Stalking: The recommended sanctions for Stalking policy violations shall include, but not be limited to, alteration of schedule, loss of privileges, housing contract revocation, disciplinary suspension, and/or expulsion.

Sexual Harassment: The recommended sanctions for Sexual Harassment policy violations shall include, but not be limited to, alteration of schedule, loss of privileges, housing contract revocation, disciplinary suspension, and/or expulsion.

Section 4: Interim Suspension

- A. The dean of students or a designee may suspend a student for an interim period pending a judicial hearing or psychiatric evaluation.
- B. The interim suspension may become immediately effective without prior notice whenever there is evidence that the continued presence of the respondent student on the College campus poses a substantial threat to himself/herself or to others, or to the stability and continuance of normal College functions.
- C. A student suspended on an interim basis shall be given an opportunity to have a hearing within four (4) school days from the effective date of the interim suspension.
- D. In cases where there is an appeal following a hearing concerning interim suspension, the respondent student's appeal shall be directed to the president of the College.
- E. A student suspended on an interim basis may not withdraw from the College before the conclusion of his/her judicial case.

Glossary

- A. College community: the faculty, staff, students, and administration of this institution.
- B. Complainant: the individual who files a charge relating to a violation of a campus conduct regulation.
- C. Confidentiality: having information which cannot be shared with other individuals as defined by the judicial affairs officer.
- D. Cross-examination: ability to ask questions from another point of view.
- E. Due process: procedural fairness which requires: 1. notice; 2. a hearing; 3. opportunity to appeal.
- F. Ex officio: by virtue of the office and without the right to vote.
- G. Preponderance of evidence: more likely than not.
- H. Read-enabled: computer terminology referring to a student's email that has been turned on.
- I. Respondent: a student who answers charges of a violation of campus conduct regulations.
- J. Severance: separate hearings.
- K. Student: one who is enrolled at St. Mary's College of Maryland.
- L. Suspension: a temporary separation from the College with the right to apply for re-admission to the dean of students. The terms of the suspension may be set or indefinite, and special conditions upon re-admission may be designated. . He or she loses all privileges of a regularly enrolled student and is required to leave campus. No tuition and room refunds apply in such cases. However, students are eligible for board refunds according to the College's established policy. Students placed on conduct suspension will receive a W for "withdraw" on their academic transcripts. Any suspended student who returns to the campus during the suspension period is subject to expulsion unless he or she has prior written approval from the associate dean of students or the dean of students.
- M. Expulsion: the permanent termination of a student's status at the College for disciplinary reasons. No tuition and room refunds apply in such cases. However, students are eligible for board refunds according to the College's established refund policy. When a student is expelled from the College, the parents are notified. Expelled students are not allowed on campus. Any expelled student may submit a written request for access to the campus to the dean of students no earlier than June 1st, three years after their date of expulsion.
- N. Student Organization: any group of students recognized by the Student Government Association (SGA), governed by Athletics and Recreation, or that receives funding or support from the College.



St. Mary's College of Maryland
at Historic St. Mary's City

**COLLEGE POLICIES
AND
PROCEDURES**

ACCESS AND SECURITY FOR COLLEGE FACILITIES

All academic and administration buildings are checked and locked every night. Students with a need to enter a locked building must do so by obtaining a valid building "pass" from a faculty or staff member. A faculty or staff member should also submit a list of students needing access to the Office of Public Safety. All traditional residence halls and Waring Commons are equipped with card-access control of at least two entrances per building. The card-accessed buildings are locked 24 hours a day, seven days a week, allowing entry to all current students with their ID card from 7 a.m. until 12 midnight during the week and until 1 a.m. on weekends and, thereafter, only to building occupants. Public Safety officers make periodic security patrols within the halls on a 24-hour basis. The building access systems are inspected and tested on a regular basis, and malfunctions are given priority for repair. Residents living in the Townhouses and Lewis Quad suites are issued keys that operate the outside entry doors and their assigned bedroom doors. Residents are strongly urged to keep the doors locked to prevent theft, unwanted false fire alarms (especially in Lewis Quad), and other problematic behavior. Residents are expected to comply with all residence and guest policies, to use available security locks, and to not prop locked doors open, or to allow entrance to uninvited people. Each residence staff office is open until midnight during the week and until 2 a.m. on weekends and managed by trained and experienced student staff members. Information about security at individual halls is available through the Office of Residence Life. All St. Mary's College students and employees are issued photo ID cards and are required to carry them while on campus.

ADA GRIEVANCE POLICY

It is the policy of St. Mary's College of Maryland not to discriminate against any individual on the basis of handicap or disability in matters of admissions and educational activities, and programs and services, in accordance with the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, as amended, and applicable state law. Upon request and as required by law, the College will provide reasonable accommodation to a qualified student with a disability. The procedures for requesting an accommodation and processing those requests are contained below.

In addition to these procedures, a student may file a complaint with the U.S. Department of Education, Office of Civil Rights, for alleged violations of the ADA and Section 504 of the Rehabilitation Act of 1973, as amended.

Examples of disability and accommodations:

Functional Limitation	Reasonable Accommodation	Possible Disability
Substantial difficulty with reading rate and/or reading comprehension.	<ul style="list-style-type: none"> • Extended test time • Reader or taped exams • Enlarged text 	<ul style="list-style-type: none"> • Learning Disability (LD) • Attention Deficit/Hyperactivity Disorder (AD/HD) • Low or Limited Vision • Traumatic Brain Injury (TBI) • Anxiety, Mood or Thought Disorders
Difficulty writing quickly and/or legibly.	<ul style="list-style-type: none"> • Classroom note-taker • Use of computer for exams • Access to a keyboard for written work 	<ul style="list-style-type: none"> • Learning Disability • Traumatic Brain Injury • Paraplegia • Quadriplegia • Muscular Disorders • Arthritis • Low Vision or Blindness

<p>Difficulty understanding or following a classroom lecture.</p>	<ul style="list-style-type: none"> • Assistance finding a Sign Language Interpreter • Classroom note-taker 	<ul style="list-style-type: none"> • Deaf or Hard of Hearing • Learning Disability • TBI • AD/HD • Anxiety, Mood or Thought Disorders
<p>Limited mobility in walking or moving about the class rooms, or other buildings.</p>	<ul style="list-style-type: none"> • Locating classes in accessible buildings • Assistance finding Paratransit Services 	<ul style="list-style-type: none"> • Paraplegia • Quadriplegia • Arthritis • Vascular or Pulmonary Disease • Other Health Impairment

Step I: Initial Request for an Accommodation

After the admissions process has been completed and the student has been accepted, a student with a disability may contact the assistant vice president for academic services to request reasonable accommodation for his/her disability. The student is required to provide adequate documentation of his or her disability. Failure to provide adequate documentation of his or her disability may be grounds for denying the request for an accommodation.

Step II: Review and Decision

Upon receipt and review of the request and required documentation, the assistant vice president for academic services will respond in a timely manner to all requests and will provide the student with written notice of his/her decision. Students are not guaranteed the specific accommodations they request. While the assistant vice president shall give consideration to the accommodation requested, the assistant vice president has discretion to suggest an alternative reasonable accommodation, including one that is less expensive or easier to provide than the accommodation requested by the student.

The assistant vice president for academic services shall meet with the student to discuss his or her request for accommodation. The assistant vice president may communicate with faculty and staff, as appropriate, to determine the logistics of making a reasonable accommodation for the student. The assistant vice president may request that additional information or documentation be provided by the student or his or her health-care provider. The assistant vice president shall issue his or her decision in writing within ten (10) days of the request for an accommodation. The written decision shall contain an explanation of the basis for the decision, including, if the decision is to deny the request, an explanation of the reasons for the denial.

If the decision is to provide a reasonable accommodation, the assistant vice president for academic services will promptly communicate with faculty and staff, as appropriate, in order to arrange and implement the accommodation as expeditiously as possible.

If a student disagrees with the assistant vice president's decision, the student may seek review of the decision by appealing in writing to the dean of the core curriculum and first-year experience within ten (10) working days from the date of the written decision from the assistant vice president. The appeal should contain an explanation of the grounds for appeal and any additional written materials that the student believes should be considered in processing his or her appeal.

Step III: Review of Appeal

The purpose of the review of the appeal by the dean of the core curriculum is to determine whether or not College policy has been followed and, if not, to address the consequences that may have resulted and that may need to be corrected. The dean of the core curriculum may decide the appeal based on the written record already created before the assistant vice president and the student's written appeal of the assistant vice president's decision. Alternatively, at his/her sole discretion, the dean of the core curriculum may request additional information relevant to the appeal and may conduct interviews of any person who may have information relevant to the appeal.

Within ten (10) working days following receipt of the written appeal, the dean of the core curriculum will provide a written decision to the student regarding the student's appeal. This deadline may be waived by the dean of the core curriculum if further investigation is needed.

Step IV: Vice President for Academic Affairs and Dean of Faculty Review and Final Decision

If the student disagrees with the dean of the core curriculum's decision, an appeal may be made to the vice president for academic affairs and dean of faculty within ten (10) working days of the written decision by the dean of the core curriculum. The vice president for academic affairs and dean of faculty will decide the appeal based on the written record and the student's written appeal. The vice president for academic affairs and dean of faculty's decision is the final decision of the College and may not be appealed. The vice president for academic affairs and dean of faculty will take all action necessary to implement his/her final decision.

A student who makes use of the review process shall not be retaliated against.

Receiving and Maintaining Confidential Student Records

A student's disability documentation is considered confidential. Documentation of the disability is maintained at the Office of Academic Services and is not part of a student's permanent student record. Communications about a disability or accommodations should respect a student's right to privacy at all times. Conversations between instructors and students about disability-related matters, including accommodation arrangements, during class, or in other public settings are discouraged.

When a faculty member has a question about the appropriateness of the accommodation for a specific course or course activity, the assistant vice president for academic services should be contacted to address the faculty member's concern.

ALCOHOL

Maryland law states that: (1) It is unlawful for any minor (a person under age 21) to possess or consume alcoholic beverages; (2) It is unlawful for any minor to misrepresent or lie about his/her age in order to obtain alcoholic beverages; (3) It is unlawful for any person to obtain alcoholic beverages on behalf of a minor; (4) It is unlawful for any person to consume alcoholic beverages in an open outside area unless authorized to do so by proper officials; (5) A person may not be intoxicated and endanger the safety of another person or property or be intoxicated and cause a public disturbance.

It is the responsibility of all faculty, staff, and students at St. Mary's College to uphold the conditions of this state law. Please refer to page 58 for information on the College's medical amnesty and good samaritan policy where certain violations may be granted amnesty. The College also promotes an active, healthy, social life on campus and accommodates groups that request College facilities for events where alcohol is appropriate.

The Office of Public Safety and the dean of students' staff is responsible for interpreting and enforcing the following campus alcohol policy:

I. No individual, regardless of age, may consume alcoholic beverages in public areas on the campus, such as the lounges, hallways of the residence halls, patios of townhouses, athletic fields, and other facilities and grounds.

II. No individual, regardless of age, may be intoxicated and cause a disturbance and/or endanger the safety of him/herself, another person, and/or property.

