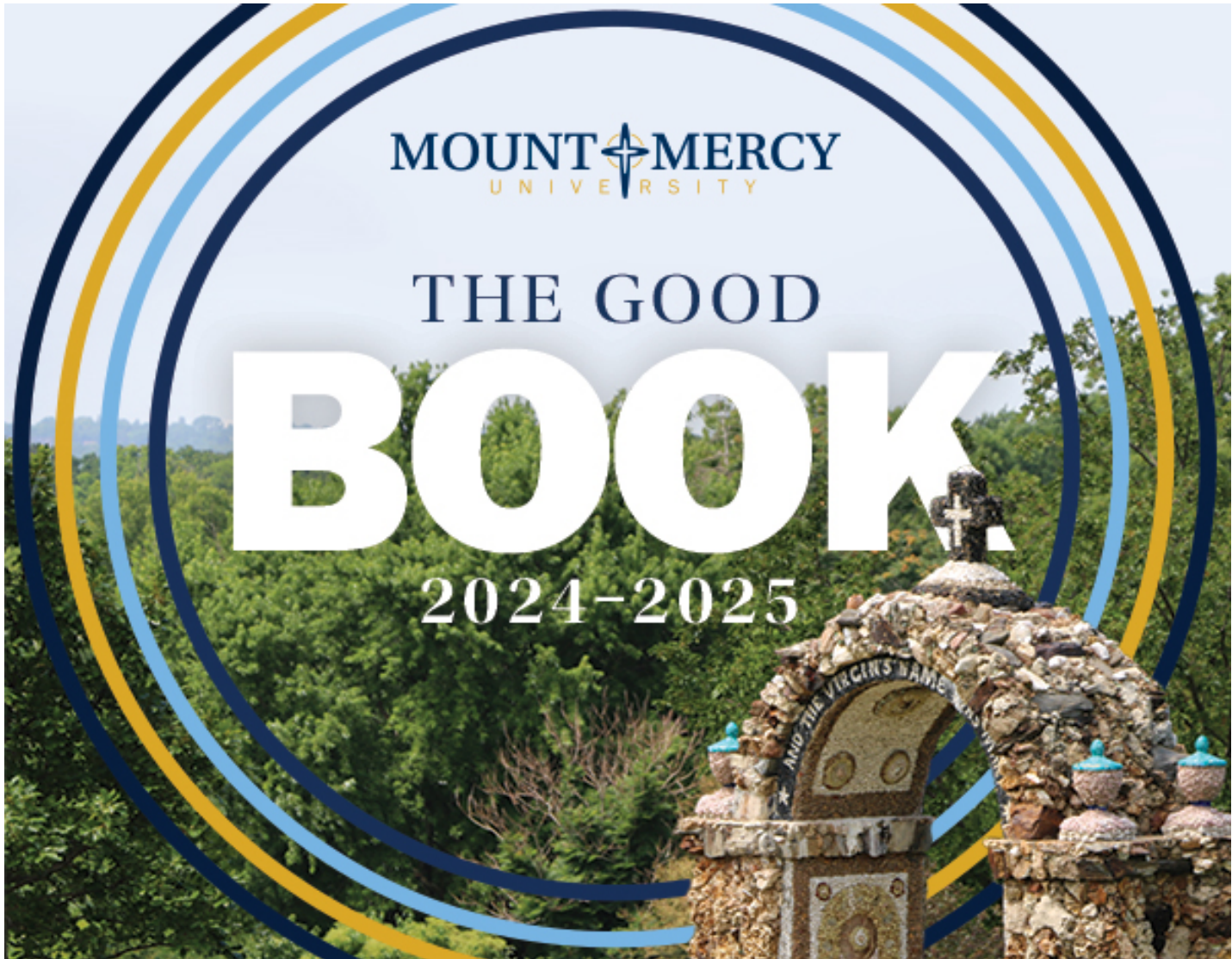


The Good Book



Welcome

Welcome to Mount Mercy!

The Good Book is a guide to the policies and principles that shape and regulate our community, one that is dedicated to the pursuit of knowledge and excellence. The policies and regulations articulated in this handbook have been developed over time to serve the Mount Mercy University community as it pursues its academic endeavors of teaching and learning.

We have found these policies to serve both the institution and the individual student well. As a member of this community we expect that you will understand and abide by these principles and policies, helping assure an environment in which all can thrive.

This handbook also provides you with additional information to help you achieve success while you are a member of the Mount Mercy community. We have many services in place that we hope you will utilize. Our faculty and staff stand ready to help and look forward to working with you as you pursue your educational goals.

Mission and Goals

Mount Mercy University Mission and Goals

Mount Mercy is a Catholic University that provides student-focused education in the spirit of the Sisters of Mercy and welcomes people of all beliefs to join our community in pursuit of baccalaureate and graduate education and compassionate service to those in need. We strive for excellence in accomplishing our mission through four interdependent goals:

Using reflective judgment

The ability to think clearly and carefully, argue coherently, and evaluate competing truth claims critically are fundamental to a college education.¹ Reflective judgment requires a knowledge of basic fact, examination, and evaluation of assumptions; adequate justification for drawing a conclusion; and understanding the implications of drawing that conclusion. With these skills, individuals can solve problems creatively and integrate knowledge across disciplines.

Engaging in strategic communication

Strategic communication requires selecting from a range of options to accomplish a chosen goal in an ethical manner.² These options include construction and interpretation of messages in the written, oral, and aesthetic forms using appropriate technology.

Serving the common good

The common good is at the heart of Catholic social teaching. Because people are social by nature, every individual's good relates necessarily to the common good, the sum of social conditions that allows all people to reach their human potential more fully.³ It includes respect for, and ethical interaction with, every person and the natural environment and, in the spirit of the Sisters of Mercy, service for the well-being of all humanity and action in the cause of justice in the world.

Promoting purposeful living

A liberal education enables students to achieve a greater degree of freedom upon which to act purposefully. Since development of purpose entails planning for life based on a set of priorities,⁴ Mount Mercy University provides opportunities for spiritual growth, intellectual engagement, vocational clarity, social development, physical well-being, emotional maturity, and responsible community leadership.

1 P. M. King, and K. S. Kitchener, *Developing Reflective Judgment: Understanding and Promoting Intellectual Growth and Critical Thinking in Adolescents and Adults* (San Francisco: Jossey-Bass Publishers, 1994).

2 S. Morreale, R. Rubin and E. Jones, "Speaking and Listening Competencies for College Students"; available from National Communication Association website, http://www.natcom.org/Instruction/assessment/CollegeComp/college_competencies.htm; Internet; accessed 07 March 2005.

3 Catechism of the Catholic Church (Washington, D. C.: United States Catholic Conference, 2000), sections 1905-1912.

4 Arthur Chickering and Linda Reisser, *Education and Identity* (San Francisco: Jossey-Bass Publishers, 1993), 50.

Our Values

As members of the Mount Mercy University community, grounded in the tradition of the Sisters of Mercy and our Catholic identity, we are committed to:

Lifelong learning and education of the whole person We believe that education is a lifelong experience where learning empowers the whole person, intellectually, spiritually, emotionally, and physically.

Pursuit of truth and dignity We foster free inquiry in a compassionate culture where our dedication to faith, truth and Mercy supports the dignity of each person within the human community.

Commitment to students We acknowledge and affirm that our students' needs are central to decisions that affect community life.

Justice We advocate for equality by actively creating just and healthy relationships in our learning community and in our global society.

Gratitude We celebrate with humility all gifts and talents bestowed by God and faithfully share these blessings with the wider community.

Hospitality We accomplish our work in the spirit of Catherine McAuley's graciousness and inclusion that welcomes all people and perspectives.

Service We instill a sense of responsibility and caring that calls us to serve the common good.

Approved by Board of Trustees April 28, 2007

Amended by Board of Trustees August 17, 2010

Mission and Ministry

The Department of Mission and Ministry has particular care for promoting and celebrating the mission, goals, vision and values of Mount Mercy. It identifies and reflects the key aspects of Mount Mercy's Catholic identity and Mercy mission, calling forth the characteristics celebrated by the Sisters of Mercy and voicing the heritage and mission of the University.

Sr. Linda Bechen, a Sister of Mercy, serves as the Vice President for the Department of Mission and Ministry.

The Department champions Mount Mercy's Catholic identity through expressive articulations of faith, infusing Mercy into core aspects of students' lives and empowering them to discover and articulate this meaning for themselves. The Department of Mission and Ministry works to introduce students to the heritage and values of Mount Mercy through a variety of experiences, including class presentations, orientation programs, service outreach opportunities, special events, and conversations with the Sisters of Mercy.

Mercy and Mission Week, held every fall, celebrates the mission and vision of the Sisters of Mercy, with fun and engaging activities that highlight Mount Mercy's Catholic heritage and allows the campus community to join in an expression of that meaning.

Within the department, Mount Mercy community has the Vice-President of Mission & Ministry, the Residential Chaplain (a Catholic priest), the Campus Minister, the Coordinator of Service and Volunteerism, and the Coordinator of Liturgical Music, available to respond to needs. They are supported through the work of resident peer ministers (students) who directly work with students in the dorms in small group settings.

All are working to create a community atmosphere where faith and beliefs can come together and be celebrated in meaningful ways.

Hospitality, which is the heart of our Catholic Mercy university, welcomes all people with diverse backgrounds, faith traditions, and perspectives.

Departments

Academic Center for Excellence (ACE)

ACE provides academic support services for students to develop scholastic confidence through the strengthening of academic skills and habits. Providing a quality learning and studying environment, ACE is Mount Mercy's one-stop academic center for students. Working collaboratively with faculty members and other resources on campus we assist students with identifying university supports to provide the guidance, encouragement, and foundation needed to be successful at Mount Mercy and beyond.

Access and Disability Services

The Access & Disability Services Office, located in ACE, is a resource for students who are seeking accommodations based on an identified disability or chronic medical condition. Students who may be eligible for an accommodation plan are encouraged to reach out to the Access & Disability Services Coordinator to set up an appointment to learn more about the accommodation process.

ACE resources and support services are available without cost to all currently enrolled students.

Content and Writing Tutors are available on a walk-in basis throughout the week to assist students. Flexible appointment scheduling is also available as needed. For more information, go to ACE ([mtmercy.edu](https://www.mtmercy.edu)) (<https://www.mtmercy.edu/info-for/current-students/academic-support/ace/index/>).

Admissions

The Admissions Office works with students looking to gain entry to MMU as a student in any of the undergraduate or graduate level programs.

Athletics

Mount Mercy's intercollegiate athletic programs are open to all students and are designed to develop leadership, self-discipline, and sportsmanship in the academic environment of a small, independent university. Facilities include the Hennessy Recreation Center, the Rinderknecht Athletic Complex and the Robert W. Plaster Outdoor Sports Complex. Teams are members of the Heart of America Athletic Conference, and the programs are governed by the rules of the National Association of Intercollegiate Athletics (NAIA). Men compete in basketball, baseball, golf, soccer, cross country, bowling, indoor/outdoor track and field and volleyball. Women compete in basketball, softball, volleyball, golf, cross country, soccer, bowling and indoor/outdoor track and field, and lacrosse. Competitive cheer & dance is a coed sport.

Campus Music

Music Ensemble opportunities are open to all Mount Mercy students regardless of major. Choral Ensembles available for credit or non-credit include the University Choir, Jazz Choir, and Show Choir. Instrumental ensembles available for credit or non-credit include the University Band and Jazz Band, with additional performance opportunities in our Pep Band. All ensembles perform regular concerts both on and off campus, with the University Choir, Show Choir and University Band alternating on yearly tours. Choral participation is also available in the Music Liturgy Ensemble that sings for Sunday evening Masses. Smaller instrumental ensembles are also available.

Copy Services

Copies can be made at the Mount Mercy Copy Center located in the lower level of Busse Library.

Dining Services

Mount Mercy's meal plans offer 12 hours of continuous dining service each weekday to provide students with maximum flexibility in fulfilling their dining needs. The cafeteria is open from 7:00 a.m. until 7:00 p.m. during the week. Weekend cafeteria hours begin with brunch at 10:30 a.m. and last until 6:00 p.m. at night. Students on Meal Plans will be asked to scan their ID cards. Non-board plan customers may pay with cash, credit cards, or purchase Declining Balance dollars online or at the Dining Service Office. All meals are provided in an all-you-can eat format and enable students to make food choices that best suit their preferences and lifestyles. The breakfast hours are filled with options such as cooked to order omelets, as well as eight cold cereals, assorted bagels, 100% fruit juices, and fresh baked pastries. Lunch and dinner service hours feature a home zone, presentation, and grill service lines. Also included in our home zone service line are vegan and vegetarian entrées.

During the week, a presentation cooking station is provided and serves popular items like fajitas, made to order pasta dishes, stir fries and Caesar salads topped with chicken. These presentation entrees are made to order and our guests get to choose their toppings, ingredients and selections to fit their own unique tastes. Extended dining options always include a 24-topping salad bar with two kettle fresh soups, a selection of lettuces, dressings, and salads prepared fresh daily. A full deli bar provides the choice of several meats, cheeses, breads, and sandwich spreads such as tuna or egg salad.

For Dining Service Menus and Information please visit <https://mtmercy.campusdish.com/> or download our CampusDish App for your Smartphone.

Dining Services will allow students to take a meal to-go if students are unable to make a mealtime. If Mount Mercy-sponsored activities prohibit them from participating in a mealtime on campus, they can stop in early and make their own to-go meal. The to-go policy is an either-or policy. You are not allowed to eat in the cafeteria for a meal and then take an additional to-go for that same meal period. Contact the Dining Service management team for any special dietary needs. A complete guide to dining services is provided to new students and additional copies are available in the Dining Service Office, University Center.

Additional retail dining options are provided at the Hilltop Grille and our Catering Dept provides services for all special events on campus.

****The hours listed below are subject to change. Many aspects of our service model, hours, locations, and customer experiences have changed throughout the Covid 19 pandemic, we have increased our to-go options in the cafeteria, and adjusted hours however our hope is that in the '23-24 academic year we can return to a more traditional experience for all guests. For a up to the minute list of locations and hours of operation, please visit <https://mtmercy.campusdish.com>.***

Location Hours

McAuley Cafeteria Located between Regina and McAuley Halls, next to the University Commons

Monday–Friday: 7 AM–7 PM

- Hot Breakfast 7:15 AM–9:15 AM
- Hot Lunch 11 AM–1 PM
- Hot Dinner 4:45–7 PM

Saturday Brunch: 10:30 AM–Noon

Saturday Dinner: 4:30 PM–6 PM

Sunday Brunch: 10:30 AM–Noon

Sunday Dinner: 4:30 PM–6 PM

The Hilltop Grill Ext. 1572

Located adjacent to the Dining Room

Monday - Friday: 8 a.m. - 4 p.m.*

Residential Meal Plans

Meal Plan purchases and access are tied to your Mount Mercy student photo ID and an ID is what a student will use to "swipe" to gain access to the cafeteria or utilize their Declining Balance in the Hilltop Grille.

VIP Meal Plan *This is the assigned meal plan for 1st and 2nd year residential students who live in McAuley or Regina Hall

The VIP All Access meal plan gives you unlimited access to the Dining Hall, \$100 Declining Balance dollars to use at any dining location and 5 guest passes in the fall/spring semester.

Mustang Meal Plan *for 3rd and 4th year students that live in Andreas or Lower Campus and have access to suite kitchens.

The Mustang meal plan gives you 7 meals to use per week at the Dining Hall, \$125 Declining Balance dollars to use at Hilltop Grille and 3 guest passes in the fall/spring semester.

Commuter Meal Plans

20+ Meal Plan

For \$120.00 you receive 20 board access swipes into the McAuley Cafeteria. Cuts the cost of an all-you-can-eat meal in the café to \$6.00 per entry.

\$200 Declining Balance Plan

Add \$200 Declining Balance to your student ID card and receive an additional 10% bonus of \$20 to use in either the Hilltop Grille retail location or all-you-can-eat Cafeteria. Any student, faculty or staff member can add the \$200 DB to their student/employee IDs at any time during the Academic year.

Library Services

Busse Library is physically open 72 hours per week during spring and fall semesters. It is open virtually 24/7 online with access to electronic resources through Brightspace (<https://brightspace.mtmercy.edu> (<https://brightspace.mtmercy.edu/>)). The building is 65,000 square feet, providing access to nearly 84,000 volumes. There are 35 computers on the Reference Area, 20 PCs in the downstairs Computer Classroom, and a Mac computer lab. Additional details on library collections, services, and personnel can be found via the university website ((<https://www.mtmercy.edu/info-for/current-students/academic-support/busse-library/index/>)Busse Library (<https://www.mtmercy.edu/info-for/current-students/academic-support/busse-library/index/>)).

Mail Services

The Campus Store is a fully functioning mail center that receives and ships ALL university mail and packages. Students will receive an email notification when mail or package(s) are ready for pick, and department mail will be delivered and outgoing mail collected daily during business hours.

Registrar's Office

The staff members in this office oversee registration, grade submission, transcript ordering, enrollment verification, transfer credit evaluation and graduation. They also handle veteran and athletic certification. If you have any needs you can email them at registrar@mtmercy.edu.

FERPA

Annually, Mount Mercy informs students of the Family Educational Rights and Privacy Act of 1974. This Act was designated to protect the privacy of education records, to establish the rights of students to inspect and review their education records, and to provide guidelines for the correction of inaccurate or misleading data through informal and formal hearing process. Students also have the right to file complaints with the Family Educational Rights and Privacy Act Office (FERPA) concerning alleged failures by the institution to comply with the Act. For more detailed information or questions concerning the Family Education Rights and Privacy Act, please contact the Registrar's Office.

More information » (<https://www.mtmercy.edu/info-for/current-students/registrar/ferpa/>)

Financial Aid and Student Accounts Office

For any concerns or questions about financial aid or billing you can contact the Financial Aid Office, located in Warde Hall, room 112. Students can call ext. 1845 or email finaid@mtmercy.edu for support and assistance. They work with prospective students, current students, and graduates to make the financial aid process as user-friendly as possible.

Every student who applies for financial aid will receive an award package, also known as an award offer. The award offer will list all Institutional, State and Federal grants and scholarships you are eligible for as well as federal student loans. The award offer includes a Direct Cost section which can assist you in determining if you have a balance due to the university.

If you have any questions regarding billing or payment options, you should also contact a student accounts representative within the Student Accounts team. Financial Aid Counselors are available to assist you with budgeting for expenses and answer any questions you may have regarding the financial aid process.

Prior to graduating, any student who has borrowed on Federal loans while attending Mount Mercy will be required to attend an exit counseling session. This session will explain how to pay back loans, what can happen if you default on your loans, loan consolidation and much more. It is mandatory for all graduating students to attend an exit counseling session. The Financial Aid Office will notify you of dates and times these sessions are offered.