III. The sponsors of student events (dances, concerts, etc.) are responsible for keeping the event alcohol-free.

IV. Individuals or groups sponsoring formal or informal events off-campus are responsible for upholding the Maryland alcohol law.

V. Resident students of legal drinking age may possess and consume alcoholic beverages in the privacy of their rooms or townhouses. All alcohol must be kept within the possession of the 21-year-old student. Students who are 21 years of age may not offer or provide alcohol to those who are underage, including roommates. It is assumed that alcohol possessed by of-age students is for their personal use and for limited distribution to others who are of age to consume alcohol. Students who are of age and who choose to drink alcohol are strongly encouraged to drink responsibly and in moderation. Kegs and other similar multi-liter containers are prohibited.

VI. Alcohol may be sold at The Pub to faculty, staff, students, and visitors who are 21 and older during designated hours of operation. Government-issued ID cards will be required for the purchase of alcohol. Students under the age of 21 are permitted in The Pub but are not permitted to possess or consume alcohol. Outside alcoholic beverages are strictly prohibited from being brought into The Pub.

VII. No alcoholic beverages will be allowed at any event on campus unless: (1) The event is sponsored by the College for seniors, alumni, faculty-staff receptions, or any outside group; and (2) The event is held in a controlled space, such as the Alumni Lodge or the Blackstone Room. Requests to sponsor such events must be made through the Events Office and must be approved by the dean of students. College budget accounts (including SGA funds) are by definition State dollars and may not be used to purchase alcohol or provide adult beverage service in any circumstance.

Students who are concerned about their use of alcohol or other drugs may speak with a counselor in Counseling Services for an assessment. Counseling Services are confidential and the staff therapist will recommend options for risk reduction, treatment and recovery.

ATTENDANCE

Regular attendance at classes is expected, and all students are responsible for any class work done or assigned during any absence. In each course, the instructor shall accept two absences during the term. However, when any absence results in a student missing an exam or an assignment deadline, the instructor's policy covering missed exams or late work shall apply. Beyond two absences, instructors' policies shall be in effect and students are responsible for informing themselves about each of their instructors' policies.

CAMPUS HOUSING REGULATIONS

The Office of Residence Life has designed the Resident Student Handbook to provide all SMCM students with information pertaining to resources, policies, and procedures for residence life. The Resident Student Handbook can be found at http://www.smcm.edu/residencelife/forstudents_handbook.html. All residential students should be aware of the policies outlined in "To the Point," the Resident Student Handbook, as well as the housing contract.

The Resident Student Handbook contains:

- An overview of Residence Life
- Resident rights and responsibilities
- Information on building design, damage billing, expanded housing, facilities and services, fire safety and fire alarms, inclement weather procedures, recreation room use and reservations, and urgent and emergency situations
- On-campus housing policies
- A listing of whom to contact to get questions answered

All students, including commuter students, should be aware of the following policies which are also outlined in the Resident Student Handbook.

Disorderly Conduct

Failure to comply with directions given by a Residence Life staff member or other College official, or to use any type of harassment or abusive language toward any Residence Life staff member or College official in the performance of assigned responsibilities, shall be considered disorderly conduct and subject to judicial action. Non-students shall be asked to leave the campus and may be subject to criminal charges.

Guests

A resident's guest (whether a student from another area, commuter, or someone not affiliated with St. Mary's) may stay no more than four days in a given month and at no time should a roommate be displaced. (Refer to the cohabitation and visitation policies in this section.) Residents are responsible for informing their guests of College policies and guests who are not members of the St. Mary's College community and who are in violation of College policies may be asked to leave the campus. Host students are responsible for the conduct of their guests and any violations of school policies by their guests may result in disciplinary action against the host students.

Quiet Hours, Noise (in and around the living areas, including DPC)

Quiet hours are 11:00 p.m. to 8:00 a.m., Sunday through Thursday, and on weekends (Friday and Saturday) from 1:00 a.m. to 10:00 a.m. During these hours, noise must be kept to a minimum in and around the living areas (including DPC, the athletic fields, and track). However, courtesy hours are always in effect and residents should respect the rights of others who wish to sleep or study. Stereo speakers may not be directed out the windows due to the possibility of disrupting classes. Sound equipment that violates the quiet hours policy may be removed from the resident's room. Residence hall wings may establish additional quiet hours by a two-thirds majority vote. Bands, amplifiers, and/or amplified music are not permitted in the traditional residence halls. These areas are not suited for this type of activity. Arrangements for more appropriate performance space can be discussed with the Music Department or the Office of Student Activities.

Student bands are allowed to rehearse in the suites, apartments, and townhouses Tuesdays, Wednesdays and Thursdays from 3:00 p.m. to 7:00 p.m. and Saturdays from 12:00 p.m. to 5:00 p.m.

Due to the special nature of Calvert Hall (faculty and administrative staff offices, and residence hall spaces), students residing there are required to keep noise to a minimum during working hours (8:00 a.m. to 5:00 p.m.), as well as during regular quiet hours. Quiet hours are in effect for 23 hours during final exams. The one-hour "study break" is 9:30 p.m. to 10:30 p.m. nightly.

Solicitation

In the resident facilities, solicitation and selling (for example, merchandise, food, magazines) door-to-door, from a student room, or in a public area are not permitted without prior, written authorization from the Office of Residence Life. Soliciting by telephone or computer is also not permitted in the residence halls, suites, apartments, and townhouses; and students should not assist vendors who attempt to enlist students by telephone or

computer to arrange campus canvassing. Students are not permitted to use the residential facilities for commercial purposes or for conducting a business enterprise. Residents should contact Residence Life staff members when unauthorized solicitors are canvassing in College housing, including people selling pizzas, perfume, candy, T-shirts, magazines, collecting donations, etc.

Please see page 48 for the full solicitation policy.

Visitation

St. Mary's has developed a visitation policy that provides for a degree of flexibility to accommodate varying lifestyles. Because some students prefer a restricted visitation policy and others desire a greater degree of choice in entertaining guests in their rooms, roommates must determine their own limitations.

The visitation policy is based on the College's confidence in the ability and inclination of St. Mary's students to make mature decisions about their social behavior. The College also believes that no individual has the right to infringe upon another's freedom, privacy, happiness, and safety, and that students are willing to accept both the rights and responsibilities of such a policy.

Open visitation hours are not to be construed as permission for students or guests to sleep overnight in another's room or to conduct themselves in such a way as to invade a roommate's privacy and full use of the room. Guests are permitted to stay overnight only with prior permission of the roommate and for no more than four nights in a given month. Should such behavior come to the attention of Residence Life staff, disciplinary action may be taken.

Should visitation arrangements lead to problems between roommates, they should feel free, after trying to resolve the problem privately, to ask the Residence Life staff to assist. The staff, in turn, will participate in the resolution of the problem, which might include, among other things, a change in housing assignments.

Residents are responsible for escorting guests within the building. The College recommends that male guests use the bathrooms on a male wing and female guests use the bathrooms on a female wing. Some buildings have bathrooms located in the lobby for guest use.

COMPUTER VIOLATIONS

Campus Technology Support Services reserves the right to immediately suspend access to computer accounts (email, Portal, BlackBoard), computer lab machines and RESNET Internet privileges for any violation of the Computer Ethics Statement, the Appropriate Use Policy, or malicious damage to computer equipment. If there is a violation, one or both of the following steps will be taken:

1. The student will receive an email instructing him/her to go to Campus Technology Support Services to sign a letter of verbal warning. This letter may be forwarded to the judicial affairs officer.
2. The student's account may be disabled and a letter with evidentiary documentation will be sent to the judicial affairs officer for judicial action. The student's account will remain disabled until Campus Technology Support Services receives notification from the judicial affairs officer regarding the outcome of a judicial hearing.

The following activities are examples of violations that may result in suspension of computer access, pending a judicial hearing:

- Theft, altering, or modifying the operations of any technology equipment.
- Inspecting, modifying, downloading, copying, or sharing data or programs from any source without authorization from the owner.
- Attempting to penetrate or alter computer security mechanisms or gain access to information.
- Engaging in any activity which deprives others of their privileges on the computer system.
- Inflicting malicious damage on computer equipment.
- Using the electronic mail system to send abusive, obscene, or otherwise harassing communications.
- Using the computer system for commercial purposes.
- Using false or misleading identification for any purpose associated with the use of the computer system.
- Using another person's account without the explicit written permission of the director of Campus Technology Support Services.
- Forwarding chain letters to or abuse of the AllStudent, AllFaculty, or AllStaff email groups.
- If suspicious network activity is detected on RESNET related to a student's computer, access may be disabled and the student will be advised on the appropriate remediation.
- Violations are not limited to the outlined examples. Please refer to the policies referenced above and College web site for additional information.

At any time, a student who feels he/she has been unjustly accused has the right to speak to the director of Campus Technology Support Services (CTSS) and, in his/her absence, a member of the CTSS senior staff.

DRUGS

Students are expected to conform to the Maryland state law regarding possession of drugs and paraphernalia and the Student Code of Rights and Responsibilities which outlines expected standards for behavior, rights and responsibilities, student conduct policies, judicial procedures for conduct violations, and sanctions. Please refer to page 57 for information on the College's Medical Amnesty and Good Samaritan policy where certain violations may be granted amnesty.

Specific to illicit drugs, Article II, Section J states that the following misconduct is subject to disciplinary actions, up to and including expulsion and referral for prosecution, as provided for in this Code:

“J1. Use, possession, or distribution of narcotics or other controlled dangerous substances, and related paraphernalia on College premises, except as expressly permitted by law and College regulations.”

At the time of acceptance to the College, all new students are required to sign and return a statement acknowledging receipt of the College's policies and regulations concerning substance abuse.

Any student convicted of violating a criminal drug statute must notify the director of Financial Aid if that student is receiving any form of federal financial aid (for example, Pell Grants). Conviction on any drug-related charge is grounds for forfeiture of federal financial aid.

Students who violate the standards of conduct shall be subject to written or verbal warning, restitution, restriction, forced relocation, work sanctions, counseling, disciplinary probation, disciplinary suspension, and/or dismissal from the College as stated in the Student Code of Rights and Responsibilities which is distributed annually to all students. The College will take disciplinary action based on reasonable available information unless the student voluntarily seeks assistance. Such action will be independent of any civil or criminal process precipitated by the same incident.

Students who are concerned about their use of alcohol or other drugs may speak with a counselor in Counseling Services for an assessment. Counseling Services are confidential and the staff therapist will recommend options for risk reduction, treatment and recovery.

EMAIL

Every student who is enrolled for credit classes at St. Mary's College of Maryland is issued a student email account which is the official means of communication from departments such as the Registrar's Office, Academic Services, Residence Life, and Student Activities. Email will also be used to notify students of certain emergencies, pending judicial action, and school closings due to inclement weather. Most faculty and staff rely on email to communicate with students. It is the responsibility of each student to maintain and check their SMCM email account regularly. Students are accountable to know information disseminated through the SMCM email account. Failure to read College communications sent to the SMCM email account does not absolve the student from knowing and complying with the content of these communications.