Campus Ministry

Housed in the Chapel of Mercy area in Busse Center, the Campus Ministry area is one that witnesses hospitality to all on campus. Campus Ministry is open and welcomes all . . . all who share diversity in thought, perspective, faith, or belief. The lounge offers space for study, relaxing, or gathering. The Chapel invites prayer, quiet reflection and worship. A variety of student-focused and student-generated activities are hosted by Campus Ministry throughout the year to tap into people's desire for a healthy relationship with God, self, and others.

As a Catholic Mercy university, we promote purposeful and merciful living through our Mercy values. This is supported through the framework of our Catholic Identity: Catholic Intellectual Tradition and Catholic Social Teaching. The Catholic Intellectual Tradition gives us a world view that inspires innovative thinking, probing inquiry, supportive interaction, and a strong belief in diversity – including religious diversity. Our Catholic Social Teaching articulates principles to assess our current realities and empower us to respond to needs before us. On Mount Mercy's campus, this is through the Critical Concerns of the Sisters of Mercy – Racism, Non-violence, Women, Immigration, and Care for the Earth.

- Masses are held on Sunday evening and one weekday. Please check website for up to date information.
- Sacramental preparation
- Reconciliation (confession)
- Inter-faith and inter-religious worship services
- Retreats and vocation discernment activities
- Pastoral Visits for support & prayer
- Service and volunteer opportunities at home and away
- Formation in social justice
- Education for growth in one's faith
- Campus Peer Ministry
- Residential Peer Ministry
- Music Ministry for worship and spiritual growth

We are available if you want to talk, have someone to pray with, and/or need prayer support and/or spiritual companion.

Below are helpful links to remain up to date on current events:

Facebook: [MountMercyMissionMinistry](#)

Twitter: [@MMUMinistry](#)

<http://www.sistersofmercy.org/>

www.vatican.va (<http://www.vatican.va/>)

www.bustedhalo.com (<http://www.bustedhalo.com/>)

Student Governance and Communication

Student Government Association

The Student Government Association (SGA) represents the Mount Mercy student body and serves as the umbrella organization for other campus recognized student organizations. It is the official voice of the student in Mount Mercy governance. Membership is open to all Mount Mercy undergraduate students, and SGA members serve on institution-wide committees and provide students' viewpoints to faculty and staff. Officers are eager to hear from all students and to assist them in every way possible. The SGA office is located in the University Center and can be reached at sga@mtmercy.edu.

Recognized student clubs and organizations are overseen by SGA. For Mount Mercy policies pertaining to them, go to the SGA page (<https://www.mtmercy.edu/undergraduate/campus-life/activities/student-government/>) on the Mount Mercy University website.

MMU Times Student News Media

The Mount Mercy Times is a key source of information about campus events and issues. A student staff is responsible for writing, editing, advertising, and business management of the online newspaper, available 24/7 at mmutimes.org (<https://mountmercytimes.home.blog/>). The Times office is located in the Lower Busse Center. If you have ideas for a Times article, you can email the editor at times@mtmercy.edu. The Times website features "Times TV" news reports, photo galleries and other multimedia content, including news stories, features and opinion articles. Any student at MMU, regardless of major, is eligible to join the staff of the Times. See the Times online at Mount Mercy Times – An Online Student News Organization (<https://mountmercytimes.home.blog/>).

Student Services

Dean of Students Office

The Dean of Students is committed to helping all students at Mount Mercy University reach their fullest potential in and out of the classroom. MMU's Dean of Students oversees the Student Services department and coordinates individualized support for students by providing a variety of student support services along with opportunities to reflect, engage, serve and live a life of purpose on and off-campus. The Dean of Students oversees the conduct process, supports the Title IX process, and all departments found on this page. The Dean of Students Office is located in the Student Services suite on the second floor of the University Center.

CARE

The CARE team is Mount Mercy's behavioral intervention team. CARE stands for Campus Assessment Resource and Education. Living, learning, and working at Mount Mercy can be stressful and sometimes the reason behind someone who is disruptive, threatening or irrational. The CARE team provides assistance to the University community to help assess and find solutions for managing distressing, disturbing, or disruptive, and dangerous behaviors. Mount Mercy is committed to providing a quality learning environment. Faculty, staff, friends and family will often be the first to encounter a person who is in distress. Encouraging and helping the student to seek assistance with the appropriate campus and community resources is important. Possible topics of concern for your friend, classmate, teammate or colleague:

- Abusive relationships
- Aggression
- Anxiety
- Bias/Hate Crimes
- Bullying
- Demanding behaviors
- Depressions
- Disruptive behaviors
- Discrimination
- Disordered eating
- Grief
- Harassment
- Hazing
- Domestic/Dating violence
- Learning disabilities
- Self Harm (example: cutting)
- Sexual assault
- Substance abuse
- Suicide

If you are concerned about someone, consider submitting a CARE report. Ask yourself:

- Is this person's behavior distressingly out of the ordinary?
- Is this beyond my skill level?
- Is the behavior getting worse?
- Does the behavior place anyone at risk?
- Have I attempted to intervene with little success?

If you answered yes to any of these questions submit a CARE report (<https://www.mtmercy.edu/care-form/>) and the CARE Team will work to provide support and assistance to the person in need!

Career Services

Contact the Director of Career Services at ext. 1620 for personal coaching and access to tools and resources that support your professional growth. From identifying how your natural aptitudes align with different majors and careers and creating resumes, cover letters, Handshake, and LinkedIn profiles to preparing for interviews and helping with graduate school applications—Career Services is available to you throughout the internship and job search process as well as to Mount Mercy alumni.

Handshake, known as the #1 way for college students to find jobs and internships, is an online career service and job search tool available to all students and alumni. To log in, go to mountmercy.joinhandshake.com (<http://mountmercy.joinhandshake.com/>) and access local and national internship and job opportunities as well as personalized job recommendations based on your skills, majors, and interests. Career Services is located in the Student Services suite of the Sisters of Mercy University Center. Make an appointment or drop-in to discuss what's next in your professional journey.

Counseling Services

Counseling Services provides confidential counseling to enrolled students. Counseling Services are intended to be short-term and solution-focused in nature. Students and Counseling Services staff will work together to establish appropriate goals. The Counseling Services office is located in the University Center, UC 210, just across from the McAuley elevator. The Director of Counseling Services' Office is located in the Student Services suite on the upper level of the University Center. A licensed counselor or graduate intern assists students in setting/attaining goals and problem solving, and provides support and encouragement to students. Students utilize the service for assistance with a variety of personal and interpersonal issues*, such as stress management; interpersonal conflict; depression/anxiety; building healthy relationships; assertiveness and self-worth; homesickness; dating or marital relationship issues; sexuality; indecision about future/career; general mental wellbeing; and more. Since the services provided are short-term in nature, the provider will also facilitate referrals when necessary. Counseling Services also works with a variety of community partners and occasionally have additional resources available to students. To make an appointment or for more information about our community partners, visit the MMU Counseling Services (<https://www.mtmercy.edu/campus-life/health-wellness/counseling-services/>) website.

**MMU Counseling Services does not prescribe or manage medications.*

Department of Diversity, Equity and Inclusivity

This office consults with international students on their immigration status and serves as a contact throughout their enrollment at Mount Mercy University. This office helps students with such tasks as obtaining a social security number, opening a bank account, and receiving a driver's license. The International Club serves as a campus organization for all students interested in learning about different cultures and nationalities around the world.

This office also offers the Multicultural Fair and Experience. This annual event provides the entire campus community an opportunity to celebrate both multicultural and international diversity on campus. If

you have any questions, please contact our Student Services Office (University Center Room 240).

Study Abroad Announcement (as of Spring 2024)

Mount Mercy University, while not currently offering study abroad opportunities, is deeply committed to bringing this enriching experience back on campus. We understand the immense benefits it can bring to students and are working diligently to make this a reality as soon as possible. If you have any questions, please contact our Student Services Office (University Center Room 240).

Event Services

Event Services is the centralized event planning office for Mount Mercy University. We coordinate the scheduling of all university facilities for university & student events, meetings, conferences and public functions. We partner with the campus community and public to create the highest quality events that promote University initiatives. Our dedicated team collaborates with various campus departments and offices to assist and advise on event planning, logistical coordination, facility layout, implementation and audio/visual support. For more information on how to start planning your event, go to: Event Services (mtmercy.edu) (<https://www.mtmercy.edu/contact/events-services/>)

POSTING POLICY

Mount Mercy recognizes the importance of promoting sanctioned campus events and activities in fostering an involved and informed campus community. At the same time, Mount Mercy recognizes that an attractive and well maintained physical campus environment is essential to the overall advancement of the institution. Therefore, it is necessary that printed posters, fliers, banners, signs, notices and other displays appearing throughout campus will be posted or displayed in a manner that does not detract from the physical appearance of the campus or result in damage to building surfaces.

All types of notices – posters, fliers, banners, signs, sidewalk chalking, window writing, or any other form of promotion of an activity on or off campus – must conform to the regulations noted below. Mount Mercy reserves the right to refuse requests for posting of information by any group or individual and may remove any materials at any time. All postings must be consistent with the mission, policies and procedures of Mount Mercy.

1. All posters, fliers, banners, signs, and other materials (notices) for posting or display must be approved, individually stamped, and posted by Event Services, regardless of the individual, office or group originating the posting and regardless of the subject matter. The only exception shall be postings appearing on specifically designated department/office bulletin boards.
2. All notices must be submitted to Event Services at least 3 business days prior to an event or requested posting date and include the following information:
 - a. Event name
 - b. Event location
 - c. Date and time of event
 - d. Sponsoring group or individual
3. All notices must contain correct spelling, grammar, and punctuation
4. Notices will not be posted on any surface that could be damaged or leave residue from adhesive or any other method used in posting: windows, doors, stair steps, hand railings, on elevators, vending machines, trees, water fountains, exterior building surfaces, vehicles, tunnel walls or painted walls/surfaces

5. Unauthorized postings may result in an individual or group being billed for damages and labor for repairs
6. Only official Mount Mercy notifications will be the exception to the posting locations
7. Persons submitting material for posting should prepare 21 posters; 15 for Residence Life and 6 for Student Activity Boards
8. Posted notices will be removed by Event Services after the event has taken place. Notices may be posted for a maximum of two (2) weeks prior to the event.
9. Information on notices must be expressed clearly and, if in non-English, must also include English translation
10. Notices of alcohol or drug-related events are prohibited
11. Notices that include obscenities or slanderous material are prohibited
12. A notice promoting an event that is unlawful or violates Mount Mercy regulations may not be posted
13. Notices advertising off-campus housing are prohibited
14. Mount Mercy is a private institution and not a public forum, thus reserves the right to limit and/or exclude notices regarding political candidates or statements. Such notices must adhere to the policies related to hosting political candidates/groups on campus.
15. Use of any bulletin board or authorized space in any building on campus does not constitute an endorsement or guarantee of any product, service or information by Mount Mercy
16. A notice should not physically cover or block already posted materials
17. Stickers, scotch tape, duct tape, double-sided tape, packing tape, and similar materials are prohibited for any type of posting as they damage or leave residue on surfaces. Tacks or staples may be used on bulletin boards and other like surfaces.
18. Event Services will determine the appropriate method of securing notices

Groups or individuals who do not follow these policies may lose posting privileges. Any damages resulting from improper posting will result in repair costs. Any use of a fraudulent approval stamp will result in temporary loss of privileges and/or a fine.

Unusual or special displays falling outside of the above guidelines will need special approval from Event Services and must be displayed in an appropriate, safe and non-disruptive manner.

Health Services

Health Services at Mount Mercy supports the physical and psychological needs of students, faculty and staff on campus. A physician assistant is available to students, faculty, and staff to help with specific health needs and to assist in maintaining and improving your overall well-being.

Mount Mercy University Health Services is staffed by a licensed Physician Assistant (PA) who is a provider contracted through Mercy Medical Center in Cedar Rapids. Physician Assistants have a graduate degree, advanced education and clinical training. They are licensed to practice by the Iowa Board of Physician Assistants.

Mount Mercy University Health Services is a comprehensive outpatient clinic which can meet the most basic health needs of students. Health Services offers general acute health care services to the campus community. The services provided in Health Services are available to all Mount Mercy University students and faculty/staff. These include but are not limited to first aid and care of minor physical injuries, illness assessment, dental concerns, over the counter medications, covid testing, consultation and referral services. Medical problems that are

beyond the scope of Health Services staff are referred to appropriate off campus facilities.

Office hours

Emergency care is provided by Health Services during regular hours:

Monday–Friday

11:00 AM-1:00 PM (hours subject to change)

Call 319-286-4439 to confirm hours

Office: University Center 240F

Office email: healthservices@mtmercy.edu

Medical Services can be obtained via appointment (view MercyCare Health at Mount Mercy (<https://www.mercycare.org/locations/mercycare/profile/mercycare-mount-mercy/>) for scheduling info) or walk in. Our care is provided by our contracted provider/physician assistant. During college holidays and breaks, our offices will be closed.

Need Emergency Care after hours or on the weekend? Contact:

- Ambulance: 911 (if calling from campus phone, dial 9+911)
- Public Safety: 319-363-1323 Ext 1234 (always contact Public Safety for emergencies)
- Mercy Medical Center: 319-398-6041
- Unity Point Hospital: 319-369-7105
- Ask-a-Nurse: 1-800-593-1414

24/7 video visits (<https://www.mercycare.org/services/video-visit/>) are also available outside of office hours through MercyCare Health at Mount Mercy (<https://www.mercycare.org/locations/mercycare/profile/mercycare-mount-mercy/>).

First aid kits and AED's are maintained in all residence halls and other various locations. Please ask a Resident Assistant (RA) for assistance or call Public Safety at 319-363-1323 Ext 1234.

How We can help

Below is a comprehensive list of our supplies, provisions, forms, and external resources.

Note: If the student requires more specialized care requiring imaging studies, labs, point of care testing to include UA, strep, mono or flu the patient's insurance is utilized. Patients must have a MyChart (<https://mychart.mercycare.org/MyChart/Authentication/Login/>) account to schedule a visit, which can be created at the MercyCare Health at Mount Mercy (<https://www.mercycare.org/locations/mercycare/profile/mercycare-mount-mercy/>) website. These visits will be billed to your personal health insurance.

Medications and Health Care Supplies

A limited selection of over the counter medications and supplies such as throat lozenges, antihistamines, cold medications, Tylenol, ibuprofen, antacids, ace bandages, ice packs and menstrual products are available in health services. These services are complimentary.

Provisions and Available Services

- Health promotion
- Assessment, evaluation, diagnosis and treatment of minor illness/injury
- Diagnosis of medical conditions
- Diagnostic tests (strep, mono, covid, flu, STI screening, pregnancy, urinalysis, blood sugar screening)
- Prescriptions for medications when appropriate
- Initial evaluation for mental health conditions with referrals
- Physical exams (pre-employment, athletic requirement or pre-nursing)

- Reference materials on a variety of health topics
- Medical referrals as necessary

Prescriptions, Labs, and Imaging Studies

Prescriptions will be sent to the student's choice of pharmacy. Labs and/or imaging studies: will be obtained at a local lab, urgent care or hospital.

The costs for these prescriptions and studies will be the responsibility of the patient and billed to insurance. It is the responsibility of each student to carry some form of medical insurance. Many students are covered by family health insurance as long as they are in school. Students must check to be certain they have medical coverage and know the procedures for using their insurance.

Emergency Contacts, Immunizations, Health Insurance and Medical History Forms

Our confidentiality policy: All health records are maintained strictly confidential and securely filed. Information is released only when a student's permission is given by written consent.

Emergency Contacts, Immunizations, Health Insurance and Medical History forms: incoming students are required to submit this information during the admissions process. **Failure to provide this information will result in cancellation of your registration.**

Night or weekend emergencies: Students should seek treatment at one of the local urgent care clinics or Emergency Departments. Public Safety Officers can be contacted after hours 319-363-1323 ext. 1234.

External Resources

Emergency Departments:

- Mercy Medical Center (<https://www.mercycare.org/>): 701 10th Street SE, Cedar Rapids | 319-398-6041 Open 24/hr
- Hiawatha Medical Park (<https://www.mercycare.org/services/emergency-department/hiawatha/>): 1195 Boyson Rd NE, Cedar Rapids | 319-832-3950 Open 24/hr
- Unity Point Hospital (<https://www.unitypoint.org/cedarrapids/default.aspx>): 1026 A Avenue NE, Cedar Rapids | 319-369-7105 Open 24/hr

Urgent Care Clinics:

- Mercy Care North (<https://www.mercycare.org/locations/>): 5264 Council Street NE, Cedar Rapids | 319-221-8444
- Mercy Care South (<https://www.mercycare.org/locations/>): 2815 Edgewood Road SW, Cedar Rapids | 319-396-9097
- Mercy Care Marion (<https://www.mercycare.org/locations/>): 3701 Katz Drive, Marion | 319-373-3022
- PCI Specialty Care Now (<https://www.pcofiowa.com/locations/pci-medical-pavilion-2/>): 275 10th St. SE, Suite 1120, Cedar Rapids | 319-247-3333
- UI Health Care Urgent Care (<https://uihc.org/locations/cedar-rapids-10th-street-se/>): 411 10th St. SE, Suite 2300, Cedar Rapids | 319-731-1430
- Unity Point Clinic-Marion (<https://doctors.unitypoint.org/provider/Urgent+Care+++Marion/1296722/>): 2992 7th Ave, Marion | 319-730-8300
- Unity Point Clinic-Westside (<https://doctors.unitypoint.org/provider/Urgent+Care+++Westside++Cedar+Rapids/1296723/>): 2375 Edgewood Road SW, Cedar Rapids | 319-396-1983
- Unity Point Express-Lindale (<https://doctors.unitypoint.org/location/unity-point-clinic-express-lindale/LOC0000065835/?sort=name>): 153 Collins Road NE, Cedar Rapids | 319-826-2972

- Unity Point Express-Pecks Landing (<https://www.unitypoint.org/locations/unitypoint-clinic---express-pecks-landing/>): 1940 Blairs Ferry Rd, Suite 104, Cedar Rapids | 319-393-0178

Project Connect

Project Connect is a free program that equips students from diverse backgrounds with the knowledge, skills, and resources needed to achieve success at Mount Mercy. More information can be found on the MMU webpage titled Project Connect (<https://www.mtmercy.edu/academics/academic-support/project-connect/>).

Residence Life

The mission of Residence Life is to enhance students' academic success, personal development, and safety through the implementation of programs and services.

Staff

The Residence Life Team works together to provide an optimal residential experience for students. Their duties include supervising operations of the residence halls, suites, and apartments, providing programs for residents, promoting an educational environment, and helping resident students contribute to and enjoy their membership in the Mount Mercy community. Residence Life staff members live in on-campus housing and serve in an on-call rotation to be accessible in times of crisis.