EMERGENCIES AND URGENT SITUATIONS

In case of an emergency, be prepared to follow these seven (7) critical steps:

1. Remain calm.
2. Watch for official communication.
3. Pay attention and follow instructions for the next steps.
4. Care for and be responsive to others who may be in need of assistance.
5. Check in with concerned family and friends to let them know you are okay.
6. Check official communication sources for periodic updates.
7. Watch for the all-clear signal.

Remaining calm allows you to be observant and attentive to a situation as it develops. Any emergency has a high level of stress and the more calmly you act the better you and those around you will react.

Official communication will be employed to notify you as an emergency unfolds. The College will use some combination of the following methods:

- www.smcm.edu home page
- All College email

- Siren and alert system
- Paper posters posted in public spaces
- A crawl on all student computers registered with the SMCM network. This is only available through the Bradford Persistent Agent, so administrative (faculty/staff) computers are not formatted for this service. We are working on a system where we can interrupt administrative computers as well.
- Campus cable TV message
- Public Safety, Student Affairs, and Residence Life staff instructions
- Building contacts in each academic and administrative building

Stay attentive to any of those communication tools.

In Case of Actual Fire

1. Pull the nearest fire alarm.
2. Call 9-911 (County Control Center) and report the location.
3. Call 240-895-4911 (Public Safety) and report the location.
4. Assist disabled individuals, if possible and safe to do so.
5. Evacuate the building immediately and move across the street or to locations indicated by College officials.
6. Wait to return to the building until the alarm has been silenced and Public Safety or other emergency personnel at the scene have given an official "all clear."

Medical Emergencies

The Counseling and Health Center (240-895-4289) is open from 8:00 a.m. to 5:00 p.m., Monday through Friday. Health Services is open on Saturdays from 11:00 a.m. to 3:00 p.m. After hours and on weekends, contact a member of the Residence Life staff and/or the Office of Public Safety. They will know what to do or whom to contact.

Medical emergencies should be directed immediately to an RA, the building's RHC, and/or the Office of Public Safety (240-895-4911). When a situation is life threatening (severe bleeding, heart attack, loss of respiration, etc.), you should contact the county 911 operator by dialing 9-911. Give the operator any appropriate information. Do not hang up on the operator. Speak slowly, and wait for the operator to end the conversation. You should then place a call to Public Safety at 240-895-4911 and provide the same information.

On-Call Professionals (OCPs)

Each night that students are in residence, a member of the Student Affairs professional staff is on-call to handle difficult situations in the residences.

The OCPs carry cell phones and are available Monday through Friday from 5:00 p.m. to 8:00 a.m. the next morning, and continuously from Friday at 5:00 p.m. through Monday at 8:00 a.m. The staff who are serving as OCPs include the associate dean of students/director of Residence Life, two (2) assistant directors of Residence Life, two (2) area coordinators, the assistant director of Student Activities, and the coordinator of Orientation and Service. The associate dean of students/director of Residence Life is on-call 24 hours a day, seven (7) days a week (to serve as back-up for the other OCPs). If you need or want to speak with the scheduled OCP, contact an RA, RHC, or call Public Safety at 240-895-4911.

Power Failures

In the event of a campus-wide power failure, the campus phone system may not work. If the power failure involves the local outside community, on-campus phones may work, but off-campus and long distance phones may not. Emergency lights in the buildings will work for a short period of time (between 15 minutes and two hours). The upgraded fire alarm system will be operational for at least eight (8) to twelve (12) hours. Residence Life staff members will use flashlights. In the event of a power failure, students should use flashlights, not candles.

The Dining Hall will continue to operate under emergency power. The decision to cancel classes will be announced by the appropriate College officials and communicated to the staff. For students living on campus, the RHCs will be the primary contact for students seeking the most up-to-date information on the power failure.

To report any type of a crime (including a "hate crime," theft, vandalism, etc.):

Individuals who see a crime in progress or who wish to report a crime after the fact should contact the Office of Public Safety at 240-895-4911, 24 hours a day, seven days a week. Students may also submit anonymous reports via the Public Safety website at <https://www.smcm.edu/publicsafety/silentwitness.html>.

Contacting State or County Police:

Students wishing to contact the state or local police can obtain assistance from Public Safety at 240-895-4911.

Death of a Student or Serious Accident:

Persons at the scene, whether on- or off-campus, should notify Public Safety at 240-895-4911.

Eating Disorder:

Friends or teammates of the student in question should notify the head athletic trainer (for a teammate), the Counseling and Health Center at 240-895-4289, or the associate dean of students/director of Residence Life at 240-895-4207.

Missing Person:

1. Within 24 hours the College will notify the official emergency contact whom the student has previously designated upon admission.
2. If the missing student is under the age of 18 and not yet emancipated, the College is required to notify a custodial parent or guardian within 24 hours.
3. Any report of a missing person will be directed to Public Safety and the College will notify the appropriate law enforcement agency within 24 hours.
4. Once a student has been identified as missing for 24 hours, Residence Life staff will notify the student's RA, RHC, Counseling and Health Services, Academic Services, the Dean of Students officer, and the office of the Vice President of Academic Affairs and Dean of the Faculty. Academic Services will notify professors as indicated.
5. Students are strongly encouraged to follow the following safety guidelines:
 - Notify roommates, friends or family of your plans regarding destination, time schedule and who you will be with. Provide updates if plans change.
 - Keep your cell phone charged and with you whenever off-campus.
 - Travel in groups and avoid being alone with strangers.
 - Don't leave friends in unfamiliar surroundings or situations; avoid accepting rides from strangers.
 - Don't leave drinks unattended and don't accept drinks from people you don't know well.

Sexual Misconduct Responding

Person responding to a student:

-If you are speaking with an individual and they inform you that they have been sexual assaulted, harassed, or have experienced violence, reassure them that it is not their fault. Listen, but do not press for details.

-Assess if there is still a danger to the campus community (weapon or force used). If a danger to the community exists, or they need immediate medical attention, contact Public Safety immediately.

-Ask the person if they have already reported or are willing to report the incident to Public Safety, the First Responder Network, Counseling and Health Services, the local police, and/or Walden Sierra.

Sexual Misconduct and Student Willing to File a Report

1. Advise the student that he/she may contact the First Responders Network for peer support on campus (301-904-2015). The First Responder can contact the Sexual Assault/Wellness Advocate, provide resources, accompany the student to the hospital, and be a peer advocate.
2. When the student is ready, contact Residence Life Staff or Public Safety at ext. 4911 or 240-895-4911 and inform them that you are with a student who has been sexually assaulted and that they are willing to file a report.
3. Reassure the survivor that contacting Public Safety and/or the police does not commit her/him to continue legal or judicial action. It means that evidence can be collected which can be used later if the survivor decides to pursue either criminal charges or judicial action through the College.
4. Encourage the survivor to seek medical attention if there is a possibility of injuries and a Sexual Assault Forensic Exam at a local hospital if the assault occurred within the past 72 hours. Advise her/him that evidence of sexually transmitted infections or pregnancy may not be apparent for several weeks or months and follow-up appointments may be necessary.
5. Advise the survivor that she/he may contact the Walden-Sierra 24-hour Crisis Hotline (301-863-6661) to arrange for a volunteer to meet and accompany the survivor or be an advocate.

Sexual Misconduct and Student Unwilling to File a Report

1. Do not notify Public Safety staff or other Campus Security Authorities (Please see page xx for further information on Campus Security Authorities).

2. Advise the student that he/she may contact the First Responders Network for peer support on campus (301-904-2015). The First Responder can contact the Sexual Assault/Wellness Advocate, provide resources, accompany the student to the hospital and be a peer advocate without filing a report with public safety if that is the wish of the survivor. First Responders will complete an anonymous report that is shared only with the Sexual Assault/Wellness Advocate (and the Director of Counseling if appropriate).

3. Advise the student that he/she may contact Counseling and Health Services (240-895-4289) for advocacy, support, or therapy. Counseling Services and Health Services staff are not required to report incidents of sexual misconduct.

3. Encourage the survivor to seek medical attention and/or a SAFE exam at a hospital if the assault occurred within the past 72 hours or if there is a possibility of injuries. Advise her/him that evidence of sexually transmitted diseases or pregnancy may not be apparent for several weeks or months and follow-up appointments may be necessary. The First Responder Network, Counseling Services staff, or Walden Sierra can assist with accompanying the survivor to the hospital.

4. If the survivor is unwilling to contact on-campus resources, with the consent of the survivor, contact the Walden-Sierra 24-hour Crisis Hotline (301-863-6661) to arrange for a volunteer to meet, speak with, and/or accompany the survivor to the hospital.

Suicide Threat:

Student responding to the situation:

1. During normal business hours, contact Counseling Services at 240-895-4289 or the Office of Residence Life at 240-895-4207.
2. After normal business hours, contact Public Safety. Ask for the On-Call Professional or a staff member in Counseling Services to be contacted. The On-Call Professional will contact the director or assistant director of Counseling Services.

Psychological Emergencies

Professional counseling services are available at the College. Counseling Services is located in Chance Hall (the Counseling and Health Center), at 240-895-4289. Hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. After hours or on weekends, please contact any Residence Life staff member or Public Safety. Staff members are there to assist you; they have been trained to respond to crisis situations. They will act on your behalf.

Security Issues

The Office of Public Safety is in charge of campus security and safety. If you witness a break-in, theft, someone being attacked, or any other type of criminal act, contact Public Safety at 240-895-4911. Emergency call phones are located in the north campus, Schaefer Hall, and Mattapany (Guam) parking lots, as well as near St. John's site, behind Anne Arundel Hall, at the River Center, and on the path near St. John's pond (near the Bell Tower). Professional staff members are on duty at Public Safety 24 hours a day, seven days a week.

GRADE GRIEVANCE

Under the following conditions, a student may decide to grieve a grade either on a specific assignment or for a course as a whole:

- The grade assigned may reflect discrimination of some sort on the part of the professor.
- The grade assigned reflects a computational error.
- The grade assigned is related to an allegation of academic misconduct which is proceeding through the Academic Judicial Board system. (If an instance of alleged academic misconduct has been handled informally, and the student wants to appeal, that appeal must proceed through the Academic Judicial Board system.)

The procedure for filing a grade grievance or other related academic complaint is as follows:

- A. A student with a complaint should, where appropriate, first try to reach agreement with the faculty member. Informal conversation about the assignment and grade in question between the student and the professor is the first step in the grade grievance process.
- B. If the student is not satisfied with the result of the conversation, or if the faculty member does not respond to requests for such an informal conversation, the student then submits a written statement expressing concern about the grade to the chair of the faculty member's department, with a copy to the professor. In the case of individual assignments, such statements must be made within 10 business days of receipt of the grade in the case of individual assignment. In the case of overall course grades, such statements must be made by the end of the fourth week of the following semester in the case of overall course grades. The department chair will attempt to mediate the complaint as outlined in C below. ** (See note.)
- C. Within 10 business days of receipt of the student's letter, the chair will solicit the faculty member's point of view, in writing, about the grade and the criteria on which it was based. The chair may decide to render a decision based on the written communications or may call the student and faculty member together for a meeting to discuss the issues, after which the chair will render a decision to both the student and faculty member in writing.
- D. If either the student or faculty member is dissatisfied with the chair's decision, the dissatisfied party can make a request, in writing, within 10 days of receipt of the chair's decision, with a copy to the other party, and to the assistant vice president for academic services, who will seek counsel from the Academic Policy Committee. The Academic Policy Committee members will consult all parties concerned and then

vote either for or against the recommendation of the department chair and will inform the assistant vice president for academic services, in writing, of their advice and the reasons for it, after which the assistant vice president for academic services will render a decision to the parties in question.

- E. Final authority rests with the vice president for academic affairs and dean of faculty of the College in the event that either the student or faculty member is not satisfied with the response given by the assistant vice president for academic services in consultation with the Academic Policy Committee. A written appeal to the vice president for academic affairs and dean of faculty, which must be copied to the other parties involved, must be made within 10 business days following receipt of the assistant vice president's decision, and the vice president for academic affairs and dean of faculty will render final judgment within 10 business days of receipt of the appeal, in writing, to all concerned individuals.
- F. Parents, family members, and attorneys are not permitted to attend any grade appeal conferences.
- G. If a grade appeal involves alleged academic misconduct, the grade appeal should be heard after the Academic Judicial Board has reached a decision about the alleged infraction.

**Note: In the event that the faculty member in question is the department chair, the assistant vice president for academic services will substitute for the chair in step C.

HAZING

Any and all forms of hazing are completely prohibited at St. Mary's College of Maryland.

Hazing Defined

Hazing is any action taken or situation created, intentionally, whether on or off campus, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities may include but are not limited to the following: use of alcohol; paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside the borders of the College campus; wearing of public apparel which is conspicuous and not normally in good taste; engaging in public stunts and buffoonery; morally degrading or humiliating games and activities; and any other activities which are not consistent with the laws of the state of Maryland or Code of Student Conduct, or the regulations and policies of St. Mary's College of Maryland.

Identifying Hazing (Will Keim, Ph.D., "The Power of Caring")

1. If you have to ask if it's hazing, it is.
2. If in doubt, call your advisor or coach.
3. If you haze, you have low self-esteem.
4. If you allow hazing to occur, you are a 'hazing enabler.'
5. Failure to stop hazing can result in death.

Examples of Hazing

The following are examples of hazing by category. It is impossible to list all hazing activities, so this list is not intended to be all-inclusive. Each activity can be measured against the definition for each category.

A. Subtle Hazing

Actions that are against accepted club or team standards of conduct, behavior and good taste. An activity or attitude directed toward a member or an act which ridicules, humiliates, or embarrasses. Examples:

1. Never doing anything with the member (isolation)
2. Calling a member by any demeaning name
3. Imposing periods of silence on members
4. Imposing demerits of any kind on members
5. Writing progress reports on new members
6. Requiring members to call senior team members Mr., Ms., etc.
7. Scavenger hunts for meaningless objects
8. Assigned duties for new members only
9. Scaring new members with an initiation
10. Deprivation of team privileges

B. Harassment Hazing

Anything that causes mental anguish or physical discomfort to the member. Any activity, or activity directed toward a member, or activity which confuses, frustrates, or causes undue stress. Examples:

1. Verbal abuse
2. Any form of questioning under pressure or in an uncomfortable position
3. Requiring members to wear ridiculous costumes or perform ridiculous activities
4. Requiring only members to wait until the end or be served last

5. Stunt or skit nights/events with demeaning and/or crude skits and/or poems
 6. Requiring members to perform personal services such as carrying books, running errands, performing maid duties, etc.
 7. Requiring members to drink alcohol, perhaps to excess, causing illness or other physical problems
 8. Requiring members to be exposed to weather or to foods that would adversely affect physical health
- C. Physical Hazing

St. Mary's College of Maryland, through the Athletics and Recreation Department, the Office of Student Activities, or any other designated personnel, shall issue to every group or organization under its authority, or operating on, in conjunction with its campus or school, a copy of this policy. An officer of each such group or organization, and each individual receiving a copy of this policy, shall sign an acknowledgement stating that such group, organization, or individual has received a copy of the hazing policy.

In the state of Maryland, a person who hazes a student so as to cause serious bodily injury to the student at any school, college, or university is guilty of a misdemeanor and, on conviction, is subject to a fine of not more than \$500 or imprisonment for not more than six months, or both. Consent of the student being hazed is not a defense.

Students found responsible for hazing on or off the campus at St. Mary's College of Maryland may face expulsion from the institution.

ID CARDS

All students are issued College ID cards and are required to carry them at all times. They are also required to provide them to College officials, including Residence Life student staff, upon request. Students are not permitted to let others use their ID card for any purpose. Lost ID cards should be deactivated online at <http://www.smcm.edu/ctss/onecard/lostcard.html>. Deactivating an ID card prevents unauthorized electronic use of that card. A card may be reactivated through this same website. In the event that a card is stolen, Public Safety should be notified. Lost ID cards can be replaced, for a fee, at the One Card Office in Baltimore Hall and the Information Desk in Glendening Hall.

INCLEMENT WEATHER

Inclement weather procedures are in effect seven days a week, including weekends. Depending on the circumstances, the College may remain open with a "liberal leave" policy in effect, or the opening of the College may be delayed, or the College may be closed. The College website will have the latest weather-related closing information. Resident students will also receive a voice mail message through the College's phone system with closing information.

Students should check the College web page for information regarding a delayed opening or closing of the College:

Whenever there is a question, the Office of Public Safety (240-895-4911) will have the most up-to-date, accurate information. If students are in residence, the dining hall will provide food services, and every attempt will be made to ensure that the library, some computer labs, and the campus store are open. Walkways and roads will be cleared and sanded as soon as possible. First priority will be given to walkways between residences and the cafeteria, then to the library.

MEDICAL AMNESTY AND GOOD SAMARITAN POLICY

The purpose of this policy is to increase the likelihood that medical attention is provided to students who need it due to alcohol intoxication or use of drugs by removing impediments to seeking such assistance. This policy is intended for use in isolated situations; therefore, it does not excuse or protect those who flagrantly or repeatedly violate College policy.

Good Samaritan Policy: The spirit of the Good Samaritan is that we all have an ethical responsibility to help people in need. St. Mary's College expects that students will take an active role in protecting the safety and well-being of their peers and the College community. In order to promote this, when a student assists an individual who is intoxicated or under the influence of drugs in procuring medical assistance, that student may be granted amnesty from formal disciplinary action by the College for violating the alcohol or drug policies. The student may be required to attend an educational conference with the Dean of Students or designee to discuss the incident and his/her role in it, and may be required to complete follow-up if deemed necessary.

Medical Amnesty Policy: When a student is intoxicated or under the influence of drugs and seeks medical assistance, s/he may be granted amnesty from formal disciplinary action by the College for violating the alcohol or drug policies. Upon receiving a report that a student needs medical assistance, College staff will respond through the Office of Public Safety to obtain EMS services, and responding officials will use standard procedures for documenting information and collecting identification of all persons involved. Judicial charges will be deferred, and will be dismissed upon successful completion of an approved alcohol and/or drug intervention program, leaving the student with no disciplinary record. Failure to

successfully complete an approved alcohol and/or intervention program will result in the processing of alcohol use or possession charges and, if proven, may result in more severe sanctions.

Representatives of a student organization who summon medical emergency assistance will be relieved from alcohol use or possession judicial charges under this protocol for their personal actions. Organization charges and consideration of judicial sanctions, if necessary, may be mitigated by the actions taken by representatives.

Criteria for granting amnesty may include but is not limited to: the severity of the incident, the student's disposition regarding the incident, whether the student has been granted amnesty in the past, and the student's previous judicial record. Amnesty will not be granted for incidents which occur off-campus and will not extend to other conduct violations associated with the incident, including but not limited to distribution of drugs, hazing, vandalism, or sexual assault. Amnesty can only extend to College judicial processes and does not protect students from criminal or civil penalties.

Following receipt of an incident report by the Dean of Students office, the student will attend an educational conference with the Dean of Students or designee, which will serve to review the incident, the role of alcohol or drugs, and College policies. The following are examples of educational interventions that may be required for individuals who receive amnesty under this policy:

a. The student may be required to obtain an alcohol or drug assessment from Counseling Services or from an off-campus certified addictions counselor (e.g. Walden-Sierra). If required to obtain an assessment, the student will provide a copy of the assessment report to the Dean of Students or designee. If the assessment indicates that further treatment is warranted, the program of treatment must be completed. The cost of the assessment (if any) and treatment is the responsibility of the student.

b. Parental Notification Policy: The College notifies the parents/guardians of students whose consumption of alcohol or drugs results in the student being sent to the hospital.

NON-DISCRIMINATION POLICY

St. Mary's College of Maryland does not discriminate or condone discrimination on the basis of race, sex, gender/gender identity & expression, color, religion, creed, age, genetic information, disability, national or ethnic origin, sexual orientation, or marital status.

The College also does not discriminate on the basis of sex and Title IX of the Education Amendments of 1972 ("Title IX"), 20 U.S.C. Sec. 1681, et seq., requires the College not discriminate in such a manner. Prohibited sex discrimination covers sexual harassment, including sexual violence. Examples of the types of conduct prohibited includes but is not limited to the following examples: non-consensual sexual penetration, non-consensual sexual contact, non-consensual sexual exploitation, and/or examples found in the College's sexual harassment policy.

Inquiries concerning the application of Title IX may be referred to the College's Title IX coordinator or to the Department of Education's Office of Civil Rights. Our Title IX coordinator's information can be found here:

Melvin McClintock

Assistant Director of Human Resources/AA/EEO Officer

Glendening Hall 170, 18952 E. Fisher Road, Saint Mary's City, MD 20686

240-895-4309

mamclintock@smcm.edu

NOTIFICATION OF CAMPUS SAFETY AND SECURITY POLICY

The dean of students or designee will send informational notices to faculty, staff, and students when a serious incident occurs that directly affects the campus. A decision to send a campus notice will be considered on a case-by-case basis. These notices, which will be sent by email and/or posted in common areas, will have the purpose of informing the campus community in order to ease anxieties or combat rumors and misinformation. Examples of incidents that may cause such notices to be sent include the following:

- Death of a student;
- Any incident involving weapons;
- Any serious incident that impacts the campus community.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (“Clery Act”) is the landmark federal law, originally known as the Campus Security Act, that requires colleges and universities across the United States to disclose information about crime on and around their campuses. Go to the U.S. Department of Education’s Higher Education website (<http://www.higheredcenter.org/policy/clery-act>) for more information. As part of the Clery Act, St. Mary’s College is required to provide students and employees with Timely Warnings of crimes that represent a threat to their safety.