Resident Assistants

Resident Assistants (RAs) live on each residence hall floor. They are students selected on the basis of leadership experience, scholarship, and desire to assist others. RAs work with students to make residential life an enriching and educational experience. They are specially trained and are knowledgeable in many areas, including crisis response, effective listening, community buildings, mediation, programming, and the policies and procedures of Mount Mercy and the Residence Life program. If they are unable to assist you, they will refer you to an appropriate resource.

Student staff members are available every day for general assistance, maintenance concerns, and emergencies. An RA is on-call each evening and may be contacted by phone. Mount Mercy also maintains an administrator on-call schedule to provide additional support to the on-campus student body, Resident Assistants, and Public Safety.

Housing, Nontraditional and Graduate Programs

Mount Mercy University is a residential institution. All full-time students are required to live in college-owned housing for a total of 6 semesters unless: married, are listed as independent on the FAFSA, have dependents, are of non-traditional age (21 years or older), or are commuting from their legal guardians' homes within 30 miles of main campus.

Graduate housing is offered on a space available basis. Priority is given to undergraduate students. Please note that Mount Mercy does not allow cohabitation, nor do our facilities offer married student or family housing. If you have questions or are interested in graduate housing, please contact reslife@mtmercy.edu.

Student Engagement

Student Organizations

The recognized student clubs and organizations of Mount Mercy University are governed and funded by the Student Government Association (SGA). All guidelines and rules pertaining to the

functioning of clubs and organizations can be found on the SGA website ((<https://www.mtmercy.edu/undergraduate/campus-life/activities/student-government/>) Student Government Association ([mtmercy.edu](https://www.mtmercy.edu/undergraduate/campus-life/activities/student-government/)) (<https://www.mtmercy.edu/undergraduate/campus-life/activities/index/>). Each recognized student group has a representative who attends and has a vote in the General Assembly of SGA.

Student ENGAGEMENT

Student Engagement works with all student organizations and collaborates with campus departments to provide a calendar full of impactful programs for all campus. Student Engagement works to plan, promote, and implement a vast array of opportunities for students to engage with the campus and Cedar Rapids Community. There are constantly events happening on campus that are designed to meet the diverse needs of our student body. Upcoming events are promoted through emails, social media, posters, and on the MMU app. Events can include anything from live music performed by students or professional performers, to inflatable obstacle courses! The sky is the limit when it comes to involvement. If there is something **you** want to see let us know! Email us at studentengagement@mtmercy.edu.

Events to look forward to:

- Welcome Back Bash
- Hypnotists
- Comedians
- Mentalists
- Homecoming
- Craft Nights
- BINGO
- Vegas Night
- Senior Celebration

Academic Policies

Academic/Administrative Grievance and Disciplinary Procedures

This policy applies to all students enrolled in online or on campus courses. Specific procedures will be modified as appropriate if a student is taking courses from a distance and unable to participate in person.

Grievances may arise in the following areas or situations:

1. Allegations of inadequate supervision or instruction which the student feels hinders his or her ability to function adequately.
2. Disagreement with an evaluation of classroom or clinical performance.
3. Disagreement with faculty's decision regarding discontinuation of progression in the program(s) in question.
4. Disagreement with decision of faculty or administration in other categories that would delay or prohibit progression in the program(s).
5. Disagreements with Mount Mercy administrators and/or Mount Mercy administrative staff members.

Required Steps Before Initiating a Formal Grievance

1. Within 15 working days of the alleged injustice the student may initiate a conference with the involved person or persons to determine if he/she can resolve the problem(s) at this level. If the student decides not to initiate such a conference, he/she may not initiate a formal grievance.
2. A response from the involved faculty/administrative personnel to the student must be given within five (5) working days.
3. If the student considers the response unacceptable and inconsistent with the alleged injustice, the student is to inform the involved faculty and/or Mount Mercy administrative staff member(s) within five (5) working days that the response is considered unjust.
4. Then, if the student chooses, the student may initiate a grievance conference with the departmental chairperson or supervisor to whom the faculty/administrative personnel involved is responsible. A response to the student from the designated departmental chairperson or supervisor is due within five (5) working days of the latter's receipt of the student's request for a grievance conference.

Formal Grievance Procedure

1. The formal written "Statement of Grievance" is to be submitted to the Provost within ten (10) working days following the student's grievance conference with the chairperson or supervisor. The student may select an uninvolved faculty member to assist him/her in working through the steps of the grievance procedure.
2. The formal "Statement of Grievance" must include:
 - a. the date(s), time(s) of day, and setting relevant to the alleged injustice and names of the person or persons involved.
 - b. the nature of the problem and alleged injustice.
 - c. a narrative, objective description of events relevant to the grievance.
 - d. the student's previous attempts to resolve the problem and the specific results of those attempts.
 - e. objective assessment(s) with documentation concerning specific aspects of the alleged, initial injustice and subsequent

responses from involved faculty member(s) and/or administrative personnel.

3. Within five (5) working days following Step 1 of the formal grievance procedure, the Provost has the responsibility to convene a committee that will hear both sides. This committee shall consist of persons representing the following categories:
 - a. Provost serves, with no vote, as chair of the grievance committee. All other members shall vote.
 - b. one full-time Mount Mercy faculty selected by the student.*
 - c. one full-time Mount Mercy faculty member selected by involved faculty or administrative staff member.*
 - d. one student representative, selected by the student, from the same class, specialty, or major field as the student.
 - e. the chairperson or supervisor of the department involved.
 - f. Mount Mercy's Equal Opportunity Officer representative, if different from all of the above.
4. Student shall receive the written recommendation of the committee, postmarked no later than three (3) working days after the final meeting of the committee. Copies of the recommendation shall also be sent to the involved faculty member/staff and the department chairperson or supervisor.
5. The committee chairperson shall also send the committee's recommendation to the President, who shall report in writing, normally within five (5) working days, his decision to the parties concerned. The President's decision is final.
6. In cases where the "Statement of Grievance" occurs towards the end of a term and committee members are not able to convene, the above-mentioned procedure will require special modification by the Provost. This may include but is not limited to modifications in the timeline for responding at each level of the process and may involve a reconfiguration of committee membership so that decisions are rendered in an equitable manner.

* The student and the involved other individual have the responsibility for informing the Provost of the name of each person selected by each of them within one (1) working day of the student's distribution of the Statement of Grievance.

Academic Integrity

Mount Mercy values integrity and honesty in all aspects of academics and campus life. As part of the academic mission, the institution provides the following Definitions and Procedures for which all students are responsible. The Mount Mercy community encourages all students to carefully consider these definitions, to adhere to these standards, and to ask for guidance if in doubt.

This policy applies to all students enrolled in online or on campus courses. Disciplinary procedures will be modified as appropriate if a student is taking courses from a distance and unable to participate in person.

Definitions of Cheating, Plagiarism and Academic Misconduct

Cheating

Cheating is an act or an attempted act of dishonesty that includes but is not limited to the following:

1. Copying:
 - a. any part of another person's work in an examination or for an assignment, with or without their consent, or

- b. allowing another person to copy any part of your work, on an examination or for an assignment.
2. Using unauthorized materials or technology:
 - a. during an examination. (Examples would be answers passed to you, view of a calculator output, or text messages on a cell phone; however, other instances may apply).
 - b. to complete an assignment. (Examples would include using an AI bot to produce an assigned paper).
3. Collaboration during an assignment or during an examination when prohibited by the instructor.
4. Taking an examination for another person or letting a person take an exam for you.
5. Completing an assignment for another person or letting a person complete an assignment for you.
6. Forging needed signatures on academic work.
7. Altering of grades or other official educational records.
8. Obtaining a copy of an examination without permission from the class instructor.
9. Fabricating or falsifying information or data; or deliberately misrepresenting information for an assignment.

Plagiarism

Plagiarism is using somebody else's words, expression of ideas, data, images, or other creative products without acknowledgment or attribution. Plagiarism includes but is not limited to the following:

1. Copying, paraphrasing, or blending words, images, or ideas that are not common knowledge without acknowledging the source.
2. Providing false, insufficient or incomplete acknowledgment of sources.
3. Claiming authorship of a work that is not one's own or that is the result of unauthorized joint effort, including purchasing, downloading, or otherwise acquiring the work.
4. Improper use of quotations.
5. Incomplete or improper use of citations.

Academic Misconduct

Academic Misconduct includes acts that are considered unethical, dishonest, deceitful or inappropriate. Academic misconduct includes but is not limited to the following:

1. Attempting to gain an advantage over another individual by preventing access to needed books, materials, or aids.
2. Planning with another individual to commit any act of academic dishonesty.
3. Forging signatures on official institutional documents.
4. Breaking or entering an office or building to attempt to obtain an exam or other materials.
5. Submitting the same work for different classes without disclosure to and approval from the class instructor.
6. Receiving credit on group assignments without contributing.
7. Misrepresenting illness or personal crises, or otherwise intentionally misleading instructors as an excuse for missed or late academic work.

Academic cheating, plagiarism, and misconduct may be referred to collectively as "Academic Dishonesty." There are varying degrees of academic dishonesty. Suggested consequences for infractions are included below in order to promote consistency and equity. Mount Mercy reserves the right to act upon incidents of academic dishonesty that are not explicitly defined in the above policy.

Procedures

All instructors are expected to cultivate integrity on campus and to affirm Mount Mercy's policy by introducing and discussing the *Definitions of Academic Dishonesty and Misconduct* at the beginning of each course and directing students to sources where the definitions can be found. Instructors should speak to the particular ways that Mount Mercy's Academic Integrity Policy applies to their courses.

Suspected Violations of the Academic Integrity Policy

All information regarding cases of suspected or confirmed Academic Dishonesty will be dealt with under the standard of preponderance of the evidence and provided to only those with a need to know. Any suspected incident or dispute shall be raised to the appropriate party within a reasonable amount of time from the time of obtaining knowledge of the alleged violation. When allegations of academic dishonesty involve two or more students, each student will be evaluated on an individual basis. The following defines procedures, responsibilities and timelines for reporting suspected incidences of Academic Dishonesty.

Faculty Resolution

Mount Mercy strongly encourages faculty members and students to resolve incidents of alleged academic dishonesty. Faculty members have the discretion to resolve cases of suspected academic dishonesty or misconduct on their own, including determining the consequence imposed. Faculty are urged to consult the suggested consequences outlined below. Faculty will check with the Provost Office to determine if the student(s) in question has a pattern of academic dishonesty before resolving a case.

A written record of each incident of academic dishonesty or misconduct **MUST** be given to the student placed on file. The record will detail the suspected academic dishonesty and the outcome. The Provost's Office will collect and retain these reports for purposes of data analysis, pattern monitoring, and notifying the committee when a student has a second offense.

Both the faculty member and the student can call upon the department chair to help in the resolution as needed.

Academic Integrity Committee Involvement

There are three ways that an incident can be referred to the committee for resolution.

1. Faculty referral - a faculty member can refer an individual case to the committee for a decision at any time by notifying the Academic Integrity Committee chair.
2. Student referral – a student may ask that the committee make a decision on the case after the faculty resolution. To do so, the student should notify the Provost in writing that he/she would like the committee to review the case. This notification needs to occur within one week of the student being informed of the faculty member's decision in the case. The student should provide any relevant evidence and documentation to substantiate his/her case. Names of other students to contact can also be provided.
3. Automatic involvement - On the second or subsequent reported incident for a student, the committee will review the student's offenses. The committee will determine any further sanctions to help the student prevent future infractions.

For First Academic Integrity Report

1. The faculty member will discuss academic integrity violation and faculty appointed sanctions with the student and send signed copy of the report to the office of the provost.

2. The office of the provost shall notify the student within a reasonable amount of time, in writing, that the report was received. The student has the option to admit charges or request committee involvement. Student will have one (1) week from the day the letter was sent to turn in any extra material. Failure to submit any requests in writing within this time frame will result in the student waiving their right to an appeal.
3. The office of the provost will keep the report on file.

For Second or Subsequent Report

1. The office of the provost shall notify the Academic Integrity Committee within a reasonable amount of time of receipt of a second or subsequent complaint.
2. The Academic Integrity Committee shall notify the student within a reasonable amount of time, in writing, that the report was received, the student option to voice their side in writing, and the option of requesting a formal hearing. (See process of hearing below). Student will have one (1) week from the day the letter was sent to turn in any extra material or request a hearing. Failure to submit any requests in writing within this time frame will result in the student waiving their right to an appeal.
3. The Academic Integrity Committee will decide (within a reasonable amount of time after the student submits any request in writing or waives their right to an appeal) from the options listed below:
 - a. If sanctions, above that were assessed by the faculty member, are warranted. The committee shall refer to the list below for possible consequences.
 - i. Majority vote by the voting members is needed to proceed with sanctions.
 - b. Whether the allegations warrant a hearing
 - i. A vote of one of the voting members will warrant a hearing. (See process of hearing below).
4. The Academic Integrity Committee shall issue a final decision and notify all involved parties in writing.
5. The office of the provost will keep the report and Academic Integrity Committee decision on file.

If a Hearing is Requested Either by Student or Committee

1. The chair will notify all parties and schedule a hearing within a reasonable amount of time. In the event of a conflicting scheduled, a faculty member may choose not to attend the hearing and allow his/her written materials to state his/her side of the case.
2. The Academic Integrity Committee may gather relevant information to the case and may solicit information from other students in the class or other members of the Mount Mercy community at their discretion or upon request of any person involved in the allegation. At the hearing, the Academic Integrity Committee will meet with all parties and witnesses. The proceeding will be recorded; this record will be available on a need to know basis and maintained in the Office of Academic Affairs.
3. A decision, by majority vote of the voting members present at the hearing, shall be made based on the evidence presented at the hearing, along with other relevant materials gained through investigation by the Academic Integrity Committee. The committee shall refer to the list below for possible consequences.
4. The Academic Integrity Committee shall issue a final decision and notify in writing all involved parties.
5. After receiving the final written decision of the committee, any party who wishes to dispute, may appeal this decision. A written

letter summarizing the groups for contesting this decision must be submitted to the Provost within three (3) business days. Within a reasonable amount of time, the Provost shall render a final written decision based upon review of the submitted information, findings, and recommendations. A copy shall be provided to the involved parties, including the Academic Integrity Committee. The decision of the Provost is final.

6. In cases where an allegation of academic dishonesty is submitted toward the end of a fall, winter, or spring semester and members of the Academic Integrity Committee are not able to convene, the above-mention procedure will require special modification by the Provost. This may include but it not limited to modifications in the timeline for responding at each level of the process and may involve a reconfiguration of the membership of the Academic Integrity Committee so that decisions are rendered in an equitable manner.

Resolution Options for Academic Dishonesty or Misconduct

Based upon the gravity of the academic dishonesty, different academic sanctions may be appropriate. For instance, the nature of the incident, and the personal history or prior offenses by an individual student are relevant factors to weigh. A suggested spectrum of offenses and examples are included below. Faculty are urged to consider these suggested sanctions in order to promote consistency and equity.

Simple offense

Example: Student fails to properly cite sources one or two times in a paper, but the remainder of the paper is cited properly.

Types of Sanctions: The student is given the opportunity to re-do the assignment, or an alternate assignment, for a reduced grade. The student is required to meet with the Director of the Academic Center for Excellence and commit to a plan for improvement.

Serious offense

Examples: Student is caught looking over at another student's test.
Significant parts of a paper are not properly quoted and cited.

Types of Sanctions: The student receives a failing grade for the assignment, but is allowed to continue in the course.

Aggravated offense

Examples: Student submits an entire paper from the Internet that is not his/her own.

Organized cheating with multiple students.
Stealing tests.

Types of Sanctions: The student receives a failing grade for the course.

Repeated offenses (for committee decision only)

Example: Student engages in academic misconduct in more than one course.

Note: To monitor this type of misconduct, it is essential that faculty submit Academic Dishonesty Reports for each incident.

Types of Sanctions: Expulsion from Mount Mercy is warranted. *A more complete list of possible consequences is detailed below, though consequences are not limited to the following list. One or more consequences may be appropriate.*

Faculty or Academic Integrity Committee Resolution Options

- *Counseling*: The student(s) may be referred to appropriate counseling for assistance and education that will help prevent future incidences of Academic Dishonesty.
- *Educational sanction*: The student(s) may be required to attend an educational program on academic integrity, ethics, or related subject. The student may receive instructions, re-do the assignment with consultation from the instructor, or complete a new, alternative assignment with consultation from the instructor. The student may be responsible for related expenses, including expenses for education, counseling, or treatment, if any expense is entailed.
- *Forfeiture of Grade on the Assignment*: For the assignment to be given no credit, and the student(s) may continue the class with zero points for the assignment.
- *Failure of the Course*: The student(s) will receive a grade of F for the course.

Academic Integrity Committee Resolution Options

- *Exclusion from Mount Mercy facilities or activities*: The student(s) may be prohibited from attending a class, undertaking Mount Mercy employment, entering a building, participating in an extracurricular activity sponsored by the institution, representing Mount Mercy in an official capacity, or using other services provided by the institution. Such exclusion may be for a definite or indefinite period of time.
- *Disciplinary suspension*: The student(s) may be involuntarily separated from Mount Mercy for a stated period of time after which readmission is possible. The Provost shall determine when the suspension will become effective. A student with one or more violations may be suspended from Mount Mercy for an indefinite period of time. A student suspended indefinitely may petition the Provost for reinstatement.
- *Expulsion*: For a serious violation of the Academic Integrity Policy or repeated violations, the student(s) may be dismissed from Mount Mercy permanently.

Graduate Student Grievance Procedure

This policy applies to all students enrolled in online or on campus courses. Disciplinary procedures will be modified as appropriate if a student is taking courses from a distance and unable to participate in person.

Grievances may arise in the following areas or situations:

1. Allegations of inadequate supervision or instruction which the student feels hinders his or her ability to function adequately.
2. Disagreement with an evaluation of classroom or clinical performance.
3. Disagreement with faculty's decision regarding discontinuation of progression in the program(s) in question.
4. Disagreement with faculty or administration decision in other categories that would delay or prohibit progression in the program(s).
5. Disagreements with Mount Mercy administrators and/or Mount Mercy administrative staff members.

Required Steps before Initiating a Formal Grievance

1. Within 15 working days of the alleged injustice the student may initiate a conference with the involved person or persons to determine if he/she can resolve the problem(s) at this level. If the student decides not to initiate such a conference, he/she may not initiate a formal grievance.
2. A response from the involved faculty/administrative personnel to the student must be given within 5 working days.
3. If the student considers the response unacceptable and inconsistent with the alleged injustice, the student is to inform the involved faculty and/or Mount Mercy administrative staff member(s) within five working days that the response is considered unjust.
4. Then, if the student chooses, the student may initiate a grievance conference with the Program Director to whom the faculty/administrative personnel involved is responsible. A response to the student from the Program Director is due within 5 working days of the latter's receipt of the student's request for a grievance conference.