PARKING

Process for Resident Students

- A. Resident students must purchase a parking decal that is specific to a particular lot in their residential neighborhood. The Business Office will sell only as many decals in each residential lot as there are spaces.
- B. Students will identify their priorities for which lots in the neighborhood they prefer to be assigned at the time of parking registration and payment.
- C. Lots will be designated by letter only. Decals will display a corresponding assignment letter.
- D. Assignments will be made on a first-come, first-choice basis except for first-year students who will be assigned to Lot T (Guam).
- E. Students who are unable to get their first choice will be considered for their second choice, etc.
- F. Permit fees remain unchanged and are identical for all lots (\$100).
- G. Based on residential neighborhood, non-first-year students will choose among the following lots:

Neighborhood:

1. Townhouses, Lewis Quad, and Waring Commons: Lots R (Townhouse), S (Waring Commons) and T (Guam)
2. Prince George, Caroline, and Dorchester: Lots W, X, Z, and T (Guam)
3. Queen Anne: Lots M (Queen Anne) and T (Guam)
4. Calvert: Lots C (Anne Arundel north) K (Campus Center) and T (Guam)

Commuter Students

Parking in the North Campus for commuter students is provided in Lots T and Z. Commuter students may also park at the Campus Center and Anne Arundel lots.

Visitor Parking

On-campus parking for visitors is available in Lots K, H, I, T, and Z. Visitors to the campus should obtain a campus parking permit from the Office of Public Safety. Please consult the Parking Lots Assignment Guide, available from Public Safety, for additional information.

Enforcement and Towing

All student, faculty, and staff vehicles parked on the grounds of St. Mary’s College of Maryland must display a campus-issued parking decal, and all visitors must display a parking pass. Vehicles parked on campus must follow all state and College parking regulations. All vehicles in violation of College parking regulations will be issued a citation and towed at the owner’s expense under the following conditions:

1. Display of a lost, stolen, expired, or fraudulent St. Mary’s College of Maryland parking permit.
2. Parking in a designated handicap area, handicap access or fire lane (as designated by Maryland state law).
3. Parking of a vehicle that restricts access to a loading dock, building air-intake area, dumpster, or bus access lane.
4. Stopping, standing, or parking that restricts traffic flow or creates a traffic hazard.
5. Parking on designated emergency snow routes and parking lots.
6. Any abandoned vehicle may be issued a citation and/or towed when it meets the following criteria:
 - a) Parked on St. Mary’s College campus property, Historic St. Mary’s City property, or Trinity Episcopal Church property for forty-eight (48) hours or more and does not display a valid state motor vehicle registration plate or St. Mary’s College of Maryland parking permit without notification and approval from the Office of Public Safety.
 - b) Failure to immediately move a vehicle upon notification from the Office of Public Safety.
 - c) An accumulation of four (4) or more parking citations (paid or unpaid).
 - d) Agreements with specific towing services will be made to include but not limited to the following:
 - (1) Each vehicle to be towed will be issued a citation and towed at the owner’s expense.
 - (2) The vehicle owner/operator is responsible for the towing fee when the towing vehicle has left the business and/or has arrived at the site, unless another agreement is reached between the tow service provider and the vehicle owner/operator.
 - (3) St. Mary’s College of Maryland and the Office of Public Safety will not be held responsible for damage resulting from

towing or immobilization of vehicles or items of personal property of value left within the unattended motor vehicle parked on campus.

Additional Information

Parking permits are \$100 for a full year. If you will not require a parking permit for the spring semester due to graduation, study abroad, withdrawal, or leave of absence, a \$50 credit will be given. To receive credit, your parking decal must be turned into the Business Office during the first two weeks of classes of the spring semester. The Business Office will mail complete instructions for obtaining parking decals with payment information. For other questions or information, contact the Office of Public Safety (240-895-4911)

PETS

In order to provide a safe and a healthy environment for members of the campus community to study, work and live, to comply with local animal ordinances, and to ensure public safety, it is the policy of the College to restrict animals from all campus buildings. One of the areas of concern for the College is the continuing presence of unauthorized pets on campus. Current College policy states that pets and other animals are not permitted in any College building because of health and safety concerns for students, faculty, staff, and visitors. Animals as pets are not permitted in any campus building, including residence halls, classrooms, and public spaces. Animals in buildings may present health problems very different from those encountered in the home. The influence of these animals on the comfort and health of others should be a matter of concern to all in the campus community, and should be considered above the personal satisfaction of keeping a pet. Many persons are deathly afraid of pet animals, especially dogs, and when they enter a residence hall, office, lab or classroom it should be their right not to have to encounter a dog or other pet in the foyer, lounge areas, or a corridor. Abandonment of pets, especially cats, continues to be a problem. This usually occurs just before long vacations or at the end of a semester.

Exemptions are granted for service animals which assist people with disabilities, are used in education or research projects, or for full-time, live-on professional staff who have been given written permission by the associate dean of students/director of Residence Life. Resident students are permitted to have non-meat-eating fish and non-venomous reptiles in closed aquariums in their assigned room. Animals that are temporarily on the grounds must be licensed and under the control of the owner (leashed) at all times. Pets should not be left in cars (due to the potential of problems from heat or cold), and are not permitted to be "tied up" outside of buildings. Pets found tied up or running loose on campus may be taken by Animal Control. Faculty, students, and staff must also ensure that their visitors abide by the College's pet policy. It has become necessary to strictly enforce this policy for all students, faculty, and staff in order to be in compliance with state laws and regulations, and the College's policy.

Athletic Events: St. Mary's College of Maryland is concerned for the health, well-being, and comfort of all fans attending NCAA athletic events as well as all student athletes, coaches, and officials participating in NCAA athletic events. Pets and other animals are prohibited at St. Mary's College of Maryland athletic events. Any person found with an animal or pet at a St. Mary's College of Maryland NCAA athletic event will be asked to leave the premises. This excludes service animals, which are allowed per College policy, with proper documentation.

Minimum Expected Sanctions:

Commuting Students: Students may not bring their pets to campus while attending classes, except as noted above. Pet owners may face a \$250 cleaning/extermination charge, community service hours, and/or education project. Repeat offenders face disciplinary probation and residence hall facility restriction or suspension.

Resident Students: The owner of the pet faces a \$250 cleaning/extermination charge, community service hours, and/or education project. Repeat offenders will face loss of housing, disciplinary probation, and/or suspension. Residents who permit unauthorized pets in their room, suite, townhouse, or apartment face community service hours after their first offense and repeat offenders face disciplinary probation.

Your cooperation in following this policy is appreciated and will help to create better working conditions for our employees and reduce concerns about personal safety and problems and inconveniences associated with allergies, fleas, odors, and damages.

PRIVACY OF STUDENT RECORDS (THE BUCKLEY AMENDMENT)

Notification of Rights under FERPA for Postsecondary Institutions: The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. These rights include the following:

1. The right to inspect and review the student's education records within 45 days of the day the College receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The College official will make arrangements for access and notify the student of the time and place where the records may be

inspected. If the records are not maintained by the College official to whom the request was submitted, that official shall advise the student of the correct official to whom the request should be addressed.

2. The right to request the amendment of that part of the student's education records that the student believes is inaccurate or misleading. Students may ask the College to amend a record that they believe is inaccurate or misleading. They should write the College official responsible for the record, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the College decides not to amend the record as requested by the student, the College will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the College in an administrative, supervisory, academic, research, or support staff position (including law enforcement unit personnel and health staff); a person or company with whom the College has contracted (such as an attorney, auditor, or collection agent); a person serving on the Board of Trustees; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the College discloses education records without consent to officials of another school in which a student seeks or intends to enroll. The following information related to a student is considered "directory information" and the College reserves the right to disclose it to anyone inquiring without the student's consent unless the student, within ten (10) days of registration each semester, informs the Office of the Registrar in writing on the proper form, available in the Office of the Registrar, that any or all such information about him/her is not to be made public without his/her written permission: The student's name, address, phone number, email address, photographs, date and place of birth, year in college, parents' names and addresses, prior educational institutions attended, dates of college attendance, degrees, scholarships, awards received, weight and height of members of athletic teams, participation in officially recognized activities and sports.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by St. Mary's College of Maryland to comply with the requirements of FERPA:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Ave. SW
Washington, DC 20202-4606

For further information concerning FERPA, please contact the Office of the Registrar, Glendening Hall 120.

Health and Counseling records kept in the Counseling and Health Center are considered medical records and are not covered under FERPA. Health and Counseling records are covered under the Maryland Medical Records Act. Inquiries about these records should be forwarded to Counseling and Health Center staff.

RESPONSE TO EMOTIONAL AND BEHAVIORAL CRISES

Where to turn:

College students sometimes experience emotional crises that might affect their functioning and behavior. When this occurs, the student is strongly urged to seek assistance at Counseling Services. Counseling Services can provide confidential counseling and therapy, psychiatric services and referral when the student's counseling needs are beyond the scope of Counseling Services. Counseling Services may only share confidential information about a student with other College personnel or the student's parents without the student's permission if it is deemed that the student presents an imminent harm to self or others.

- To reach Counseling Services during regular business hours, please call (240)895-4298
- After regular business hours during academic terms a member of the Counseling Services staff can be reached by contacting a member of the Residence Life Staff or Public Safety at (240) 895-4911 and asking to have the counselor contacted.

Other local crisis services include:

- Walden 24-hour Helpline – 301-863-6661
- St. Mary's Hospital – 301-475-8981
- Calvert Memorial Hospital – 301-475-5250

When a student is unable to act in his or her best interests:

Occasionally students are unable or unwilling to seek voluntary help for their emotional or behavioral problems. These situations may include suicide attempts, alcohol or drug intoxication which may require medical treatment, and/or an unwillingness to manage a chronic mental health condition appropriately. At times these crises might escalate to the point that the student is perceived to be a risk to the health and safety of him or

herself and/or to the College community. At these times, the College may request that the student seek hospitalization and/or return home to be under the care of an off-campus mental health provider. If the student's hospitalization or psychological treatment at home is short-term and he or she would like to return to campus to finish the term, it is important that the student inform the dean of students of his or her desire to return to campus so that the appropriate evaluation and support plans can be made.

The process for a return to campus after an emotional or behavioral emergency that has required College intervention is as follows:

1. Students grant a release of information to the director of Counseling Services or designee so that the information can be shared between the treating professionals and the College.
2. The director of Counseling Services reviews information from treating professionals including a treatment summary and recommendations for future care. The director of Counseling Services will meet with the student and any appropriate individuals. After reviewing all information, the director of Counseling Services will make a recommendation to the dean of students. The student may be requested to remain off campus until all requirements of the review are complete. The student will need to meet with the dean of students to learn his/her status and/or requirements to return to the campus community. No medical or mental health records are transferred to the dean of students.
3. The dean of students makes a determination about the student's readiness to return to campus based on the information from all sectors and decides if there is a need for any required follow-up or accommodations.
4. The dean of students may determine that it is not appropriate for the student to return to campus under the following policy: Students may be disenrolled from the College or permitted to remain only under specific conditions when there is clear and convincing evidence that the student's presence poses a significant risk of substantial harm to the health or safety of themselves or others. A significant risk of substantial harm is a high probability of substantial harm – not just a slightly increased, speculative, or remote risk. Students may choose to take a voluntary leave of absence when the review indicates that the college environment is not a safe or therapeutically appropriate one.