Formal Grievance Procedure

1. The formal written "Statement of Grievance" is to be submitted to the Provost within 10 working days following the student's grievance conference with the Program Director. The student may select an uninvolved faculty member to assist him/her in working through the steps of the grievance procedure.
2. The formal "Statement of Grievance" must include:
 - a. the date(s), time(s) of day, and setting relevant to the alleged injustice.
 - b. names of the person or persons involved.
 - c. the nature of the problem and alleged injustice.
 - d. a narrative, objective description of events relevant to grievance.
 - e. the student's previous attempts to resolve the problem and the specific results of those attempts.
 - f. objective assessment(s) with documentation concerning specific aspects of the alleged, initial injustice and subsequent responses from involved faculty member(s) and/or administrative personnel.
3. Within 5 working days following step 1 of the formal grievance procedure, the Provost has the responsibility to convene a committee that will hear both sides. This committee shall consist of persons representing the following categories:
 - a. Provost, or her representative serves, with no vote, as chair of the grievance committee. All other members shall vote.
 - b. One full-time Mount Mercy graduate faculty selected by the student.*
 - c. One full-time Mount Mercy graduate faculty member selected by involved faculty or administrative staff member.*
 - d. One graduate student representative, selected by the student, from the same class, specialty, or major field as the student.
 - e. The Program Director to be replaced by the department chairperson if the Program Director is the involved faculty member.
 - f. Mount Mercy's Equal Opportunity Officer representative, if different from all of the above.
4. Student shall receive the written recommendation of the committee, postmarked no later than 3 working days after the

final meeting of the committee. Copies of the recommendation shall also be sent to the involved faculty member and the Program Director.

5. The committee chairperson shall also send the committee's recommendation to the President, who shall report in writing, normally within 5 working days, his decision to the committee the parties concerned. The President's decision is final.
- * The student and the involved other individual have the responsibility for informing the Provost of the name of each person selected by each of them within 1 working day of the student's distribution of the Statement of Grievance.

Residence Life Policies

Residency Requirement

Mount Mercy University is a residential institution. All full-time students are required to live in college-owned housing for a total of 6 semesters unless: married, are listed as independent on the FAFSA, have dependents, are of non-traditional age (21 years or older), or are commuting from their legal guardians' homes within 30 miles of main campus. All residential students must follow the policies listed below.

A.1. Abandoned Property

Due to limited space and liability issues, Residence Life is unable to accommodate storage of residents' personal items or room furnishings at any time during the year. Residents may wish to explore professional off-campus storage services to accommodate any additional storage needs. Room furnishings are not permitted to be removed from student rooms.

Mount Mercy University is not responsible for lost, stolen, or damaged property in the residence halls or public areas of communities. Items left in rooms/suites/bathrooms/community lounges will be stored for a minimum of 48 hours and a maximum of 30 days. If the owner is known, they will be contacted via email notifying them that they have 30 days to retrieve their property. If the owner does not return, Residence Life will determine if the items are in a condition to be donated to charity or discarded.

A.2. Access to Community Space

Residential spaces should feel like home allowing residents to enjoy a reasonable level of the privacy from solicitation and disturbance. Residents should also expect to enjoy the facilities without competing with outside groups for access. Therefore, there is limited space in each hall whereby a recognized student organization or Mount Mercy campus department may partner with a residence life staff member to provide an activity in the hall.

- All organizations who wish to reserve space for meetings and activities should contact the Residence Life department located in Student Services.
- Space around the residence halls is governed by Residence Life policies. Groups may reserve outside space but must first gain permission from Event Services.
- Information tables may be arranged on a limited basis. Any group or office that would like to set up an informational table in the lobby of a hall, must contact Event Services. No tables will be permitted during the opening and closing of the buildings or other high-traffic periods or times deemed inappropriate by the Assistant Director of Residence Life. Recruitment activities are limited to informational tables; members tabling may not approach students walking by but rather must allow students to approach the table freely.

A.3. Air Conditioning and Heat

Regina and McAuley do not have air conditioning, but each room is equipped with its own heating controls. The process of converting between cooling and heating in McAuley and Regina is fairly extensive and is a matter of timing. The type of heating/cooling system in these buildings requires 2-3 days for a changeover to be completed, which means drastic changes in outdoor temperatures cannot be addressed immediately. In the interim, students are encouraged to open/close windows, add/remove blankets, or see a member of Residence Life for additional suggestions.

Andreas House, and Lower Campus Apartments, have both central air conditioning and heat. Each residence is equipped with its own temperature controls.

In any residence, students are not to obstruct or damage air or heating units or set anything near the wall mounted units as this may interfere with normal operation. Students are not allowed to bring additional air conditioning or heating devices without expressed permission of the Student Services. Air Conditioners require a medical note from the student's doctor citing why it is required.

Housing's general practice for heating and cooling is to provide room temperatures between the range of 68 and 76 degrees. If your heating/AC unit does not seem to be providing this range, please visit Student Services to submit a work order.

A.4. Appliances and Furnishings

Every residence hall room comes furnished with bed, desk, mattress, closet, and dresser. Please note that Regina and McAuley Hall rooms are not equipped with desk chairs.

Andreas and Lower Campus Apartments also have furnished living rooms with a table, chairs, sofa, and cushioned chair. Lower Campus Apartments also have kitchens equipped with a refrigerator and stove. MMU equipment and furniture may not be removed from its assigned location. This includes taking any MMU property outside.

The electrical system in the halls is not designed to carry heavy loads of electrical equipment. To prevent students from blowing circuits, students are expected to be responsible in their use of appliances/electronics which includes proper and judicious use of multi-outlet strips and surge protectors. All electrical equipment must be UL listed. Compact refrigerators are permitted, but may not exceed 4 cubic feet in size. Only one compact refrigerator per bedroom is allowed. In McAuley, suites may have two refrigerators, as long as they are in separate rooms. In Andreas, and Lower Campus Apartments, refrigerators are provided in the kitchens/kitchenettes. Andreas residents may have one compact refrigerator per bedroom. No additional refrigerators are allowed in Lower Campus Apartments.

A.4.i. Furniture

The resident shall not remove any MMU equipment or furniture of the room/apartment/suite or building from its assigned location. Waterbeds and other personal mattresses are not permitted. Lofts other than those issued by the University are prohibited.

A.4.ii. Appliances

All electrical appliances must be in good working condition.

A.4.iii. Prohibited Furniture, Items, and Appliances

In the interest of student safety and in order to prevent excess damage to our facilities, Residence Life prohibits a number of items, furniture, and appliances from the residence halls.

1. Damaged appliances, e.g. frayed cords, bent plugs, broken safety handles, etc.
2. Fire hazards: Anything with an open flame or that burns (candles, incense, bunsen burners, Sterno canned heat, etc.), fireworks, grills (electric or otherwise), toasters, toaster ovens, hot plates, gasoline/kerosene/propane, blowtorches, any cooking appliance other than a microwave (Pizza Pizzazz, crock pots, Instant Pot, pressure cookers, etc.), space heaters, and any other fire hazard not specifically mentioned here.
3. Smoke/fog machines and other devices not conducive to group living

4. Microwaves over 800 watts
5. Halogen lamps
6. Coffee makers and clothes irons without an automatic shut off
7. 3M Command strips and similar adhesives can only be used in Regina and McAuley.
8. Weapons for more information, see the "Weapons Policy" section.
9. Power tools.
10. Personal upholstered furniture, including futons. Only futons with a detachable mattress and a bed bug cover are permitted.
11. Pets other than freshwater fish. Aquariums over 20 gallons are not permitted. For information on residential accommodations for assistance animals, please see the Assistance/Service Animals section.
12. Electric skateboards or hoverboards
13. Electronic cigarettes, vaporizers, or other devices of this nature
14. Waterbeds and/or personal mattresses
15. Real Christmas trees/wreaths
16. Window air conditioning units, unless as a documented accommodation for a medical need
17. Drones or other devices that can fly and/or be used for recording

A.4.iv. Lounge or Community Furniture

The lounges/lobbies/community areas are meant for the general use and enjoyment of all the residents of that community. This furniture must remain in the lounge or community area.

A.5. Assistance/Service Animals

Residence Life offers accommodations for residents with assistance animals or services animals. For more information on the accommodation process, please contact the Disability Services Coordinator within the Academic Center for Excellence for assistance. Assistance Animals may not be brought into MMU housing until the registration procedure has been completed and all necessary documentation has been provided. Once approved the handler is responsible for adhering to the following expectations and behaviors:

1. **Approved Areas:** Approved Assistance Animals are allowed only in the Handler's private room, suite, or apartment, and in the Handler's assigned residence hall. Other residence halls and buildings are restricted. Handlers residing in Regina, McAuley, or Andreas must take their Approved Animal to and from the room through the nearest exit; University Center and Lundy should be avoided. Any time the Approved Animal is outside the Handler's assigned residential space, the Approved Animal must be on a leash or harness. Animals that cannot be leashed or harnessed must be kept under the Handler's control at all times.
 - a. Regina Hall: MMU defines Regina Hall as the top five floors of the building. The residence hall ends at the security doors, meaning the first floor (campus bookstore, campus game room, etc.) and the basement (campus tunnel, Facilities offices, kitchen and lounge) are areas where Assistance Animals are not permitted. Regina second floor ends at the security door – the second floor balcony of the University Center is an area where Assistance Animals are not permitted.
 - b. McAuley Hall: MMU defines McAuley as the top 5 floors of the building. The first floor (ACE, conference room 110, etc.) and the terrace level (McAuley theater, the gallery, Betty Cherry, etc.) are areas where Assistance Animals are not permitted. McAuley second floor ends at the security door – the second floor balcony of the University Center is an area where Assistance Animals are not permitted.
 - c. Andreas Hall: Andreas Hall ends at the security door in the Lundy/Andreas breezeway. Lundy is an area where Assistance Animals are not permitted.
2. **Behavior:** The Handler is responsible for assuring that the Approved Animal does not unduly interfere with the routine activities of the residence or cause difficulties for students who reside there. Assistance Animals must be obedient and manageable.
3. **Disruption:** Approved Animals are not allowed to disrupt others, e.g. barking continuously, growling, etc., nor are they allowed to threaten or intimidate.
4. **Cost:** The Handler is financially responsible for the actions of the approved animal including bodily injury or property damage. The Handler's responsibility includes the cost of damages in their housing assignment, as outlined in the housing and food contract and in the Good Book. The Handler is expected to cover these costs at the time of repair and/or move-out. Residence Life will charge damages to the Handler's student account.
5. **Change of Accommodation:** The Handler must notify MMU Disability Services and Residence Life if the Approved Animal is no longer needed as an Approved Animal or is no longer in residence. In order to replace an Approved Animal with a different one, or to return the Approved Animal after notifying MMU that it is no longer needed, the Handler must file a new request for accommodation and complete the residential registration process.
6. **Accommodation Renewal:** In order to renew the residential accommodation, the Handler must provide annual documentation to Residence Life that the Approved Animal's vaccinations and shots are current as required by law and that the Approved Animal is in good health. Documentation must come from a veterinarian and is due at least two weeks prior to the start of fall term. Approved Animals must also be kept on flea/tick preventative when living in the residence halls. If an accommodation begins in the spring, renewal will not be required until August of the following calendar year.
7. **Animal Waste:** Animal waste, including cat litter box contents or similar waste containment systems, must be disposed of properly, e.g. in a sealed bag taken out to the residence hall dumpster. Feces may not be disposed of in common trash receptacles, in toilets or the MMU sewer system. Residents with cats must maintain and regularly clean litter boxes per the litter manufacturer's instructions. *Animal accidents in the residence halls and animal waste on campus property must be cleaned up immediately with the appropriate cleaning products.*
8. **Cleanliness:** Regular and routine cleaning of the residence hall room, suite, litter box, kennels, and cages is required. Animal odor emanating from the room and/or in the residence hall will not be tolerated.
9. **Health Inspections:** Twice a semester, Residence Life conducts Health & Safety Inspections in the residence halls. Handlers' rooms will also be inspected for fleas and ticks. The Handler may be billed for any treatment beyond regular pest management. The Handler is encouraged to pursue preventative treatment for fleas.
10. **Pest Management:** If the Handler suspects or determines that their Approved Animal has fleas or other pests, they must notify Residence Life immediately.
11. **Staff Safety:** Any time the Handler is not accompanied by the Approved Animal, the Approved Animal must be contained in

a cage, kennel, or other appropriate enclosure in the Handler's assigned bedroom. In housing assignments with common spaces, the Approved Animal may not be kept in any common space while the Handler is out.

12. **Overnight Care:** An Approved Animal may not be left in the Handler's room overnight if the Handler is not with them. Approved Animals also may not be left in the care of other residents. If the Handler intends to be out of their room overnight, they are responsible for making plans to accommodate their Approved Animal. If MMU determines an Approved Animal is in a room overnight without its Handler, that animal will be removed from MMU housing and boarded elsewhere at the Handler's expense.
13. **Accommodations and MMU Policy:** Except for those policies specifically relating to the residential accommodation for the Approved Animal, the Handler will be held to all policies outlined in the Good Book.
14. **Escape:** The Handler will notify Residence Life or Public Safety immediately if their Approved Animal escapes.
15. **Liability:** The Handler is liable for any and all actions of their Approved Animal, e.g. bites, scratches, damage to the personal property of others, etc. MMU strongly encourages the Handler to purchase liability insurance for this reason, but does not require it.
16. **Health & Safety of the Animal:** The Handler is responsible for the proper care for their Approved Animal. Reports of neglect or abuse will be investigated by Residence Life and/or Public Safety, examples including but not limited to prolonged confinement in the animal's kennel or failure to properly maintain a litter box.
17. **Contract Fulfillment:** Should the Approved Animal be removed for any reason by the Handler or by MMU, the Handler is required to fulfill his/her housing obligation for the remainder of the housing contract.
18. **Assistance vs. Service:** The Handler may not dress or accessorize their Assistance Animal in a way that may misidentify it as a Service Animal.
19. **Housing Changes:** Residence Life offers all residents the opportunity to switch housing assignments, if space is available. If the Handler switches rooms using this process, or if new roommates plan to move in with the Handler, Residence Life will require signatures confirming that the Handler's new roommates do not object to sharing their space with an Approved Animal.

Damages

The Handler will be responsible for any damages caused by their Approved Animal. Although normal wear is expected, excess damages resulting from the Approved Animal or its presence will be billed to the Handler's student account at check-out.

MMU may exclude/remove an Approved Animal if any of the previously mentioned expectations and rules are not met or followed by the Handler.

A.6. Bicycles

Residence Life strongly suggests students use a strong krypton-type lock on their bikes. Bicycles may not be stored or parked inside, decks/landings, nor ridden in the residence halls for reasons of safety. Bicycles should only be locked on exterior bike racks.

A.7. Check-In & Check-Out Process

The check-in and check-out processes must go through the Residence Life department. Students needing to check-in or check-out of their room should contact a Resident Assistant or anyone in the Residence Life Department for further details.

Upon checking in to a new room, residents will be given a room condition report, residence keys, and a mailbox key. At the request of Residence Life, residents may also be required to meet with their RA to sign a Roommate/Suite mate Contract.

Residents needing to leave Mount Mercy must complete the check-out process within 24 hours of their notice of exit, last final exam, or by noon of the last day the halls are open. Any deadline extensions must be approved by the Assistant Director of Residence Life. Hall closing information will be provided via email, flyers and floor meetings. Any damage to the room/suite will be charged to the students account. Any failure to follow posted and written information about the checkout process may be assessed additional administrative charges. This includes check-outs during the middle of the year due to room changes, petitioning out of the housing agreement, removal from the halls, etc.

During any moving times, do not drive cars or trucks on grassy areas to load or unload belongings. Such action could cause damage to landscaping and will result in damage charges. Residence Life provides carts for students to use during check-in and out. Students will need to provide their ID in order to gain access to the carts.

A.8. Classroom Space in Regina Hall

A classroom is located in the lower level of Regina Hall. The classroom space is dedicated towards residential learning and formal class scheduling. Space can only be reserved through Event Services.

A.9. Cleanliness

Residents are expected to maintain a level of cleanliness in their rooms/apartments/suites and in common areas compatible with reasonable health and safety standards.

A.9.i. The University expects that students will participate in the campus recycling program. Students are expected to bring their trash and recyclables to the designated areas for disposal. Students leaving trash in common areas will be in violation of this policy and subject to disciplinary action.

A.9.ii. Littering is prohibited. As a resident in this community, it is your responsibility to dispose of personal trash in dumpsters or recycling receptacles inside or outside on-campus facilities. For this reason, littering, leaving trash in common areas or locations not designated for waste disposal, is subject to conduct action and applicable removal/cleaning charges.

A.9.iii. With the exception of those living in Regina, students are responsible for bringing their own cleaning supplies. Students who live in Regina will have toilet paper and hand towels provided. Students living in buildings that are suite-styled or rooms with adjoining bathrooms are required to provide their own toilet paper, hand towels, and any other necessary paper products.

A.9.iv. Trash Disposal. Students must dispose of garbage in the appropriate bins and locations. Garbage is not to be left in hallways, on landings, in stairwells, in lounges, in elevators, in lobbies, by the doors, on the ground by dumpsters, or in the trash chute rooms. Room trash is not to be emptied into smaller trash cans that are placed around the buildings. A fee for removal will occur (\$25.00 minimum per bag) if students are found disposing of their trash inappropriately. If no one student is identified for

improper trash disposal, the entire floor will be fined. Increasing fines will occur for subsequent offenses.

A.10. Computer Labs

Twenty-four hour computer lab access is available in Regina and McAuley Hall for residential students.

A.11. Confiscation

Residence Life may confiscate and remove any items found that are in violation of Residence Life, The Good Book, or Student Code of Conduct policies or deemed unsafe or illegal by designated University Officials. Certain items are prohibited in the residential areas of the university because of health, fire, or safety reasons; city, state, or federal law; or University policy. When these identified items are discovered, they are subject to confiscation. Public Safety Officers and Residence Life staff have the authority to confiscate items.

In instances when Residence Life has confiscated an item, a notice will be sent to the email of the student in question and the residents of that room should expect to receive further notification. Students that receive these notices are encouraged to seek out their Area Coordinator to receive further information about their individual situation. Items prohibited by college policy for health, fire, or safety reasons, that are not illegally possessed, may be returned to the owner at the end of the term (or earlier by arrangement with the Area Coordinator for their respective area) provided that the item be removed from campus immediately and not returned to the premises.

A.11.i. Illegal items (such as controlled substances, drug paraphernalia, and weapons) are items that cannot be returned.

A.11.ii. Prohibited items as listed in A.4, A.14, and B.6 can be confiscated by and their return is at the discretion of the Assistant Director of Residence Life.

A.11.iii. University property as listed in A.4 that is moved from its original place or is used in a way that is against University policy will be returned to its assigned place. Any students found to be involved in the moving or in the misuse of University property will be subject to the conduct process.

Confiscated items not claimed by the owner by the end of the semester in which the item was seized will be considered abandoned. See A.1. Abandoned Property.