The College may determine it is not safe for the community to have the individual return to the college immediately following a psychological crisis and the student may be disenrolled from the college involuntarily.

The process for a return to campus after a leave of absence is as follows:

If a student takes a leave of absence from the College due to an emotional or behavioral concern, then the request for re-admission will be evaluated by the dean of students to determine whether or not the student is ready to return to school. The judgment of the dean of students is based upon documentation of the health and readiness of the student to return and the possible effect on the community. It is in no way a punitive process. Rather, it is an essential educative deliberation at the end of a usually difficult and disturbing experience for those involved. It is intended to be beneficial for all and deserves wisdom and compassion. As such, the process cannot be rushed. To assure adequate review and contact of all those needing to be involved, the necessary information must reach the College at least one month before re-admission is planned in order to allow for full consideration of the request. This would also give the student enough time to make plans for course registration and housing for the semester. The re-admission request includes the following:

1. A letter addressed to the dean of students from the student describing his or her readiness to return to the campus, including his or her view of the problem's origin, the ways that the student has sought to deal with the problem, and the student's plans to prevent future emergencies when the student returns to campus.
2. Students grant a release of information to the director of Counseling Services or designee so that information can be shared between the treating professionals and the College and recommendations can be forwarded to the dean of students.
3. Written report(s) from treating mental health professional(s) sent to the director of Counseling Services, fax: 240-895-2239. The report(s) should address the following:
 - a) Presenting complaint(s), symptoms and diagnoses.
 - b) Treatment course, including response to treatment.
 - c) Recommendations for continued treatment, including medications if applicable. Counseling Services does provide follow-up counseling and transitional psychiatric care. However, it should be noted that these are short-term services and are not a long-term resource. Students needing long-term care are encouraged to work with Counseling Services to identify providers from the outside community who can meet their needs.
 - d) A clear statement from the treatment provider that the student is ready to return to the campus environment and live independently.
 - e) The potential for harm, of self or others, needs to be addressed in the report.

It is very important that the student share this requirement with his/her treatment professional(s) during their initial meeting and go over the components of the report before the evaluation is sent to the director of Counseling Services (fax: 240-895-2239). If this information is not comprehensive and thorough, then there may not be time for the director to make a responsible recommendation to the dean of students to permit the student's return for the requested semester.

The director of Counseling Services will review these reports and consultations as well as the letter requesting re-admission. He or she may call for a personal interview (face-to-face, or by telephone) with the student to further assess the situation, request additional documentation with consent to speak to the off-campus provider and, in some cases, may discuss the issues with parents or family. The director will then make a recommendation to the dean of students.

The dean of students will review the information provided and may seek further input (for example, from Residence Life, Public Safety, Office of the vice president for academic affairs and dean of faculty, the judicial affairs officer, the student, etc.), depending upon each particular situation. When the dean is assured that the student is reasonably stable and is fully ready and able to handle the psychological, academic, and social pressures of college life, the dean will re-admit the student under conditions deemed supportive. If the dean of students does not judge that re-admission is appropriate at this time, then he or she will specify reasons for the decision and what is needed for future consideration.

SERVICE ANIMALS

Service animals are animals that are individually trained to perform tasks for people with disabilities, including, but not limited to, guiding people who are blind, alerting people who are deaf, pulling wheelchairs, alerting and protecting a person who is having a seizure, or performing other special tasks. Service animals are working animals, not pets. An individual who needs the use of a service animal is required to notify the College and request approval to use a service animal on campus. The individual is required to provide the College with proof that the individual has a disability as defined by Section 504 of the Rehabilitation Act of 1973 and the ADA, and that the animal at issue is individually trained to do tasks to assist the individual. For a service animal to be allowed in campus buildings, the animal must be necessary to assist the individual in the activities of daily living and trained to fulfill those functions. Pets, therapy, companion, or comfort animals are not included in this definition of service animals and are not permitted in campus buildings.

A. Other Definitions

1. Therapy, Companion or Comfort Animals – These are animals that have been prescribed as treatment and, while they may be an integral part of therapy, they generally do not assist the individual in the activities of daily living. They may or may not be trained and certified. They are not considered to be service animals and do not have the rights of service animals. Persons who believe their therapy animal meets the requirements for a service animal should follow the ADA grievance policy.
2. Common Types of Service Animals – These are most typically dogs although, occasionally, monkeys.
 - a) Guide Dog: A carefully trained dog that serves as a travel tool for persons with severe visual impairments or who are blind or have low vision.
 - b) Hearing Dog: A dog that has been trained to alert a person with significant hearing loss, or who is deaf, when a sound such as a knock on the door or a fire alarm occurs.
 - c) Service Dog: A dog that has been trained to assist a person who has a mobility or health impairment. Type of duties the dog may perform include carrying, fetching, opening doors, ringing doorbells, activating elevator buttons, steadying a person while walking, helping a person up after the person falls, etc. Service dogs are sometimes called Assist Dogs.
 - d) S-Sig Dogs (Social Signal Dog): A dog trained to assist a person with autism. The dog may alert the person to distracting repetitive movements common among those with autism, allowing the person to stop the movement (for example, hand flapping.) Recognizing familiar persons in a crowd, steering around a mud puddle, responding to other people or social signals are possible roles for an S-Sig Dog. A person with autism may have problems with sensory input and need the same support services from a dog that a dog might give to a person who is blind or deaf.
 - e) Seizure Response Dog: A dog that is trained to assist a person with a seizure disorder. The ways in which the dog serves the individual depends on the person's needs. The dog may stand guard over the person during a seizure, or the dog may go for help. Some dogs are capable of predicting a seizure and can warn the person in advance.
3. Handler (Partner) – The individual with the disability who requires assistance with one or more daily living activities from a service animal.
4. Team – A term used to reference the handler and service animal when they work together to accomplish the tasks of everyday living.

B. Responsibilities of Handlers

Handlers:

1. Are responsible for requesting approval to use a service animal on campus and in College facilities. As part of the approval process, handlers are required to notify and verify their own disability and submit requested documentation to the assistant vice president for Academic Services of the need for a service animal on campus. Handlers may be required to provide documentation from their personal physicians. Forms and information may be obtained from the Office of Academic Services.
2. Are responsible for providing evidence and documentation to the assistant vice president that the animal meets the definition of a service animal.

3. Are responsible for providing evidence of the service animal's current clean health and vaccinations to the assistant vice president for academic services. The animal shall be licensed and wear a vaccination tag. The handler must ensure that the service animal has annual veterinary visits.
4. Are responsible for keeping the animal on a leash or harness at all times.
5. Must ensure that the service animal wears identification at all times that indicates their work status (for example, harness, cape, ID tag).
6. Must be in full control of the service animal at all times. A handler may be required to leave College facilities or grounds if an animal is disruptive or unruly (for example, barking, running around). If an animal repeatedly demonstrates improper behavior, the handler may be prohibited from bringing the animal to campus or College facilities until significant steps are taken to mitigate the behavior (for example, re-training, muzzling). In such cases, evidence of the steps taken must be submitted to the assistant vice president for academic services.
7. Are solely responsible for arrangements for the care of the service animal at all times. A handler may be required to leave College facilities or grounds when the animal is ill. Ill animals should not be taken into public areas.
8. Must regularly bathe the animal to avoid significant odors, shedding and fleas. Handlers with animals that are unclean or unkempt may be required to leave the College facilities and grounds.
9. Must carry equipment to clean up feces while on College property. Feces must be cleaned up immediately and disposed of properly.
10. Will be held responsible for any damage or injuries caused by the service animal to persons or property.

C. Responsibilities of Members of the College Community:

Campus Community Members:

1. Must permit service animals to accompany their handlers at all times and everywhere on campus, except for places where there is a health, environmental, or safety hazard (for example, teaching laboratories, mechanical rooms and custodial closets, areas where protective clothing is necessary, or other areas where there is a danger to the service animal such as metal cuttings, sharp objects on the floor, hot material on the floor, high levels of dust, or where there is moving machinery).
2. Must not pat or disturb a service animal while working. Always request permission to pat a service animal.
3. Must not offer food or treats to the service animal without asking permission from the partner.
4. Must not deliberately startle a service animal.
5. Must not separate or attempt to separate a service animal from his or her partner.
6. Should not hesitate to ask the partner if he or she would like assistance if the team seems confused.
7. Must report incidents of misbehavior by the service animal, mistreatment of the service animal by the handler or engagement of the service animal in inappropriate or unethical behavior by any person to the assistant vice president for Academic Services.

D. Exceptions and Grievances

1. Any handler dissatisfied with a decision made concerning a service animal should follow the ADA grievance procedures.
2. Any student who is uncomfortable living with a service animal in a residence should request a room change with the Office of

Residence Life.

SEXUAL MISCONDUCT

Definition of Terms/Policies for:

Sexual Misconduct, Intimate Partner Violence, Stalking and Sexual Harassment

St. Mary's College is committed to maintaining an environment free from all forms of sexual exploitation and intimidation. The College will not tolerate sexual misconduct including rape, sexual assault, sexual harassment, stalking, intimate partner violence or other forms of unwanted sexual activity. The College takes a proactive stance against sexual misconduct and has in place sexual misconduct policies and protocols which are designed to promote:

- the physical and emotional health and safety of the survivor and accused
- the common safety of the St. Mary's College community
- the protection of all involved from undue embarrassment or publicity
- that SMCM faculty and staff are transparent to the community in their responses to incidents of sexual misconduct
- a coordinated and consistent response
- confidentiality

These policies and procedures refer to a person who has been the victim of a sexual misconduct as the "victim", "survivor" or "complainant." This code refers to a person accused of sexual misconduct as the "accused" or "respondent." The on-campus judicial process determines if a violation of campus policy has occurred and is in no way a criminal investigation or a determination if a law has been broken.

To help students understand behaviors that constitute sexual misconduct, intimate partner violence, stalking and sexual harassment we have provided the following definitions adopted by St. Mary's College of Maryland. These definitions are provided in addition to sexual offenses, rape, sexual harassment, and stalking as defined by the Maryland Annotated Code: <http://www.dsd.state.md.us/comar/AnnotIndex.aspx>

Effective Consent: Effective consent is defined as willingly, freely and knowingly agreeing to engage in sexual conduct. Consensual sexual conduct is a mutual decision reached by both parties without any hint of force, threat, coercion, pressure, fraud, manipulation, intimidation, or reasonable fear of injury. Consent cannot be given if the victim is mentally or physically incapacitated (for example, due to excessive use of alcohol or drugs or a mental or physical condition). Silence, passivity, or lack of active resistance does not imply consent. In addition, previous participation in sexual activity does not indicate current consent to participate. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent can be withdrawn at any point during sexual activity.

Sexual Misconduct: Sexual Misconduct is defined as any activity of a sexual nature that violates another individual's physical or emotional well-being or personal space without that person's explicit permission. Any and all non-consensual sexual activity and any non-consensual behavior of a sexual nature constitute violation of the College's Sexual Misconduct Policy. Violations of the College's Sexual Misconduct Policy will be adjudicated under the prescribed procedures outlined in Article V, Section 3 of this Code.

Sexual Misconduct I: Sexual Penetration. Any act(s) of forcible or non-consensual sexual penetration, however slight, of another person's anal, genital, or oral opening with any object or body part.

Sexual Misconduct II: Sexual Contact. Any act(s) of touching of an unwilling person's intimate parts (defined as genitalia, groin, breast, or buttocks, or clothing covering them) or forcing an unwilling person to touch intimate parts.

Sexual Misconduct III: Sexual Exploitation. Any act which takes non-consensual, unjust or abusive sexual advantage of another, either for their own advantage or benefit, or for the advantage or benefit of anyone other than the one being exploited. This behavior includes but is not limited to:

- Utilizing any electronics for the purpose of posting or publishing and/or capturing images of a sexual act without the consent or knowledge of the involved parties
- Publishing, recreating, or reproducing images of a sexual act without the knowledge or consent of the parties involved
- Peeping tommery/voyeurism
- Unwanted exposure to pornographic material
- Inducing incapacitation for the purpose of having sex with the incapacitated person regardless if sexual activity actually takes place
- Prostitution

Intimate Partner Violence: Any acts of physical or psychological harm against a current or former intimate partner including stalking, dating violence, and/or relationship violence. Intimate Partner Violence may occur between people of the same or different sexes and does not require sexual intimacy between those involved.

Intimate Partner Violence I: Physical Harm. Any act(s) that use physical force or weapons against another person with the potential for causing death, disability, injury, or harm. Physical violence includes, but is not limited to, scratching, pushing, shoving, throwing, grabbing, biting, choking, shaking, slapping, punching, burning, use of a weapon and/or use of restraints or one's body size or strength.

Intimate Partner Violence II: Threat of Physical Harm. The act(s) of threatening or using words, gestures, or weapons to communicate an intent or strong desire to cause death, disability, injury, or physical harm upon a current or former intimate partner.

Intimate Partner Violence III: Psychological/Emotional Harm. Any acts, threats of acts, or coercive tactics used to degrade or control an intimate partner. This can include, but is not limited to, humiliation, controlling what another can and cannot do, withholding information, deliberately doing something to make an individual feel diminished or embarrassed, isolating someone from friends and family, and denying an individual access to money or other basic resources.

Stalking: Any course of harassing, threatening, or intimidating conduct that an individual has willfully and repeatedly (more than once) engaged in that reasonably and seriously alarms, torments, or terrorizes another individual or group of individuals. Stalking behaviors may include, but are not limited to repeated: abusive and excessive contact and/or monitoring using telephone calls, voice mails, emails, instant messaging, text messages, and/or social media to one's home or work; installing spyware on a person's computer or phone without consent; trespassing; following and/or threatening an individual or a person's friends and relatives; driving/walking by a person's home, school, and/or work; or vandalizing property.

Sexual Harassment: For the purpose of this policy, the College adapts the sexual harassment definition promulgated by the Equal Employment Opportunity Commission (EEOC) to the academic setting. Unwelcome sexual advances, unwelcome requests for sexual favors, and other verbal or physical behavior of a sexual nature constitute sexual harassment when:

1. Submission to or rejection of such conduct or communication is a term or condition of education benefits, academic evaluations, or opportunities
2. Submission to or rejection of such conduct or communication has the effect of substantially interfering with a student's education
3. Such conduct is sufficiently severe, pervasive, and objectively offensive as to have the effect of creating an intimidating, hostile or offensive environment sufficient to deny an individual education benefit of participant in activities

Sexual Misconduct: National/State Policies and Law

The Clery Act

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act ("Clery Act") is the landmark federal law, originally known as the Campus Security Act, which requires colleges and universities across the United States to disclose information about crime on and around their campuses. Go to the U.S. Department of Education's Higher Education website (<http://www.higheredcenter.org/policy/clery-act>) for more information.

As part of the Clery Act, St. Mary's College is required to:

- Provide students and employees with Timely Warnings of crimes that represent an immediate threat to their safety.
- Provide a yearly submission of the number of crimes, including sexual misconduct, which have been committed on the SMCM campus. This report does not include any identifiable information about the persons involved. All confidential reports are included in this data.
- SMCM's annual crime and fire safety report can be obtained at: <http://www.smcm.edu/publicsafety/annualreport.html>

According to the SMCM College attorney and the Clery Act, all professional staff that act as campus security authorities (including RAs, RHCs, OCPs, Student Activities, Judicial Affairs, SGA club advisors (faculty/staff), Orientation, Athletics and Recreation (including coaches), International Education, faculty study abroad coordinators, Academic Services, and administrators) (excluding Counseling and Health staff, clerical, maintenance, and food service staff) are required to assess if sexual misconduct has been reported to Public Safety. If it has not been previously reported, they are required to report the incident to Public Safety and/or the Dean of Students in a timely fashion.

Campus Sex Crimes Prevention Act

The federal Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement advising the campus community where information concerning registered sex offenders may be obtained. In Maryland, this information is accessible at the following website: <http://dpscs.md.gov/onlineservs/socem/default.shtml>.

Title IX

Title IX (1972) prohibits discrimination based on sex/gender in federally funded educational activities. Title IX is intended to protect students' rights to an education. When a student experiences sexual assault or sexual harassment, they are deprived of equal and free access to an education. It is the College's responsibility to amend the situation, including providing alternative housing if reasonably available and doing a Title IX investigation promptly following an allegation of sexual misconduct or sexual harassment. If a college or university is aware of, but ignores sexual harassment or assault in its programs or activities, it may be held liable by law through the U.S. Department of Education's Office for Civil Rights (OCR). Report any individual member of the campus who is discriminating in their response to a sexual response to the campus Title IX coordinator. Our Title IX coordinator's information can be found here:

Melvin McClintock

Assistant Director of Human Resources/AA/EEO Officer

Glendening Hall 170, 18952 E. Fisher Road, Saint Mary's City, MD 20686

240-895-4309

mamclintock@smcm.edu

If you feel that the College did not protect your right to an equal education, please contact the Office for Civil Rights at 800-421-3481.

Annotated Code of Maryland Criminal Law

To assess if a violation of law has occurred, a comprehensive list of Maryland Law pertaining to sexual assault can be obtained at:

Located under Code: “gcr” under Criminal law: <http://www.dsd.state.md.us/comar/AnnotIndex.aspx>

Or: <http://www.mcasa.org/law-public-policy/maryland-laws/>

Sexual Misconduct:

On and Off Campus Community Resources

Campus:

1. Office of Public Safety (240-895-4911, or ext. 4911)
 - Open 24/7
 - Confidential reporting
 - Silent witness form at: www.smcm.edu/publicsafety/silentwitness.html
2. Counseling and Health Services (240-895-4289, or ext. 4289)
 - Open Monday-Friday, 8a.m.-5p.m.
 - Non-reporting, anonymous reporting, confidential reporting
3. SMCM First Responders Network (301-904-2015)
 - Reachable 24/7 via phone or text message while students are on campus
 - Anonymous reporting
4. Sexual Assault/Wellness Advocate (240-895-4289)
 - Responsible for First Responder Network, Peer Health Educators, and Sexual Assault Prevention Education efforts
 - Non-reporting, anonymous reporting, confidential reporting
5. Office of Residence Life (240-895-4207, or ext. 4207)
 - Office open Monday-Friday, 8a.m.-5p.m.
 - After hours in emergencies reachable through RAs or Public Safety
 - Confidential reporting, housing accommodations for safety
 - All Residence Life staff are mandated to report Sexual Misconduct to Public Safety
6. Dean of Students (240-895-4208, or ext. 4208)
 - Office open Monday-Friday, 8a.m.-5p.m.
 - Confidential reporting
7. Office of Judicial Affairs (240-895-3181, 240-895-4208, or ext 3181 or 4208)
 - Office open Monday-Friday, 8a.m.-5p.m.
 - Confidential reporting

Community:

St. Mary’s Hospital*	Maryland State Police
234 Jefferson Street	Barrack T – Leonardtown
Leonardtown, MD 20650	23200 Leonard Hall Drive
301-475-8981	Leonardtown, MD 20650 301-475-8955

Calvert Memorial Hospital*	St. Mary's County Sheriff's Office
100 Hospital Road	23150 Leonard Hall Drive
Prince Frederick, MD 20678	Leonardtown, MD
410-535-4000	301-475-4200 x1900
MCASA	Walden-Sierra, Inc.
(Maryland Coalition Against Sexual Assault)	44871 St. Andrews Church Road
410- 974-4507	California, MD 20619
www.mcasa.org	301-863-6670
-Resources for Survivors	<i>Crisis Hotline: 301-863-6661</i>
-Legal Services (SALI)	-Confidential Advocacy & Trauma Counseling

* *Sexual Assault Forensic Exams are provided at the hospitals*

Sexual Misconduct Responding

Person responding to a student:

-If you are speaking with an individual and they inform you that they have been sexual assaulted, harassed, or have experienced violence, reassure them that it is not their fault. Listen, but do not press for details.

-Assess if there is still a danger to the campus community (weapon or force used). If a danger to the community exists, or they need immediate medical attention contact Public Safety immediately.

-Ask the person if they have already reported or are willing to report the incident to Public Safety, the First Responder Network, Counseling and Health Services, the local police, and/or Walden Sierra.

Student Willing to File a Report

1. Advise the student that he/she may contact the First Responders Network for peer support on campus (301-904-2015). The First Responder can contact the Sexual Assault/Wellness Advocate, provide resources, accompany the student to the hospital, and be a peer advocate.
2. When the student is ready, contact Residential Life Staff or Public Safety at ext. 4911 or 240-895-4911 and inform them that you are with a student who has been sexually assaulted and that they are willing to file a report.
3. Reassure the survivor that contacting Public Safety and/or the police does not commit her/him to continue legal or judicial action. It means that evidence can be collected which can be used later if the survivor decides to pursue either criminal charges or judicial action through the College.
4. Encourage the survivor to seek medical attention if there is a possibility of injuries and a Sexual Assault Forensic Exam at a local hospital if the assault occurred within the past 72 hours. Advise her/him that evidence of sexually transmitted infections or pregnancy may not be apparent for several weeks or months and follow-up appointments may be necessary.
5. Advise the survivor that she/he may contact the Walden-Sierra 24-hour Crisis Hotline (301-863-6661) to arrange for a volunteer to meet and accompany the survivor or be an advocate.

Student Unwilling to File a Report

1. Do not notify Public Safety staff or other Campus Security Authorities.

2. Advise the student that he/she may contact the First Responders Network for peer support on campus (301-904-2015). The First Responder can contact the Sexual Assault/Wellness Advocate, provide resources, accompany the student to the hospital and be a peer advocate without filing a report with public safety if that is the wish of the survivor. First Responders will complete an anonymous report that is shared only with the Sexual Assault/Wellness Advocate (and the Director of Counseling if appropriate).

3. Advise the student that he/she may contact Counseling and Health Services (240-895-4289) for advocacy, support, or therapy. Counseling Services and Health Services staff are not required to report incidents of sexual misconduct.