A.12. Consolidation

In order to be fair and equitable, it is important to assess the proper fees or room assignment based on the payments a student is making. Therefore, Residence Life has developed a consolidation process to reassign students based on occupancy after census day. Residence Life will assess the occupancy of each building, making note of rooms where residents are living alone in a double room. If the space needs to be reallocated, Residence Life may contact the resident(s) and inform them of the following options:

1. The resident may be asked to find another roommate to move into the room by the deadline prescribed by Residence Life.
2. The resident may be moved into another room where a space is available.
3. The resident may be given the opportunity to "buy out" the room at a large single room rate for the rest of the semester based on availability, capacity, and the discretion of Residence Life staff.
4. Students will be given 72 hours to complete a room change if warranted.

* Residents who do not presently have a roommate may get a roommate at any time and should not take possession of the other part of the room.

A.13. Getting a New Roommate

Due to graduation or other changing situations of students, space may become available in the Residence Life system in December. Students with a roommate that is not returning for the spring semester will be required to make the room presentable for a new roommate(s). This must be done prior to departure in December for Winter Break. Students may not take possession of the other half of the room. Clean the room and be sure that the other bed, dresser, closet, and so forth is ready for a new student to move in.

A.14. Cooking

Public cooking facilities are available in Regina, McAuley, and Andreas Halls. These areas must be cleaned and maintained by the residents of the community.

A.13.i. Cleaning: Residents will face cleaning charges or a closing of the facilities if any unsanitary conditions exist or if the facility is abused. Students are permitted to use the kitchens but must provide their own cooking utensils.

A.13.ii. Presence: Students using public-area stoves must remain with cooking food for the safety of all.

A.13.iii. Damage: If any damage is done to the facilities or an inadvertent fire alarm during the course of cooking, the resident will be held responsible for any costs incurred for cleaning, damage, or false alarms.

A.13.iv. Utilization of prohibited appliances.

A.13.v. Grills: Prohibited everywhere except Lower Campus Apartments. When lit, a grill must be attended at all times. Grills are allowed on the patio but they must be small and meet City of Cedar Rapids specifications for apartment units. Under no circumstances are propane tanks permitted.

Acceptable appliances:

- Microwaves
- Hot air popcorn poppers
- Coffee makers (must have an automatic shut-off option)

Prohibited appliances*:

- Open element cooking units
- Indoor electric grills
- Pizza Makers
- Toasters
- Cooking pots and greases
- Fire hazards: Anything with an open flame or that burns (candles, incense, Bunsen burners, Sterno canned heat, etc.)
- Toaster ovens
- Hot plate
- Pizza Pizzazz, Crock Pots, Instant Pot, pressure cookers, waffle maker, etc.

*Allowed in private, fully functional kitchens

A.15. Elevators

Regina and McAuley Hall are equipped with elevators for residents' convenience. Please be respectful of this equipment and the safety of others; do not jump up and down, shake, tamper, disable, or overload elevator cars; jumping or misusing the controls may cause malfunctions. Elevators are serviced regularly, but should an elevator get stuck between floors, remain calm and use the call button inside. A staff member will respond to assist with the appropriate evacuation. Do not try to evacuate an elevator on your own or try to pry open the

door. Damages should be reported to the front desk immediately. In the case of a fire, do not use the elevator and evacuate the building using stairwells.

A.16. Emergencies

Residents who witness emergency situations are encouraged to contact Public Safety and/or 911 if appropriate. Residence Life will inform residents of situations that require broad notification by sending staff members to doors, placing messages on digital signage, or posting general hall announcements on bulletin boards. In any of these instances it is imperative that residents follow any instructions given. Messages are also distributed via **RAVE**, which is a phone and text-based system allowing the university to notify students, faculty and staff when an emergency is taking place on or near campus. The system is only be used in critical situations, including weather emergencies, with potential to affect health or safety.

A.17. Emergency Contacts

Residents provide emergency contact information in their housing application. There is also a section on the application that can be used to inform Residence Life staff of any health conditions that might require medical assistance. In extreme situations the University may decide to notify emergency contacts for residents, especially in those situations where it has been deemed that a student is in danger.

A.18. Health & Safety Inspections

Housing staff will enter all rooms/suites each semester for health/ fire safety and facility checks. Residence Life staff will give at least 48 hours' notice of room entry for this purpose. Residence Life encourages residents to be home when staff checks the rooms, but it is not necessary. Violations could be but are not limited to:

- A.18.i Tampered fire safety equipment (smoke detectors, sprinkler heads, fire extinguishers)
- A.18.ii. Screens, window & door locks to ensure appropriate use and functionality
- A.18.iii. Overall cleanliness including trash, mold, bugs, etc.
- A.18.iv. Fire hazards including personal effects being placed against heaters & air conditioning units
- A.18.v. Overloaded electrical outlets and power strips without an on/off switch

Residents will receive a notification directly after the inspection to inform them of the observed status of their room/suite. Rooms/suites deemed unacceptable or in violation of Residence Life policies/ standards or of state/federal law, will be left a notice identifying the specific violation for the resident(s) to address. Residents of the room in question should expect a follow-up meeting with their RA or RD depending on the severity of the violation.

A.19. Laundry Facilities

Laundry is offered for free to University residents. Each residential facility has washers and dryers for use by the residents of that facility only. Students are asked to be respectful of the units and timely with the picking up and completion of their laundry to avoid disrespect to the overall community.

A.20. Mail

Each resident is assigned an individually numbered mailbox with a key. Residents will be informed of their mailbox number during the room assignment process and will be given their key during check-in. Proper check-in procedure must be followed in order to receive your key. Packages can be retrieved from the Campus Store.

A.21. Maintenance and Repairs

For non-emergency repairs or maintenance needs, residents should submit a work order. If you need help seek out your Resident Assistant. If there is emergency maintenance need during regular business hours, (burst pipe, overflowing toilet, broken window or door, etc.), please contact Public Safety immediately. If an emergency occurs please call the on-call phone numbers posted in the buildings or Public Safety. Violations of this could include but are not limited to:

- A.21.i. Failure to report
- A.21.ii. Damage beyond normal wear and tear. This will result in charges being assessed to the student(s) account(s)

A.22. Student Contact Information

Students are given the opportunity to confidentially designate emergency contact information at registration. This information is part of the University registration and is protected under FERPA. This information is accessible by Public Safety and Residence Life. Students are given the opportunity to designate a person to notify in a missing person investigation. This information will not be disclosed outside of a missing person investigation. This policy is discussed at beginning semester Housing meetings, included in the annual Campus Security Report, sent to students by University e-mail, and included on the Public Safety and Dean of Students websites.

A.23. Posting Policy

Personalizing the space in rooms is encouraged. However, Residence Life requires that this be done in a manner that does not cause damage, does not violate State law, University policy, or is deemed to be defamatory and/or degrading to members of the University community. Room décor must take into consideration all roommates' tastes.

Approved posting methods

- Poster hanging products such as a product produced by 3-M called Command are only permitted in Regina and McAuley
- Pin nails only in Andreas, and Lower Campus Apartments.

Violations of the posting policy include but are not limited to:

- A.23.i. Affixing decorations to ceilings
- A. 23.ii. Attaching to or blocking any fire safety equipment including smoke detectors, sprinkler heads, and exit signs.
- A.23.iii. Impeding access to hallways, doorways, stairs, corridors, or other equipment.
- A.23.iv. Covering more than 10% of a room's wall space by combustible decorative materials including but not limited to:

- paper
- posters
- streamers
- polyester materials
- lights

- A.23.v. Hanging rugs, bed sheets/spreads or tapestries
- A.23.vi. Real Christmas trees or wreaths
- A.23.vii. Postings on exterior of room doors (the side that faces hall corridors) have items/messages that could be construed as bigoted, demeaning, degrading, or victimizing in a discriminatory manner.

Other questions about what is permitted should be referred to your Resident Assistant or Area Coordinator

A.24. Roommate Conflict & Contracts

Residence Life recognizes that conflicts arise within any group living situation and encourages residents to try and work out these

differences for themselves. Students experiencing conflict must work with their Resident Assistant (RA) and/or Area Coordinator (AC) to seek successful resolution. Violating items agreed upon by roommates/suitemates will result in a violation of the housing agreement and additional action may be required.

A.25. Room Change Requests

Residence Life has found that many roommate differences can be resolved through mediation, eliminating the need for a room change. Should mediation not resolve the roommate issues and if the resident's account is current, space is available, and eligibility requirements are met, students may request a room change. Room changes will not be considered during the first two weeks OR the last two weeks of each academic semester in order to create hall rosters and complete administrative procedures; however, Residence Life will attempt to accommodate requests during other times. Students wanting to request a room change should set up a meeting with their Area Coordinator.

A.26. Room Entry

Residence Life respects students' right to privacy. However, there are times during which Residence Life staff may enter a student's room or suite without notification. These include:

- A.26.i. When an immediate threat exists to the health, safety or property of students or occupants of the room
- A.26.ii. To secure space during breaks and conduct routine safety inspections
- A.26.iii. To make necessary or desirable repairs and perform routine or other maintenance
- A.26.iv. For other purposes as deemed necessary or desirable by the University. Residence Life staff will knock and announce their presence prior to entering a student's room. However, it is within the rights of Housing Staff to enter as deemed necessary.

A.28. Solicitation & Commercial Enterprises

Entry into Residence Life facilities for any solicitation and/or commercial enterprises will be considered trespassing and will result in removal of involved parties by Public Safety Officers. At a minimum, parties will be removed and maybe be excluded from campus and/or arrested. Any solicitors should be reported to a Residence Life staff member or Public Safety immediately. Students or student organizations wishing to raise donations for charity through social/community programs or other means may obtain permission from their Assistant Director of Residence Life.

- A.28.i. Students are not permitted to operate or promote a business (including their own privately-owned enterprise) from their residence hall room, common spaces, or other Residence Life spaces.
- A.28.ii. Students may not use housing facilities to host parties for the purpose of promoting private businesses or engaging in sales of products.
- A.28.iii. The University does not allow door-to-door solicitation of funds, products, services, or donations for charity in Residence Life facilities. This also includes companies/businesses attempting to give away free items/samples.

A.29. Windows/Landings/Breezeways

Windows/landings/breezeways are subject to all Residence Life community standards.

- A.29.i. At no time should any article be thrown or dropped out of windows as this could result in serious injury.

- A.29.ii. Students should also not throw things into windows from the ground as this could damage the facility and lead to injury.
- A.29.iii. Residents should not place themselves in open windows, hang out of windows, or enter/exit the building via windows due to safety concerns.
- A.29.iv. Removal of window screens from the windows is prohibited.
- A.29.v. Windows should not be used to post materials.
- A.29.vi. Storing/leaving trash or other flammable materials on the landing/deck/patio is prohibited.

B.1. Access To Residence halls

Each resident is assigned keys when checking into the room/apartment/suite and is responsible for their return upon termination of residence. Students who do not return their keys upon termination of their housing contract are subject to a fine determined by Residence Life.

Loss of keys will result in charges for replacement of keys and lock. In the event a student locks themselves out of their residential room they can call the Department of Public Safety or Residence Life for assistance. The student is required to provide proof of residency with a photo id. The student will be charged for the lock out. The first lock out is free. Second lock out is \$5.00. Third and subsequent lockouts are \$10.00.

Duplication or lending of keys or proximity cards is prohibited.

B.2. Alcohol

Mount Mercy allows students who are 21 years of age to drink alcohol in their Andreas, or Lower Campus Apartments housing assignments, but their alcohol consumption is still governed by Mount Mercy policy as outlined in the Good Book.

According to the Iowa Code, persons who are 21 years of age may use and possess alcohol, but may not give alcoholic beverages or resell them to persons who are under age (21). Providing alcohol to students under the age of 18 is considered contributing to the delinquency of a minor and providing alcohol to students between the ages of 18 – 21 will be considered as providing to students under the legal age, and will be charged as such.

Alcohol Usage on Campus

- B.2.i. Underage Consumption/Possession: Students who are not 21 years of age are not allowed to consume or possess alcohol, including "low-alcohol" beer. Alcohol can be consumed only by students 21 year of age or older, under the conditions listed in the University alcohol policy printed in this policy. Underage students at Mount Mercy who possess or use alcohol are subject to disciplinary action by the institution and/or local law enforcement. Underage possession and use may result in civil or criminal penalties. Mount Mercy may report violations of these regulations to civil authorities. Parents or legal guardians may be notified concerning violations of underage possession, use, or provision to others of alcohol or any illegal substances, as provided for under the Campus Disclosure Act of 1998.
- B.2.ii. Regina & McAuley: Regina and McAuley are dry halls. Regardless of age, no one may possess, consume, or transport alcohol in Regina and McAuley. This restriction includes both sealed and open containers.
- B.2.iii. Container Size: Multi-liter containers are not allowed on Mount Mercy property. Examples of multi-liter containers include but are not limited to kegs, pony kegs, and boxed wine.
- B.2.iv. Public Consumption/Open Containers: Possession of or consumption from open containers is prohibited in public

areas. For the purposes of alcohol policy enforcement, a room/ apartment/suite may be considered a public area if the door entering the room/ apartment/ suite is open. Alcohol beverage containers may not be used for decorative purposes by underage students. Open containers are defined as any alcohol container on which the seal has been broken or which cannot be enclosed, e.g. cups. Once the seal has been broken, a container is considered open even if the cap/cork/etc. has been replaced.

B.2.v. Excessive Consumption: Excessive alcohol consumption and/or the resulting irresponsible behavior are inconsistent with the goals and mission of Mount Mercy. Any/all individuals present during the following alcohol policy violations may be found guilty of a behavioral violation and subject to disciplinary action by Mount Mercy, regardless of age.

B.2.vi. Behavior that encourages excessive consumption: All drinking games (whether with alcoholic or non-alcoholic beverages) are prohibited in residential facilities.

B.2.vii. Alcohol Disposal: In the event that alcohol is consumed or possessed in violation of University policies, all alcohol containers will be emptied. The University may limit the number of persons in rooms, suites, or apartments for the purposes of safety and health of campus residents.

B.2.viii. Disruptive behavior: Students that are permitted to possess and consume alcohol on campus must do so in a respectful and responsible manner. Breaking any Student Code of Conduct policy while drinking alcohol will also result in a housing alcohol policy violation. As such, the privilege of possessing and consuming alcohol on campus may be revoked if this happens.

B.2.ix. Alcohol storage and consumption in Andreas, and Lower Campus Apartments is restricted in certain cases.

- If any underage residents or guests are present, alcohol may not be visible or consumed.
- If any underage residents live in a suite/apartment/ house, alcohol may not be consumed or stored in the common living areas at any time.
- If only one roommate in a room is of legal age, alcohol cannot be stored or consumed in the bedroom at any time.
- Occupants of a suite/apartment/house who are not of legal age may not enter any bedroom where alcohol is visible or being consumed.
- Alcohol containers are not allowed outside the resident areas, e.g. parking lots, hallways, or patios.
- Storage of alcohol containers cannot be visible from outside of the suite/apartment/house.

Andreas, and Lower Campus Apartments:

1. In order to encourage a safe environment and mitigate risk, there may be no more than sixteen (16) people in an Andreas suite or nine (9) people in a Lower Campus apartment.
2. Communities with All Residents Of Age: Alcohol may be possessed/consumed anywhere in the suite. While alcohol is being consumed, the number of alcohol containers (empty or not) may not exceed the number of people consuming alcohol. Empty containers must be properly disposed of prior to opening another container. When the alcohol is in the open and/or being consumed, everyone present must be of legal age. If a minor is present, everyone present at the time will be held to Mount Mercy alcohol policy. Alcohol consumption by residents (or guests) of age

will be considered as a contributing factor if other violations are taking place.

3. Communities with Residents of Mixed Ages: If there are both of-age and underage people living in the same suite/apartment/ house, roommates who are of legal drinking age may consume, possess, and store alcohol in their private bedroom only. While consuming alcohol, or while alcohol is visible, the bedroom door must remain shut. The number of open alcohol containers present (empty or not) may not exceed one container per individual of legal drinking age in the bedroom where alcohol is being consumed. Empty containers must be properly disposed of prior to opening another container.
4. Guests: Guests who are of legal age may be present when alcohol is being consumed as long as the number of individuals in the suite, apartment, or house does not exceed the maximum limit (see 7.a. above).

B.3. Cohabitation

Cohabitation is strictly prohibited and defined as the continued presence of someone staying in a room/suite that is not assigned to them, using the room as if it were their own, or staying beyond a reasonable visiting time. Only those students who are leased the room/ apartment/suite/house may live there. Mount Mercy strictly prohibits co-habitation. Guests are allowed on a short term basis, limited to 72 hours per month. Roommate rights need to be considered at all times in respect to visitors/guests. Frequency of guests may be reviewed by Residence Life.

B.4. Door & Building Security Equipment

All residents are expected to aid in maintaining the safety and security of all housing communities.

- B.4.i. Allowing unknown individuals into residential facilities, even if they look familiar is prohibited.
- B.4.ii. All residents are provided an ID card which grants them access to the building to which they are assigned. Residents who lose their ID are responsible for having it replaced at the Information Desk in the University Center.
- B.4.iii. Propping, unlocking, barring, or leaving open an exterior door for any amount of time is prohibited and jeopardizes the safety of the members of the community.
- B.4.iv. Tampering, damaging, inhibiting the use of or improper use of building security equipment which includes: doors, door locking hardware, door exit hardware, electronic door monitoring equipment, proxy readers, swipe readers and cameras is a violation of Residence Life regulations.

B.5. Fire Alarms

In accordance with federal law, during the course of the academic year, a planned fire alarm will occur twice per semester in each building. Residents will not be notified as to when these will occur. These planned alarms are intended to familiarize all residents with the exits, sounds, lights, and procedures for evacuating a building. All students and guests are required by law and University policy to leave the facility and meet at the designated gathering location for the building in alarm when an alarm sounds. Students who fail to evacuate a building, or take an unreasonable length of time to exit the building will be subject to University disciplinary action. Regardless of cause, all alarms should be treated as if real. If assistance to evacuate is required, please contact the Assistant Director of Resident Life at the beginning of the year.

Evacuation

Fire safety plans will be reviewed by Residence Life Staff members and copies of plans will be posted in buildings.

If an alarm sounds, students should consider the following:

1. Put on a coat and hard-soled shoes. Take keys, student id and a towel to prevent smoke inhalation.
2. Close windows.
3. Check the doorknob and door before exiting. If either is hot, do not open the door, but exit through a window instead (only if it can be done safely) or summon help.
4. If the knob is cool, exit cautiously, and close and lock the door.
5. Walk quickly to the closest exit in the area and stay 100 feet away from the building.
6. Never use elevators during a fire or fire alarm.
7. Do not re-enter the building until told it is safe by a hall staff member (even if the alarm has been silenced). Residence Life staff will assist in the basic evacuation of the facility and will help to coordinate re-entry into the building when appropriate authorities provide clearance. It is essential that residents take responsibility for their own evacuation.

Safety

Tampering, damaging, or inhibiting the use of fire safety equipment which includes: smoke/heat detectors, alarms, sprinklers, fire doors, pull stations and fire-extinguishers is a violation of state law as well as University regulations. Students may not block access to fire and safety equipment with personal belongings or furniture. Sanctions for violating any policy concerning fire alarms may include removal from Residence Life, suspension from the University, fines, and/or criminal prosecution.

B.6. Flammable Materials

Furniture, decorations and other items that increase the flammability of a room/apartment/suite may be prohibited at the discretion of the Assistant Director of Residence Life. Below is a list of items that are prohibited:

- Candles/Incense: Open flames, including candles and incense are prohibited in all campus housing areas. Candles which have never been lit may be used for decorative purposes; however, candles on which the wick has been burnt will be confiscated.
- Electronic cigarettes or vaporizers: Use or possession
- Explosives: Fireworks of every kind, including firecrackers and bottle rockets, are prohibited.

B.7. Guest & Visitation

Residential living spaces are rented to Mount Mercy students only. The University may limit the number of persons in rooms, suites or apartments for the purposes of safety and health of campus residents. In all living areas, residents assume responsibility for the behavior of their guests, including ensuring that behavior is consistent with university policies. A guest shall be defined as a person who is not assigned to a room, suite, apartment, or building they are visiting. The host is responsible for the behavior of all guests and may be held accountable for their behavior. Guests should in no way become a nuisance to the roommate(s) or the community. Residents may not host anyone who is known to be trespassed from Mount Mercy University facilities. Roommate(s) have the right to object to current or future visits and staff will mediate any concerns by the presence of guests. Violations of the guest and visitation policy could include but are not limited to:

B.7.1. All guests failing to comply with policies and other applicable university rules.

B.7.ii. Failing to have identification on them at all times and/or refuse to present it if asked by a Mount Mercy University staff member.

B.7.iii. Residents are required to register all overnight guests. Guest(s) are required to provide photo identification. Students can register their guest(s) by emailing the Residence Life office with the guest(s) full name and the length of their stay. All roommates/suitemates must be copied to the email so that Residence Life can confirm that they have approved of the guest(s).

B.7.iv. Guests must be escorted at all times by their host. They must be escorted in and out of the building and remain with the resident during their time in the building. A resident's ID card is never to be given to a guest for any reason. Guests without an escort will be asked to leave the building. Never agree to escort someone you do not know personally.

B.7.v. Visitation hours: Regina and McAuley visitation hours are from 8:00 AM until 2:00 AM. No visitors of the opposite gender are allowed in Regina or McAuley rooms after 2:00 AM. Overnight guests of the same gender are allowed, but must be registered and carry a pass with them at all times. The Director of Residence Life is authorized to extend these hours upon individual request.

Overnight Guests: Overnight guests are allowed only with the approval of your roommate(s). Guests, as defined above, who stay in anytime between the hours of 2:00 AM and 7:00 AM, are considered "Overnight Guests." No more than two persons may occupy the unit as overnight guests at any time. The total number of days a guest can stay is not to exceed three (3) days over the course of a single month. All guests staying must be registered with Residence Life 24 hours in advance of their arrival, by the host they are visiting.

B.8. Personal Property Disclaimer

The University assumes no liability for any loss or damage to the personal property of the resident and does not carry insurance on the personal property of the resident. Each resident should determine if their personal property is covered by parents' homeowner's policies; if not, they should purchase whatever personal property insurance he or she desires.

B.9. Pets

Residents are allowed to have fresh water fish in their rooms.

Tank size shall not exceed 20 gallons. No animals that breathe atmospheric air or live in salt water are permitted. Pets must receive roommate approval before being brought to campus housing. The only exception to this standard is an animal specially used for a medically documented purpose.

B.9.i. Possession of an unauthorized pet (anything besides fish) is prohibited and will result in conduct action up to and including removal from housing.

B.9.ii. Roommates (non-pet owners) may also be held responsible for violating this policy. It is critical residents communicate with each other to ensure pets (aside from fish in a 20 gallon tank) are not present in on campus residential facilities.

A fine of \$100.00 will be charged for a first time violation of the pet policy. This fine is subject to being doubled for subsequent violations. Consistent violations may result in removal from student housing.

B.10. Property Damage and Vandalism

Intentional, negligent, or attempted acts resulting in Mount Mercy University property damage or vandalism are prohibited. Mount Mercy University strives to keep all facilities and university property in excellent condition. Students help by holding accountable those residents and/or guests who choose to damage or remove community property. Students that know of any damage or theft should contact a Residence Life staff member or Public Safety Officer immediately. Damages that are not considered normal wear and tear, such as peeled paint from posters, broken or missing furniture, stained carpet, broken windows, etc., will be billed to students and, when necessary may be referred to Cedar Rapids Police Department for criminal charges. This includes, but is not limited to, the following:

- Damage, vandalism, destruction, abuse, or fraudulent use of Mount Mercy University and private property.
- Damage, vandalism, destruction, abuse, or fraudulent use of Mount Mercy University services including computer and telephone services.

B.11. Quiet Hours & Noise

Residence Life seeks to provide an environment free from unreasonable levels of noise in which residents can pursue their educational goals, sleep, and study. It is essential that students monitor their own noise levels and consider the larger community when engaging in activities that create loud noise. Courtesy hours are in effect when quiet hours are not. During courtesy hours, residents are expected to maintain a level of quiet conducive to community living and respond courteously to other residents' and staff requests for quiet. Even during courtesy hours noise should not be heard more than two (2) doors away. In addition, every resident will take part in a negotiation of additional quiet hours at the beginning of each semester for that floor/living area. Residents not agreeing with their floor may request alternative accommodations, as available, from Residence Life.

Quiet hours:

- Sunday - Thursday 10pm until 9am
- Friday & Saturday 12am until 9am
- All other hours are courtesy.

Courtesy Hours:

- Noise should be reduced to minimum and not heard outside the room or above or below resident rooms.
- Amplified music, noise out of a window or speakers directed outside of a room is not allowed unless part of an official Residence Life sponsored event. Contact Residence Life for permission to use amplified music at a level beyond that which is proper for an individual room.
- Residents may play musical instruments during courtesy hours as long as it is not distracting. Practice rooms are located at the terrace level of McAuley hall for extended needs.
- Residents should be cooperative and respectful when any community member asks another member to lower their music, TV, voices, etc.

24 Hour Quiet Hours

During finals week, all of the halls/suites/houses will have expanded quiet hours to create an enhanced study atmosphere. Students should maintain an extraordinary level of quiet at

all times during this time period and plan on taking any "loud activities" out of the residence halls. Students who do not comply may be required to leave the residence hall.

B.12. Smoking Policy

Beginning July 1, 2008, Mount Mercy began enforcing the State of Iowa's Clean Air Act signed into legislation April 15, 2008. Smoking is prohibited on all Mount Mercy property including: buildings, parking lots, and vehicles owned or leased by Mount Mercy, regardless of location. This policy applies to all indoor and outdoor air space, including athletic facilities. The law also prohibits smoking in personal vehicles on Mount Mercy property. This makes smoking cigarettes, cigars, e-cigarettes, and vaporizers in any prohibited place a violation. For more information, please visit www.iowasmokefreeair.gov.

B.13. Sports in Residential Spaces

Residents may not engage in any sports in the hallways, stairwells, lounges, rooms or any other interior public areas. This includes bouncing balls, throwing a Frisbee, nerf guns, water guns, water balloons, footballs, etc. In addition, residents may not ride bikes, wheeled vehicles (unless for medical purposes) or any types of skates or skateboards within housing facilities or on public benches, tables, stair railings and concrete walls.

B.14. Weapons Policy

In addition to items prohibited under Section 2: General Standards of Conduct of the Student Code of Conduct, any device/object used as a weapon are forbidden in Residence Life. This also includes, but is not limited to: pellet or BB guns, air soft guns, paintball guns, sling shots, arrows, axes, machetes, nun chucks, throwing stars, knives, brass knuckles, blow guns, daggers, cross bows, ornamental weaponry, hunting devices, stun guns, tasers, or any other device that could be used as a weapon. Weapons will be confiscated by a Residence Life staff or a Public Safety Officer and will be addressed through the conduct process.

Code of Conduct

Section 1: Overview

Purpose

Members of the Mount Mercy University community support the University's mission and embrace the core principles of reflective judgment, strategic communication, the common good, and purposeful living. When members of the University community violate our shared principles, the Code is used to affirm our principles through adjudication. The Student Code of Conduct defines minimum expectations for student behavior at Mount Mercy University and outlines the processes for students to bring a complaint, procedural due process, and appeal procedures.

Authority

The Student Code of Conduct is not a code of criminal law; criminal law concepts, processes, and procedures do not apply to it. The University will take appropriate action when student conduct runs contrary to the University mission or a clear and distinct university interest, regardless of whether a criminal offense has occurred. The University reserves the right to take necessary and appropriate action to protect the health, safety and well-being of the University community and its members.

Students and student organizations are subject to the provisions of local, state, and federal law and to all legal and judicial authorities as part of their responsibilities to the larger society. If a visitor or guest of a university student or organization does not comply with university policies and/or with local, state, or federal law, the student or organization may be subject to University sanctions, as well as to the provisions of local, state, or federal law. Those who believe a crime has occurred should inform Public Safety and/or a local law enforcement agency. Proceedings under the Student Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus.

Standard of Evidence

The standard of evidence that will be used to determine violations of the Student Code of Conduct is preponderance of the evidence. Preponderance of the evidence means that the evidence given (including complaint, response, witness statements, physical evidence, university documents and interview notes) is enough to suggest that a circumstance is *more likely than not* to have occurred as described.

Equal treatment

The University has an obligation to apply its rules equally to all students. This does not mean, however, that the University is required to refrain from engaging in the conduct process with some students because there are others who cannot be identified, or who are not similarly charged. Procedural fairness incorporates adequate notice of the charges, the opportunity for a fair hearing, and the right of appeal.

Nondiscrimination

For purposes of this Policy, the following characteristics are considered protected and, to the extent permitted by applicable law, individuals cannot be discriminated against based on these characteristics: race, color, religion, sex, gender, age, sexual orientation, pregnancy, national origin, disability, veteran status, genetic information, or any other status protected under applicable federal, state, or local law.

Freedom in the Classroom

A. Campus Expression

Students enjoy freedom of speech and expression on campus and at University-sponsored off-campus events or activities. Civil discourse, characterized by mutual respect for individuals and for opposing viewpoints, is an inherent responsibility of all members of the University community.

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

Offensive expression on matters including but not limited to race, color, ethnicity, religion, gender, disability, or sexual orientation is inappropriate in the Mount Mercy community and will be treated as harassment.

B. Classroom Expression

Students enjoy freedom of speech and research, of legitimate classroom discussion, and of advocacy of alternative opinions to those expressed in the classroom.

Students will be evaluated on knowledge and academic performance and not on the basis of personal or political beliefs.

C. Public Speakers

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

D. Campus Publications and Communications

The student press enjoy reasonable editorial freedom. This freedom carries with it the obligation to operate responsibly according to journalistic and broadcast ethics, consistent with the University's mission and any applicable legal regulations. Student editors and managers will not be suspended because of student, faculty, administration, alumni, or community disapproval of reasonable editorial policy or content.

Academic institutions exist for the transmission of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students are encouraged to develop the capacity for critical judgment and to engage in a sustained search for truth. Freedom for the individual is defined as the right to act or speak, so long as it does not adversely affect the rights of others. Believing in this concept, Mount Mercy University will protect freedom of action and freedom of speech for students, so long as it is not of an inflammatory or demeaning nature, is truthful and accurate and does not interfere with the students' living and study conditions. It shall constitute a disruptive act for any member of the campus community to engage in any conduct which would substantially obstruct, interfere with or impair instruction, research, administration, authorized use of University facilities, the rights and privileges of other members of the Mount Mercy community, or student conduct proceedings.

Good Standing

The awarding of a degree from Mount Mercy University is conditioned upon a student's good standing with the University and satisfaction of all university graduation requirements. "Good standing" means the student has resolved any unpaid fees or acts of academic or behavioral misconduct and complied with all sanctions imposed as a result of any misconduct. Mount Mercy University may deny the awarding of a degree if the student is dismissed from the university based on misconduct.

Communication with the University

University email is Mount Mercy's primary means of communication with students. Students are responsible for receiving and reading all communication delivered to their University email address.

Responsibility for Guests

Students and student organizations are responsible for the conduct of guests and must use their best efforts to ensure that guests comply with the Student Code of Conduct and other University policies. This includes but is not limited to guests attending university-sponsored events on or off university property, visitors to residence halls, or attendees of activities sponsored by recognized student organizations.

Section 2: General Standards of Conduct

Any student who commits any of the following acts of misconduct shall be subject to disciplinary action by Mount Mercy. A student's presence at an incident where a violation is occurring and the student's behavior shows he/she did not choose to remove him/herself from the situation, and may be considered to be a **passive participant** to that violation even if he/she did not directly participate in the violation.

2.a. Disorderly Conduct

Conduct that disrupts the orderly process of Mount Mercy or is immoral, lewd, or indecent according to commonly accepted standards. A violation may include, but is not limited to, any conduct that an individual knowingly engages in an unreasonable manner such as to alarm or disturb another and/or to provoke a breach of the peace. Behavior that disrupts or obstructs any University activity, including but not limited to teaching, research, administration, residential living, proceedings, recreational activities, guest speaker presentations, and cultural events. Additionally, it includes any behavior that causes a substantial disruption to the living or learning environment of the campus or residence halls/apartments.

2.a.i. Disorderly Conduct I may include, but is not limited to:

1. Intentional or reckless obstruction that unreasonably interferes with freedom of movement for either pedestrians or vehicles on university premises
2. Disruptions that can be reasonably traced to a specific individual or location
3. Throwing objects or playing sports within residential facilities. (Individuals and/or residential communities may be held financially responsible for repairing damages, painting costs, and general maintenance related to hall sports.)
4. Disruptive noises that can be reasonably traced to a specific individual or location
5. Strong odors that can be reasonably traced to a specific individual or location

2.a.ii. Disorderly Conduct II may include, but is not limited to:

1. Conduct that a reasonable person would find offensive such as lewd, indecent, obscene, or profane actions
2. Disturbing, disrupting, or obstructing the peace, or assisting or encouraging another person to do so
3. Actions that incite and counsel others to deny to other students and members of the Mount Mercy community their right to attend and/or implement authorized programs and functions of the institution
4. Abuse of self or others through physical/emotional abuse, threats, intimidation, violence, and/or other conduct which threatens or endangers the health or safety of any person, including one's self
5. Acts, or threats, of physical assault or abuse
6. Forcible detention
7. Threatening behavior (that may or may not include discriminatory acts which intentionally denigrate any category of residents are prohibited.)
8. Alcohol poisoning or drug overdose
9. Public intoxication, or being visibly under the influence of alcohol or drugs, including any prescription drugs not prescribed to the student
10. A repeated violation of lesser regulations.

2.b. Unauthorized Activity

A violation may include, but is not limited to, any unauthorized entry - either physical or electronic, either actual or attempted- into any University facility, building, or computer system. Additionally, actual or attempted unauthorized use of electronic or other devices to make an audio or video record of any person without prior knowledge or consent, when such a recording is likely to cause injury or distress to the subject of the audio or video record. Doing so is a violation of the individuals rights and may be subject to legal as well as civil action. This policy prohibits, but is not limited to, the following:

2.b.i. Unauthorized entry into or occupation of any Mount Mercy room, building or area of the campus, including such entry or occupation at any unauthorized time, or an unauthorized or improper use of any Mount Mercy property, equipment or facilities.

2.b.ii. Actions that obstruct or deny access to services or facilities of Mount Mercy or intentionally incite and counsel others to deny individuals their right of ingress or egress throughout the campus.

2.b.iii. Improper or unauthorized entry or exit of a University building, facility, or campus residence (e.g. entering or exiting a University building through a window) Leaving or entering a residence hall or Mount Mercy housing or assisting others to do so in any manner except the proper manner.

2.b.iv. All Mount Mercy University students, faculty, and staff are issued an identification card. This card can be programmed to grant access to approved buildings. This card is linked to individuals directly. Misuse, abuse, or lending this card to others is prohibited and can result in access being revoked.

2.b.v. All Mount Mercy employees and students, who have meal plans, must swipe their university issued identification card in order to gain access to the McAuley Dining Center. A commuter student must either use their Declining Balance, commuter meal plan, or cash or credit card to enter the cafeteria. Failure to swipe or bypass of the barriers and turnstile will result in a dining violation ticket of \$50 per offense with a maximum of 3 offenses before they will be referred to student conduct. Sanctions for violating any policy concerning dining may include exclusion from the McAuley Dining Center and other

dining services, suspension from the University, additional fines, and/or criminal prosecution.

2.c. Demonstrations

Demonstrations on the campus or within the interior of any Mount Mercy building or structure, except as specifically authorized and subject to reasonable conditions imposed to protect the rights and safety of other persons, and to prevent damage to property.

All demonstrations must be approved in advance by the Dean of Students.

2.d. Theft

Theft, misappropriation, or misuse of Mount Mercy property, or private property on campus, including illegal entrance to the McAuley Dining Center, theft of food, and/or possession of stolen property. A theft violation may include, but is not limited to, taking or attempting to take another's property—personal, public or institutional—without his/her express permission. This includes, but is not limited to, physical, electronic, and intellectual property. Sanctions for violating any policy may include, suspension from the University, fines, and/or criminal prosecution.

2.e. Harassment and bullying

Physical or emotional abuse through actions, intimidation, or threats of another person during daily university life or at any Mount Mercy-sponsored or supervised function or event.

2.e.i. Harassment is any behavior intended to create - or could reasonably be expected to result in - a hostile, intimidating, or offensive environment that would undermine an individual's ability to work, learn, or fully participate in University life. Harassing conduct may be verbal, written, electronic, or physical in nature. Mount Mercy University considers three parameters when investigating a harassment complaint:

1. Severity of the alleged behavior or action(s)
2. Persistence of the alleged behavior or action(s)
3. Pervasiveness of the alleged behavior or actions(s)

Violations of this conduct code could include, but are not limited to:

- Unwelcome or inappropriate contact
- Unwelcome or inappropriate communication, whether in person, via email, via whiteboard on a bedroom door, or other means of interaction
- Unwelcome or inappropriate sexual advances
- Create a hostile curricular or co-curricular environment for a student.

2.e.ii. Harassment becomes **bullying** when the intent of the action is to cause, or is perceived as causing, distress or intimidation to one or more students. Bullying interferes with another student or students' ability to be fully immersed and engaged as contributing members of the campus community. Bullying includes, but is not limited to, conduct by a student against another student that a reasonable person knows has the potential to:

- Harm a student.
- Damage a student's property.
- Place a student in reasonable fear of harm to his or her person or property.
- Create a hostile curricular or co-curricular environment for a student.