3. Encourage the survivor to seek medical attention and/or a SAFE exam at a hospital if the assault occurred within the past 72 hours or if there is a possibility of injuries. Advise her/him that evidence of sexually transmitted diseases or pregnancy may not be apparent for several weeks or months and follow-up appointments may be necessary. The First Responder Network, Counseling Services staff, or Walden Sierra can assist with accompanying the survivor to the hospital.

4. If the survivor is unwilling to contact on-campus resources, with the consent of the survivor, contact the Walden-Sierra 24-hour Crisis Hotline (301-863-6661) to arrange for a volunteer to meet, speak with, and/or accompany the survivor to the hospital.

Reporting Sexual Misconduct

Note that Campus Offices have different legal requirements regarding reporting.

Students should contact one of the following offices if they are the victim of a sexual misconduct offense:

1. The Sexual Assault/Wellness Advocate and Counseling Services provides professionally trained clinicians to offer advocacy, support, therapy and guidance. Health Services provides medical attention and referral to campus and community resources. To reach Counseling Services and Health Services during regular business hours please call 240-895-4289. During academic terms and after regular business hours a member of the Counseling or Health Center staff can be reached by contacting either Public Safety 240-895-4911 or a member of the Residence Life Staff and asking to have the counselor contacted. The Sexual Assault/Wellness Advocate can also be contacted by calling the First Responder Network.

- **Non-reporting on campus.** No requirement that the information result in a Timely Warning. No report is generated nor is the incident included in the campus crime statistics or Clery report unless the survivor desires to.

2. First Responder Network (FRN) is a group of students specially trained in sexual misconduct crisis response protocols who provide on-call services 24 hours a day, 7 days a week when school is in session. FRN can be reached at 301-904-2015 by calling or text message. The FRNs can assist with reporting options, advocacy, on and off campus resources, and accompaniment to the hospital.

- **Anonymous reporting on campus.** A Timely Warning may go out if needed and the incident will be reported to the Sexual Assault/Wellness Advocate.

3. Residence Life Staff (240-895-4207 or the staff member on duty or on call) and the Dean of Students Office (240-895-4208) are trained to respond to all kinds of student emergencies, and can quickly connect you to other resources on- and off-campus. All Residence Life and Dean of Students Office staff are required to report any incidents of sexual misconduct to Public Safety. Residence Life and Dean of Students Office Staff can also assist with contacting the FRN, the Sexual Assault/Wellness Advocate, or Counseling and Health Center staff.

- **Confidential reporting on campus.** A Timely Warning may go out and the incident will be included in the Clery statistics. The names of the students involved will be kept in the strictest of confidence, sharing only with those who need to know to be able to provide support and guidance.

4. Public Safety (240-895-4911) is a place to file an on-campus report and start an on-campus investigation. Public Safety will contact the First Responder Network or the Sexual Assault/Wellness Advocate when an incident of sexual misconduct is reported. Public safety can assist with contacting the St. Mary's County Sheriff's Office if the survivor requests a criminal investigation to be initiated. If the survivor does not wish for the Sheriff's Office to investigate, Public Safety Officers will notify the Sheriff's office of the incident and the fact the victim requests to remain anonymous (in accord with the Memorandum of Understanding between St. Mary's College of Maryland and Office of Public Safety and the St. Mary's County Sheriff's Office of March, 2011).

- **Confidential reporting on campus.** A Timely Warning may go out and the incident will be included in the Clery statistics. The names of the students involved will be kept in the strictest of confidence, sharing only with those who need to know to be able to provide support and guidance.

5. Campus Security Authorities (CSAs) are campus officials who have significant responsibility for student and campus activities. In addition to Residence Life, the Dean of Students Office, and Public Safety, Campus Security Authorities include: Student Activities, Judicial Affairs, SGA club advisors (faculty/staff), Orientation, Athletics and Recreation (including coaches), International Education, faculty study abroad coordinators, Academic Services, and administrators. CSAs are trained to respond to all kinds of student emergencies, and can quickly connect you to other resources on- and off-campus. CSAs are required to report any incidents of sexual assault to Public Safety. CSAs can also assist with contacting the FRN, the Sexual Assault/Wellness Advocate, or Counseling and Health Center Staff

- **Confidential reporting on campus.** A Timely Warning may go out and the incident will be included in the Clery statistics. The names of the students involved will be kept in the strictest of confidence, sharing only with those who need to know to be able to provide support and guidance.

6. The Walden Sierra 24-hour Crisis Hotline (301-863-6661) can be contacted day or night. Walden Sierra can provide advocacy, accompaniment to the hospital, crisis counseling, or on-going therapeutic support.

- **Anonymous reporting off campus.** No requirement that the information results in a Timely Warning or is included in the campus statistics. Walden Sierra is not required to report the incident to the Sheriff's Office or State Police.

7. St. Mary's Hospital (301-475-8981) and Calvert Memorial Hospital (410-535-4000) provide Sexual Assault Forensic Exams. All costs of these exams are free to the survivor and are provided by trained Sexual Assault Nurse Examiners. Neither the Police nor the Sheriff's Office will be contacted by the hospital unless the survivor desires to have them involved. If the survivor desires to obtain a SAFE exam, which is the best method of evidence collection, it is ideal if the survivor does not shower, use the bathroom, clean their body in anyway, and preserves any clothing including undergarments in a paper bag to bring with them to the hospital. The First Responder Network, the Sexual Assault/Wellness Advocate, and Walden Sierra can all provide accompaniment to the hospital. The student should notify the person to whom they are reporting the incident if she or he needs a ride to the hospital.

- **Anonymous reporting off campus.** No requirement that the information results in a Timely Warning or is included in the campus statistics. The hospital is not required to report the incident to the Sheriff's Office or State Police. SAFE exams are anonymous and are kept for the minimum of 90 days as required by law.

8. A report can be filed with the Maryland State Police (301-475-8955) or St. Mary's County Sheriff's Office (301-475-8008). These law enforcement agencies will work in conjunction with the College, so the Clery requirements are present. Remember, in filing a criminal report, it is important to preserve criminal evidence and obtain a Sexual Assault Forensic examination at a hospital within 72 hours of the incident. At any time after a report is made, it may be withdrawn from further action at the discretion of the survivor.

- **Confidential reporting off campus.** A Timely Warning may go out and the incident will be included in the Clery statistics. The names of the students involved will be kept in the strictest of confidence, sharing only with those who need to know to be able to provide support and guidance.

SMOKING

St. Mary's College of Maryland establishes the following policy regarding the smoking and use of tobacco products. The Governor's Executive Order (01.01.1992.20) establishes guidelines upon which the St. Mary's policy is based.

I. Policy

A. Buildings

Smoking or carrying any lighted tobacco product is prohibited in all state buildings and facilities.

B. State Vehicles

Smoking is prohibited in all state vehicles.

C. Residence Halls, Suites, Apartments, and Townhouses

Smoking is prohibited in all areas of all residential facilities.

II. Enforcement

A. Responsibility

All employees and students share in the responsibility for adhering to and enforcing this policy and have the responsibility for bringing it to the attention of visitors.

B. Conflict resolution

The Office of Human Resources is responsible for resolving conflicts and investigating claims of employees. The coordinator of Student Activities and Judicial Affairs is responsible for resolving conflicts and investigating claims of students.

- C. Disciplinary procedures
 - 1. For an employee found in noncompliance, the following shall result:
 - a) For the first offense: be directed to Human Resources for counseling on the provisions of the Executive Order (verbal warning).
 - b) For the second offense: be given a written reprimand.
 - c) For a third offense: receive a suspension.
 - d) For a fourth or subsequent offense: may result in termination of employment.
 - 2. For a student found in noncompliance, an incident report may be forwarded to the judicial affairs officer for adjudication.

SOLICITATION, SELLING, AND COLLECTING CONTRIBUTIONS POLICY

In order to protect the St. Mary's College of Maryland community, specific authorization for soliciting, selling, or collecting contributions must be obtained from the assistant dean of students for Student Activities and/or the associate dean of students/director of Residence Life, depending on the nature of the activity. Requests should include a complete description of the proposed activity and must be signed by the individual or a representative of the organization. This policy applies to students and non-students who desire to sell merchandise, goods, services, food, and/or drinks at any location on the St. Mary's campus.

Definitions:

- A. Commercial activity is any sale or offer of sale to secure a profit for an individual or group. Such activities generally will be prohibited unless necessary to St. Mary's College of Maryland purposes. Persons seeking approval of a commercial activity on the grounds that it is necessary to St. Mary's College of Maryland purposes will be required to furnish complete details of the proposed activity, including the extent of their financial interest to the assistant dean of students for Student Activities. Student organizations can sponsor commercial sales on campus under the following guidelines:
 - 1. A vendor who wants to sell items on campus must complete a vendor application prior to the requested date. The cost is \$25 per day plus 10% of sales over the first \$250. Payment must be made the day of the event in cash or by check made payable to SMCM.
 - 2. Students wishing to engage services in their residence for personal care products (e.g. Mary Kay, Avon) for a specified guest list must obtain prior permission from the associate dean of students/director of Residence Life at least two weeks in advance.
- B. Non-commercial activity is defined as any sale or offer of sale to (1) secure funds for benefit of any non-profit organization, or (2) any non-profit sale. The assistant dean of students for Student Activities or designee must approve activities for the benefit of student organizations or charitable organizations. If the activity is proposed to take place in a residence (e.g. a canned food drive), the associate dean of students/director of Residence Life must also approve the activity. Standards for considering a request may include one or more of the following:
 - 1. Students offering a service (for example, Avon sales, bus ticket sales, or other sales activities) to members of the St. Mary's community in order to provide funds for their own education must obtain permission from the assistant dean of students for Student Activities or designee.
 - 2. The activity must not be disruptive and must be conducted only in areas and at times approved by assistant dean of students for Student Activities. Room-to-room solicitation in any building on campus is prohibited.
 - 3. The activity must be conducted in an acceptable and business-like manner. All vendors are required to set up in the first floor lobby of the Campus Center or on the first floor patio of the Campus Center.
 - 4. Materials sold must not be harmful, and perishable goods must be handled properly.
 - 5. If the materials sold require equipment for preparation or dispensing, such equipment must be approved at the time permission for the activity is granted.
 - 6. The sale of merchandise to raise money for political or partisan purposes is prohibited.

Failure to obtain authorization or to comply with these regulations may result in disciplinary action against the student or student organization. Other persons or non-student organizations in violation of the terms of this policy will be dealt with as trespassers. This policy does not apply to the sale or distribution of newspapers. The sale or offering of personal property or personal services rendered (sewing, typing, etc.) by individual members of the academic community is not within the scope of this policy as long as the property in question was not bought for the purpose of resale.

POLICY ON WEAPONS AND DANGEROUS OBJECTS

Firearms, air rifles or pistols, BB guns, knives with blades three inches or longer, explosives, fireworks, dangerous chemicals, or other illegal weapons are strictly prohibited on College premises. Kitchen knives with blades three inches or longer are only excepted from this policy when used

exclusively for food preparation/consumption in residences with kitchens. If a weapon or other dangerous object is found, the item(s) will be confiscated and the student may be addressed through the judicial system or the Maryland courts.