2.f. Act of Dishonesty

Misrepresentation of any material fact to any member of the faculty or staff of Mount Mercy or to any office, department, or committee

thereof, or willful misrepresentation to anyone within or without the Mount Mercy community of his or her status or academic performance with the institution or of the support, sponsorship or approval of Mount Mercy of the services or activities of any person, group or organization. Violations can include, but are not limited to:

2.f.i. Failure to comply with directions of University officials or law enforcement officers acting in the performance of their duties and/or failure to accurately identify oneself to these persons when requested to do so.

2.f.ii. Failure of any student or student organization to appropriately address a known or obvious violation of the Student Code of Conduct or state or federal law that poses a risk to the health and safety of any person.

2.f.iii. Providing false information, altering or misusing Mount Mercy documents and records, instruments, or property (eg. Identification cards/keys); possession of government-issued identifications that have been altered or that belong to another person

2.f.iv. Misrepresentation of any material fact to any member of the faculty or staff of Mount Mercy or to any office, department, or committee thereof, or willful misrepresentation to anyone within or without the Mount Mercy community of his or her status or academic performance with the institution or of the support, sponsorship or approval of Mount Mercy of the services or activities of any person, group or organization.

2.f.v. Fleeing the scene of an incident while an investigation or inquiry is in progress

2.f.vi. Refusing to Comply with MMU Conduct Process. A violation may include, but is not limited to:

- Failure to obey any notice from a university Conduct Board or university official to appear for a required meeting.
- Willful falsification, distortion, or misrepresentation of information during the student conduct process.
- Disruption or interference with a university conduct proceeding.
- Filing fraudulent charges or initiating a university conduct code proceeding in bad faith.
- Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
- Attempting to influence the impartiality of a member of the university conduct system prior to, and/or during the course of, any university student conduct proceeding.
- Harassment (verbal, physical, through use of technology) and/or intimidation of a member of a university Conduct Board or student conduct administrator prior to, during, and/or after any university conduct proceeding.
- Verbal, physical, or technological harassment, intimidation, and/or retaliation against a person for their exercise of rights under the Student Code of Conduct or participation in the student conduct process as a complainant, respondent, or witness.
- Failure to comply with any sanction(s) imposed pursuant to a student conduct proceeding.
- Influencing or attempting to influence another person to commit an abuse of the university conduct process.

2.g. Alcohol & Controlled Substances

Alcohol

Mount Mercy is committed to maintaining a safe and healthy environment for members of the University community by promoting a drug-free environment. Mount Mercy does not encourage consumption

of alcoholic beverages, nor does Mount Mercy promote the use or abuse of them. In keeping with the federal Drug Free Schools and Communities Act of 1989, and with other federal legislation, Mount Mercy has established policies and programs which address the use and abuse of alcohol. Such policies are a requirement for the receipt of federal financial assistance, including financial aid to students.

Mount Mercy students are considered to be responsible individuals who are expected to behave in accordance with state and local law and the Mount Mercy alcohol policy. Mount Mercy respects students' privacy and autonomy, assumes they will behave legally and responsibly, and will not use unjustified means to verify compliance. When violations of law or policy come to the attention of school officials or agents, however, justified sanctions will be imposed and repeat or more serious violations will be dealt with more severely.

Under state law, the legal age for possession or drinking of alcohol is 21. State law prohibits public intoxication; consuming alcohol in public places not covered by a liquor control license; driving or being a passenger in a motor vehicle with an unsealed receptacle containing an alcoholic beverage in the passenger area of the vehicle; giving or selling an alcoholic beverage to anyone intoxicated; and possession of an alcoholic beverage under legal age. Violation of federal, state, and local laws as well as University policies concerning the use of alcoholic beverages or drugs will be covered under this policy.

Mount Mercy allows students who are 21 years of age or older to drink alcohol in their Andreas, or Lower Campus Apartment housing assignments, but their alcohol consumption is still governed by Mount Mercy policy as outlined in the Good Book.

2.g.i. Underage Consumption/Possession: Students who are not 21 years of age are not allowed to consume or possess alcohol, including "low-alcohol" beer. Alcohol can be consumed only by students 21 year of age or older, under the conditions listed in the University alcohol policy printed in this policy. Underage students at Mount Mercy who possess or use alcohol are subject to disciplinary action by the institution and/or local law enforcement. Underage possession and use may result in civil or criminal penalties. Mount Mercy may report violations of these regulations to civil authorities. Parents or legal guardians may be notified concerning violations of underage possession, use, or provision to others of alcohol or any illegal substances, as provided for under the Campus Disclosure Act of 1998.

2.g.ii. Regina & McAuley: Regina and McAuley are dry halls. Regardless of age, no one may possess, consume, or transport alcohol in Regina and McAuley. This restriction includes both sealed and open containers. Students age 21 and over with a documented medical need for a single room who are assigned to Regina or McAuley may request, in writing, permission to possess, consume, and transport alcohol into their room. Permission is not guaranteed. If permission is granted, the same standards as other rooms that are permitted to have alcohol will apply.

2.g.iii. Container Size: Multi-liter containers are not allowed on Mount Mercy property. Examples of multi-liter containers include but are not limited to kegs, pony kegs, and boxed wine.

2.g.iv. Public Consumption/Open Containers: Possession of or consumption from open containers is prohibited in public areas. For the purposes of alcohol policy enforcement, a room/ apartment/ suite may be considered a public area if the door entering the room/ apartment/ suite is open. Alcohol beverage containers may not be used for decorative purposes by underage students. Open containers are defined as any alcohol container on which the seal has been broken or which cannot be enclosed, e.g. cups. Once the seal has been broken, a container is considered open even if the cap/cork/etc. has been replaced.

2.g.v. Excessive Consumption: Excessive alcohol consumption and/ or the resulting irresponsible behavior are inconsistent with the goals and mission of Mount Mercy. Any/all individuals present during the following alcohol policy violations may be found guilty of a behavioral violation and subject to disciplinary action by Mount Mercy, regardless of age.

2.g.vi. Behavior that encourages excessive consumption: All drinking games (whether with alcoholic or non-alcoholic beverages) are prohibited in residential facilities.

2.g.vii. Alcohol Disposal: In the event that alcohol is consumed or possessed in violation of University policies, all alcohol containers will be emptied. The University may limit the number of persons in rooms, suites, or apartments for the purposes of safety and health of campus residents.

2.g.viii. Disruptive behavior: Students that are permitted to possess and consume alcohol on campus must do so in a respectful and responsible manner. Breaking any Student Code of Conduct policy while drinking alcohol will also result in a housing alcohol policy violation. As such, the privilege of possessing and consuming alcohol on campus may be revoked if this happens.

2.g.ix. Alcohol storage and consumption in Andreas, and Lower Campus Apartments is restricted in certain cases.

- If any underage residents or guests are present, alcohol may not be visible or consumed.
- If any underage residents live in a suite/apartment/house, alcohol may not be consumed or stored in the common living areas at any time.
- If any room owner is not of legal age, alcohol cannot be stored or consumed in the bedroom at any time, regardless of whether or not the underage roommate is present.
- Occupants of a suite/apartment/house who are not of legal age may not enter any bedroom where alcohol is visible or being consumed.
- Alcohol containers are not allowed outside the resident areas, e.g. parking lots, hallways, or patios.
- Storage of alcohol containers cannot be visible from outside of the suite/apartment.

Andreas, and Lower Campus Apartments:

1. In order to encourage a safe environment and mitigate risk, there may be no more than sixteen (16) people in an Andreas suite or nine (9) people in a Lower Campus apartment.
2. Communities with All Residents Of Age: Alcohol may be possessed/consumed anywhere in the suite. While alcohol is being consumed, the number of alcohol containers (empty or not) may not exceed the number of people consuming alcohol. Empty containers must be properly disposed of prior to opening another container. When the alcohol is in the open and/or being consumed, everyone present must be of legal age. If a minor is present, everyone present at the time will be held to Mount Mercy alcohol policy. Alcohol consumption by residents (or guests) of age will be considered as a contributing factor if other violations are taking place.
3. Communities with Residents of Mixed Ages: If there are both of-age and underage people living in the same suite/apartment/ house, roommate pairs who are both of legal drinking age may consume, possess, and store alcohol in their private bedroom only. While consuming alcohol, or while alcohol is visible, the bedroom door must remain shut. The number of open alcohol containers present (empty or not) may not exceed one container per individual of legal drinking age in the bedroom where alcohol is

being consumed. Empty containers must be properly disposed of prior to opening another container.

4. Guests: Guests who are of legal age may be present when alcohol is being consumed as long as the number of individuals in the suite, apartment, or house does not exceed the maximum limit (see 1. above).

2.g.x. Alcohol Usage at Off-Campus Events Sponsored by Student Clubs or Organizations. Mount Mercy discourages university clubs and organizations from hosting or sponsoring off campus events where alcohol is sold or served. If an organization chooses to host or sponsor an event where alcohol is sold or served, the following rules are to be observed:

1. Alcohol may only be served by a third-party vendor.
2. Alcohol can only be sold and served in a private room or designated area separate from the primary party, dance, or event. Those under the age of 21 are not permitted to enter this area.
3. Alcohol may not be brought out of the designated alcohol sales/consumption area. No Mount Mercy money may be used to purchase alcohol.
4. No club, student, or employee of Mount Mercy may receive any portion of the money made from the sale of alcohol at the event.
5. Alcohol may not be provided or distributed by student organizations or members of student organizations.
6. Nonalcoholic beverages must be available.
7. Alcohol may not be carried into the facility; nor may students come and go from the party frequently.
8. Only single servings may be purchased; no pitchers are permitted.
9. Students may not purchase more than one alcoholic beverage at a time.
10. No Mount Mercy employee or student may certify age; only licensed agent may authorize age appropriate sale or provision.
11. Club officers and advisors will be held responsible for upholding these regulations. Violation of these regulations may result in judicial proceedings for the officers and for the club as a whole.

Controlled Substances

In compliance with the Drug Free Schools and Communities Act of 1989 and the Drug Free Workplace Act of 1988, all Mount Mercy students are herein notified that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is strictly prohibited. Controlled substances include but are not limited to: cannabis, cocaine, heroine, acid, LSD, methamphetamine.

Violators of this policy may be subject to a variety of sanctions, up to and including expulsion from Mount Mercy. Parents or legal guardians may be notified concerning violations of underage possession, use, or provision to others of alcohol or any illegal substances, as provided for under the Higher Education Amendments Act of 1998.

The use, possession, or distribution of controlled substances is prohibited. Drugs or drug related paraphernalia may be confiscated and used as evidence. A violation may include, but is not limited to, the unlawful possession, manufacture, distribution, use, or sale of drugs or drug paraphernalia. A violation may occur if the odor of a drug is present when more than one individual can reasonably trace it to a specific individual or location.

2.g.ii. A drug violation may include, but is not limited to the unlawful possession, manufacture, distribution, use, or sale of drugs or drug paraphernalia.

2.g.iii. Odor of a drug is present when more than one individual can reasonably trace it to a specific individual or location.

Advertisement of Industry Services

Mount Mercy University's Career Services office will not accept or post positions related to the use or distribution of recreational or medical marijuana. This includes tertiary positions not directly related to the sale or distribution of marijuana/cannabis but are designed to support or advance the industries. Employers seeking to recruit for such positions at any on-campus recruiting event or through any campus means will be asked to cease and desist, and withdraw from the campus immediately. As the use of marijuana is illegal at the federal level and Mount Mercy University receives federal funds, we must comply with federal law. In addition, the possession and use of marijuana violates the Drug-Free Schools and Campuses Act, is illegal in the State of Iowa, and is banned on the Mount Mercy University campus.

2.h. Physical Assault

Any unwelcome physical contact that is intentional or reckless including, but not limited to, striking, slapping, hitting, punching, shoving, or kicking another person. Such actions are violations of the student Code of Conduct and will be referred to the Dean of Students. Students are also encouraged to file a report with the Cedar Rapids Police Department.

A violation may include, but is not limited to:

- Intentional and/or unwanted physical contact
- Use of violence and/or fighting
- Attempt to harm another person

2.i. Group Offenses

A group violation may include, but is not limited to, actions by organizations, societies, clubs, and similarly organized groups that result in violations of University policies. Repeated individual violations of the Student Code of Conduct may constitute a group offense if there is a nexus between the behavior and an activity or location in control of the group (for example, multiple alcohol or drug-related medical transports from or arrests made at a group-controlled property or as a consequence of a group-sponsored event over the course of a semester). Sanctions for groups may result in permanent or temporary suspension, loss of recognition or charter, social probation, or other actions deemed appropriate by the University. An individual involved in a group offense and/or sanction can also be subject to additional individual charges and sanctions.

2.j. Academic Dishonesty

Academic dishonesty, including cheating, plagiarism, or academic misconduct. (See Academic Integrity Policy).

2.k. Fiscal Misconduct

A violation may include, but is not limited to:

- 2.k.i. Falsification of Mount Mercy University or student organization financial records
- 2.k.ii. Any purchase and/or financial transaction made without appropriate organization membership and institutional approval, including, but not limited to, long-distance calls, copier use, signature of contracts, travel expenses, and rentals
- 2.k.iii. Failure to relinquish student organization financial records to officers/advisors, and/or university/SGA officials
- 2.k.iv. Failure to uphold the financial obligations and agreements entered into on the part of an individual or student organization
- 2.k.v. The writing of non-sufficient funds (NSF) checks to the University, forgery, and/or embezzlement

2.1. Demonstrations

Demonstrations on the campus or within the interior of any Mount Mercy building or structure, except as specifically authorized and subject to reasonable conditions imposed to protect the rights and safety of other persons, and to prevent damage to property.

2.m. Discrimination

Enforcing the diversity of views, cultures, and experiences is critical to the academic mission of higher education. Such diversity enriches the intellectual lives of all, and increases the capacity of Mount Mercy University to serve the educational needs of its community. Mount Mercy University is committed to preventing harassment while protecting individual rights. The Mount Mercy community promotes an environment in which incidents of discriminatory harassment are less likely to occur; an environment that is hospitable to all members of the University community regardless of race, sex, gender, color, national origin, religion, age, sexual orientation, disability or status. A violation occurs when an individual or group of individuals is treated adversely (for example, denied rights, benefits, equitable treatment, or access to facilities or groups open to all others) based on the protected characteristics listed above.

2.n. Arson & Fires

Setting of fires in any Mount Mercy building or on the campus without the proper authority, or intentional sounding of a false fire alarm or improper use of fire prevention equipment in any Mount Mercy building or on the campus. The theft, tampering with or improper use of fire detection/fighting equipment is prohibited. Students found responsible for triggering the alarm systems due to mischief or negligence will be billed for the CRFDs services. A violation may include, but is not limited to, any violation of local, state, federal, or campus fire policy, including:

- 2.n.i. Intentionally or recklessly causing a fire which damages property or personal property or which causes injury,
- 2.n.ii. Failure to evacuate a university-controlled building during a fire alarm, unless directed to stay in an area of evacuation assistance by a university official
- 2.n.iii. Improper use of fire safety equipment
- 2.n.iv. Improperly engaging a fire alarm or fire detection/control equipment while on university premises
- 2.n.v. Tampering, damaging, or inhibiting the use of fire safety equipment which includes: smoke/heat detectors, alarms, sprinklers, fire doors, pull stations and fire-extinguishers is a violation of state law as well as University regulations. Students may not block access to fire and safety equipment with personal belongings or furniture. Sanctions for violating any policy concerning fire alarms may include removal from Housing & Residence Life, suspension from the University, fines, and/or criminal prosecution.

2.o. Improper Computer Usage

Mount Mercy encourages computer use as a tool to further its teaching, scholarly research, and service goals. Mount Mercy provides faculty, students, and staff with equipment and facilities that provide access to campus and global information resources. Computing resources are to be used in an ethical, courteous and fair manner. Use of Mount Mercy computing facilities is restricted to current faculty, staff, students, and other employees. With permission of lab supervisors, alumni and non-university individuals may be permitted to use Mount Mercy technology resources. This latter access will be granted on a case by case basis, by the Director of IT or IT staff. The purpose of this policy is to extend these expectations to include acceptable uses of information technology resources. Furthermore, the

policy extends these expectations to cover circumstances in which the interests and rights of others must be protected and preserved. These guidelines apply to all Mount Mercy faculty, staff, and students using Mount Mercy information technology resources. These policies also extend to alumni and non-university individuals and entities that access information through Mount Mercy technology resources.

Information technology resources are those facilities, technologies, and information resources required to accomplish processing, storage, and communication, whether individually controlled or shared, stand alone or networked. Included in this definition are departmental/building technology centers and labs, classroom technology, equipment, personal computers owned by students, staff, and faculty but used on campus, and computing and electronic communication devices and services.

Specialized computer labs within the Mount Mercy community may define conditions of use for facilities under their control. These statements must be consistent with this overall policy, but may provide additional detail, guidelines, and/or restrictions. In addition, any network traffic exiting the institution is subject to the acceptable use policies of Mount Mercy's national and international network connectivity providers.

Technology Operations does not allow or support personal devices such as game servers, routers, hubs/switches, access points, etc. to be plugged in to or access the Mount Mercy University network. Failure to comply with this policy can cause serious effects on the campus network and can cause costly down time to the campus and/or repairs. If a device is found to be on the network without authorization, the port will be disabled indefinitely and the device will be subject to confiscation. Allowable devices are personal computers and printers. Tablets, iPad's and phones may also access the wireless network. If you have any questions about what is allowed and what is not, please contact Technology Operations at extension 4357 or help@mtmercy.edu.

Student violation of these policies constitutes computer abuse and disciplinary actions will be governed as outlined in appropriate policy manuals of Mount Mercy. Computer abuse by faculty and employees of Mount Mercy will be handled by appropriate administrative channels. The Director of IT's role in the process will be to call attention to the situation, gather and validate pertinent information to the appropriate dean, vice president or supervisor. Violations of courtesy are to be referred to the Director of IT or the supervisor of the individual lab or electronic device.

Persons using electronic mail with Mount Mercy information technology resources are expected to treat the contents of electronic files as private and confidential. Inspection of electronic files and electronic mail, and any action based upon such inspection, will be governed by all applicable United States and Iowa laws. The Mount Mercy community is advised that all files stored on main systems, including electronic mail, are backed-up regularly and may be subject to review by Mount Mercy and/or subpoena.

Mount Mercy does not monitor and cannot fully control the information available through the Internet. Parents or guardians are responsible for monitoring the materials accessed by minors.

Information technology resources may be used for the following purposes:

- Class assignments
- Campus community and public service projects
- Campus publications and announcements
- Academic research and investigation
- Computing for personal and professional development
- Administrative and instructional support

- Staff and faculty consulting, subject to Mount Mercy policies
Computer users must not engage in unauthorized or inappropriate conduct on the Mount Mercy network, email, or Internet.

Disrupting access of other students, faculty or staff members to Mount Mercy computer resources. Violations include but are not limited to:

- 2.o.i. Obtaining with or without authorization access to a computer account assigned to another person of an inactive or inactive account
- 2.o.ii. Attempting to read or access another person's electronic mail or protected files belonging to another Mount Mercy student, faculty or staff member or academic department for other than its intended purpose with or without permission from the owner
- 2.o.iii. Unauthorized tampering with or modification of network resources including but not limited to cracking or access systems, whether on campus or off, in an unauthorized or inappropriate manner
- 2.o.iv. Falsifying or altering records or documents using Mount Mercy computer equipment to interfere with the lawful rights of others
- 2.o.v. Damaging programs belonging to another that may or may not involve knowingly distributing or actively developing a computer virus, worm, or Trojan Horse.
- 2.o.vi. Using technology or facilities to threaten or harass another person.
- 2.o.vii. Copying or distributing software in a violating copyright laws, license agreements, and intellectual property as outlined in the Copyright Law of the United States of America, revised March 1, 1989, in Title 17 of the United States Code, Section 117.
- 2.o.viii. Using technology or facilities to engage in illegal or criminal activities.
- 2.o.ix. Assisting another person to do any act proscribed under this paragraph.

Personal Web Page Guidelines

Copies of Mount Mercy's Web page policy, "Guidelines for Personal Web Pages," can be found in the Busse Library.

2.p. Relationship Abuse and Violence

A violation may include the use of physical, sexual, verbal, emotional, or technological abuse, or similar behaviors that a reasonable person would conclude is intended to control a partner, or harm, threaten, intimidate, or control another person in a relationship of a romantic or intimate nature, regardless of whether that relationship is continuing or has concluded or has the number of interactions between the individuals involved.

2.p.i. Dating violence: violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

1. The length of the relationship.
2. The type of relationship
3. The frequency of interaction between the persons involved in the relationship

2.p.ii. Domestic Violence: felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

2.q. Sexual Misconduct

The expectations of our community regarding sexual misconduct can be summarized as follows: In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity.

Consent is permission. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you don't. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence--without actions demonstrating permission--cannot be assumed to show consent.

Additionally, there is a difference between seduction and coercion.

Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation.

Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and "Yes" may not always mean "Yes." Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a "no."

A person who knows or reasonably should have known that the other person was incapacitated may not engage in sexual contact or intercourse with that person.

Sexual Misconduct Offenses include, but are not limited to:

2.q.i. Sexual Harassment: unwelcome, sex-or gender-based conduct that is sufficiently severe, persistent or pervasive that it unreasonably interferes with, denies, or limits a person's ability to participate in or benefit from the University's educational program or activities and is based on power differentials ("quid pro quo"), or creates a hostile environment. Examples of sexual harassment include, but are not limited to:

1. An attempt to coerce an unwilling participant into a sexual relationship
2. A one-time instance or repeated instances that subject a person to unwelcome sexual attention, or unwanted comments, communications or jokes of a sexual nature or about their sexual experiences or orientation
3. Conduct that punishes a person for a refusal to comply with a sexual request
4. Conditioning a benefit on submitting to sexual advances
5. Threatened or actual sexual violence
6. Bullying someone on the basis of sex or gender including for exhibiting what is perceived as a stereotypical characteristic for their sex or for failing to conform to stereotypical notions of masculinity and femininity, including repeated use of degrading words, gestures, or sounds to describe a person.

2.q.ii. Non-Consensual Sexual Contact (or attempts to commit same):

Any intentional sexual touching, however slight, with any object (including body parts), by one person upon another person, that is without consent and/or by force. Examples of sexual contact include, but are not limited to:

1. Contact with the breasts, buttock, groin, or genitals, or touching of another with any of these body parts

2. Making another touch another person or themselves with or on the breasts, buttocks, groin, or genitals
3. Bodily contact in a sexual manner, though not involving contact with breasts, buttocks, groin, genitals, mouth, or other orifice.

2.q.iii. Non-Consensual Sexual Intercourse (or attempts thereof):

Sexual intercourse is non-consensual when a conduct occurs ranging from forcible intercourse to nonphysical forms of pressure that compel individuals to engage in sexual activity against their will. Examples of non-consensual sexual intercourse (sexual assault) under this policy include, but are not limited to, the following behaviors, however slight, when consent is not present:

1. Sexual intercourse (anal, oral, or vaginal). Intercourse, however slight, meaning vaginal penetration by a penis, object, tongue, or finger; anal penetration by a penis, object, tongue, or finger; or oral copulation (mouth to genital contact or genital to mouth contact)
2. Attempted sexual intercourse (anal, oral, or vaginal)
3. Intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts
4. Any other intentional unwanted bodily contact of a sexual nature
5. Use of coercion, manipulation, or force to make someone else engage in sexual touching, including breasts, chest, and buttocks
6. Engaging in sexual activity with a person who is incapacitated and unable to provide consent due to the influence of drugs, alcohol, or other mental or physical condition (e.g., asleep or unconscious).

2.q.iv. Sexual Exploitation: Occurs when a student takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

1. Invasion of sexual privacy
2. Prostituting another student
3. Non-consensual video or audio-taping of sexual activity
4. Duplication, distribution, or publication of a consensually made recording of a sexual activity without the consent of all parties involved in the recorded sexual act
5. Going beyond the boundaries of consent (such as letting someone else watch a consensual act while hiding)
6. Engaging in voyeurism
7. Knowingly transmitting an STI or HIV to another student
8. Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals
9. Sexually-based stalking and/or bullying may also be forms of sexual exploitation

2.q.v. Sexual Intimidation: threatening another person that you will commit a sex act against them; engaging in indecent exposure; or stalking another person who reasonably perceives the stalker is pursuing a romantic and/or sexual relationship.

2.r. Stalking

Stalking occurs when a person on at least two separate occasions follows another person or places the person under surveillance,

knowingly and without lawful justification; and at any time transmits a threat or places that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint.

Examples of prohibited stalking can include, but are not limited to:

1. Non-consensual repeated communication including in-person communication, telephone calls, voice messages, text messages, email messages, social networking site postings, instant messages, postings of pictures or information on web sites, written letters, gifts, ordering goods or services, or any other communications that are undesirable
2. Following, pursuing, waiting, or showing up uninvited at a workplace, place of residence, classroom, or other locations frequented by a recipient of unwelcome conduct
3. Monitoring online activities, surveillance and other types of observation, whether by physical proximity or electronic means, attempts to gather information about the recipient of unwelcome conduct;
4. Vandalism, including attacks on data and equipment;
5. Direct physical and/or verbal threats against a recipient of unwelcome conduct or loved ones of a recipient of unwelcome conduct, including animal abuse;
6. Gathering of information about a recipient of unwelcome conduct from family, friends, coworkers, and/or classmates;
7. Manipulative and controlling behaviors such as threats to harm oneself, or threats to harm someone close to the recipient of unwelcome conduct;
8. Defamation or slander against the recipient of unwelcome conduct; posting false information about the recipient of unwelcome conduct; posing as the complainant in order to post to web sites, news groups, blogs, or other sites that allow public contributions; and/or encouraging others to harass the recipient of unwelcome conduct;
9. Posing as someone other than oneself to initiate transactions, financial credit, loans, or other contractual agreements;
10. Arranging to meet the recipient of unwelcome conduct under false pretenses.

2.s. Trespass

Failure or refusal to leave University ground, a University facility, or a specific portion of a facility, when requested by a University official.

2.t. Hazing

Any action required of or imposed on current or potential members of a group that intentionally or recklessly endangers the mental or physical health or safety of a student for the purpose of initiation or admission into, or affiliation with, any organization operating in connection with the University. Mount Mercy University is committed to enforcing state law regarding hazing (see Iowa Code 708.10 Hazing):

2.s.i Level 1 violations: Verbal abuse, servitude, shaming, and/or shunning

2.s.ii Level 2 violations: Physical abuse, property damage, mental duress, forced/coerced substance abuse, forced/coerced consumption, coerced participation in public or private activities, and sexual acts.

2.u. Firearms and Weapons

Possession, use, and transportation of any dangerous or potentially dangerous weapons is prohibited on Mount Mercy University properties or events. This policy shall apply to all faculty, staff, students of Mount Mercy University, and to all visitors to the campus or University properties. This policy shall not apply to duly authorized law enforcement officials in the lawful discharge of their duties. Temporary

exclusions may be granted by the Director of Public Safety for job related, educational, or demonstration purposes, which shall include an agreement on storage by the Public Safety Director. Examples of firearms and weapons include, but are not limited to:

2.u.i. Ammunition hunting knives, swords, bows and arrows, sling shots, and bayonets shall not be brought on campus or kept in student rooms/apartments/suites.

2.u.ii. Fire arms (shotgun, rifles, hand guns)

2.u.iii. Explosives, fireworks, fire crackers, and explosive devices

2.u.iv. Pellet guns, BB guns, air guns, taser or stun gun, or any other object a reasonable person may believe to be a gun

2.u.v. Knives (switchblade knife, butterfly knife, sword, or otherwise bladed object)

2.u.vi. Any object intended for use as a weapon

Violation of any other regulation or any other rule or policy that may be promulgated by the President of Mount Mercy or an authorized representative, by any department, residence, office or other facility within the scope of its authority, provided such rules, regulations or policies were published, posted or otherwise adequately publicized or the student had actual knowledge of such rule, regulation or policy.

All provisions contained in Mount Mercy residence hall or apartment contracts that pertain to personal conduct shall be deemed rules subject to this regulation with respect to all residence hall students.

2.v. Bribery and/or Extortion

A violation may include, but is not limited to, bribery, attempted bribery, acceptance of a bribe, and/or failure to report a bribe.

2.v.i Bribery includes, but is not limited to, offering money and/or some other form of payment including gifts to a member of the University community in order to influence any academic or administrative process or to influence any athletic or university event.

2.v.ii Extortion includes, but is not limited to, getting or attempting to get money and/or anything of value by violence, threats, and/or misuse of authority.

2.w. Health and/or Safety Hazards

A violation includes creation of a health and safety hazard for any member of the university community or guest and campus visitors. Examples of health and safety hazards include, but are not limited to:

2.w.i. Participating in dangerous pranks;

2.w.ii. Hanging out of or climbing on windows, balconies, or roofs; or

2.w.iii. Any other conduct that creates an unreasonable risk of harm to a person or property.

2.x. Unmanned Aircraft System

The use of any property owned, leased, licensed or otherwise controlled by the University, including, but not limited to, any "air rights" recognized by federal or state law, to operate any Unmanned Aircraft Systems ("UAS"), commonly referred to as "unmanned aerial vehicles" or drones, as well as any small unmanned aircraft or model aircraft ("model aircraft"), poses inherent health, security, and privacy risks to the University community. Accordingly, use of University property or air rights for the purpose of operating any UAS or model aircraft is prohibited at all times. This prohibition includes the associated support equipment, control station, data links, telemetry, communications and navigation equipment, etc., necessary to operate the vehicle.

The use and operation of UAS is strictly regulated by the Federal Aviation Administration and is also governed by state law. Any person who observes the use of any UAS or model aircraft on University property should immediately notify the Department of Public Safety at 319-363-1323 ext.1234.

Any person or entity using or operating any UAS or model aircraft in violation of this policy shall be subject to all criminal and civil penalties

and liability to the maximum extent possible under federal and state law.

2.y. Vandalism/Destruction/Damage or Misuse of Property

A violation may include intentional, negligent, or attempted acts resulting in destruction, damage, abuse, fraudulent or misuse of University or private property including computer, fleet vehicles, and telephone services.

2.z. Violation of any other regulation or any other rule or policy

Violation of any other regulation or any other rule or policy that may be promulgated by the President of Mount Mercy or an authorized representative, by any department, residence, office or other facility within the scope of its authority, provided such rules, regulations or policies were published, posted or otherwise adequately publicized or the student had actual knowledge of such rule, regulation or policy.

All provisions contained in Mount Mercy residence hall or apartment contracts that pertain to personal conduct shall be deemed rules subject to this regulation with respect to all residence hall students.

Violations include but are not limited to: alcohol, pets, smoking, solicitation/commercial enterprises, demonstrations, assistance/service animals, guest/visitation,

2.aa. Violations of Residence Life Regulations

As compiled in the Residence Hall Contract, Good Book, and Movin' On documents. A student present but not actively involved in an incident arising out of a residence hall may be subject to disciplinary action.

2.bb. Acts Against the Administration of This Code

Violations of rules and regulations, or conduct, not covered above but considered detrimental to the educational process, missions or goals of Mount Mercy or threatening the health, well-being, or safety of any member of the Mount Mercy community.

Section 3: Definitions

Conduct Body

The term "Conduct Body" means any person or persons authorized by the Dean of Students or her/his designee to determine whether a student has violated the Student Code of Conduct and to determine appropriate sanctions for the violation. This can be a single individual, such as a Hearing Officer (individual faculty or staff member), a group of people, such as a Conduct Board or Appellate Board, and/or, in instances of academic dishonesty, a faculty member.

Consent

Consent: Consent is affirmative, clear, knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity.

- Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- Previous relationships or prior consent cannot imply consent to future sexual acts.

- Affirmative consent means that a verbal, conscious, and voluntary agreement to engage in sexual activity.
- Affirmative consent must be ongoing throughout any activity and can be revoked at any time.
- Each person involved is responsible for ensuring they have affirmative consent of any other person engaging in the sexual activity.
- Sober (someone too drunk to drive or walk home on her/his own is too drunk to give consent)
- Of age (the Student Code of Conduct requires each party to be at least 18 years old)
- Awake and conscious. Lack of protest or resistance does not mean consent. Silence does not mean consent.
- Uncoerced and unthreatened (each party must feel free and safe to say yes or no)

Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent.

Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

- NOTE: There is no requirement that a party resists the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non-consensual sexual activity is not by definition forced.
- In order to give effective consent, one must be of legal age.
- Sexual activity with someone who one should know to be -- or based on the circumstances should reasonably have known to be -- mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), constitutes a violation of this policy.
 - Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction).
 - This policy also covers a person whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of rape drugs. Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student is a violation of this policy. More information on these drugs can be found at <http://www.911rape.org/>
- Use of alcohol or other drugs will never function as a defense for any behavior that violates this policy.
- The sexual orientation and/or gender identity of individuals engaging in sexual activity is not relevant to allegations under this policy. For reference to the pertinent state statutes on sex offenses, please see [insert reference here].

Sexual Abuse: The Iowa Code defines sexual abuse as follows: Any sex act between persons is sexual abuse by either of the persons when the act is performed with the other person in any of the following circumstances:

- The act is done by force or against the will of the other. If the consent or acquiescence of the other is procured by threats of violence toward any person, or if the act is done while the other is under the influence of a drug inducing sleep or is otherwise in a state of unconsciousness, the act is done against the will of the other.
- Such other person is suffering from a mental defect or incapacity which precludes giving consent, or lacks the mental capacity to know the right and wrong of conduct in sexual matters.
- Such other person is a child.

Discriminatory Harassment: In addition to sexual harassment defined above, the University prohibits harassment based on any other characteristic protected by law, including, race, color, national origin, creed, religion, age, disability, sex, gender identity and sexual orientation. Like sexual harassment, harassment based on one of these protected characteristics undermines the mission of the University through its detrimental impact on individual students, faculty and on the University community as a whole.

- Prohibited harassment is conduct based on one or more of the above characteristics that has the purpose or effect of unreasonably interfering with an individual's work or educational performance or of creating an intimidating, hostile, or offensive environment for work or learning. Examples of the types of behavior that may lead to other discriminatory harassment include unwelcome conduct aimed at another because of a protected characteristic that would denigrate, distress, or humiliate a reasonable person, such as:
 - name-calling
 - jokes or negative comments about protected characteristics
 - physical intimidation
 - vandalism or pranks
 - displays of reading materials or pictures containing negative material about protected characteristics, including electronic materials.
 Any student, faculty or staff member who believes he or she has been subjected to other discriminatory harassment may follow the Sexual Harassment complaint procedures set forth above.

****This definition is not intended to restrict usual standards of academic freedom.**
- Intimate Partner Violence Policy: The Campus SaVE Act requires institutions of postsecondary education eligible to participate in federal student aid programs to adopt, and disclose in their annual security report a summary of, a policy regarding sexual assault (an existing requirement of the Clery Act) and other intimate partner violence. The term "intimate partner violence" is defined to mean "any physical, sexual, or psychological harm against an individual by a current or former partner or spouse of the individual". It includes stalking, dating violence, sexual violence, or domestic violence.

False Reports

Any individual making deceitful allegations of will be subject to appropriate sanctions.

Faculty member

The term "faculty member" means any person who regularly conducts classroom activities for the University.

Hostile Environment

A "hostile environment" is created if conduct is sufficiently serious that it interferes with or limits a person's ability to participate or benefit

from Mount Mercy University's programs and services. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical. A single or isolated incident of sex or gender-based harassment or discrimination may create a hostile environment if the incident is sufficiently severe.

Member of the University Community

The term "member of the University community" includes any person who is:

1. A student;
2. A faculty or staff member;
3. A University official;
4. Identified to conduct business for the University; or
5. Guests, to include but not limited to, volunteers, event attendees, participants in university sponsored co-curricular or auxiliary programs.

A person's status in a particular situation will be determined by the Dean of Students or her/his designee.

Protected Characteristics

The term "protected characteristics" means personal characteristics or factors that cannot be targeted for discrimination or harassment. For purposes of the Student Code of Conduct the following characteristics are considered protected and individuals cannot be discriminated against or harassed based on these characteristics: race, color, religion, sex, gender, age, sexual orientation, pregnancy, national origin, physical or mental disability, veteran status, genetic information, or any other status protected under applicable federal, state, or local law.

Quorum

The term "quorum" means one more than fifty percent of the voting membership of a conduct body. A conduct body consisting of a single individual always consists of a quorum. A conduct panel is comprised of 5 members, with a minimum to meet quorum being 3 (to always include at least one student and one faculty member).

Retaliation

Retaliation of any kind against anyone who in good faith files a complaint of misconduct or participates in the investigation process is prohibited and may be sanctioned. An individual who engages in retaliation against a person who files, or participates in an investigation into, a complaint will be subject to appropriate sanctions. Anyone who believes they have been subjected to retaliation should immediately report the situation to the Dean of Students.

Student

The term "student" includes all persons taking courses at the University, either full-time or part-time, degree seeking or non-degree seeking, as well as persons who have been admitted but are not yet taking classes. Persons who withdraw after allegedly violating the standards of conduct, who are not enrolled for a particular term but who have continuing relationships with the University (including suspended students), or who have been notified of their acceptance for admission are also considered students.

Student Conduct Administrator

The term "Student Conduct Administrator" means the University official authorized by the Dean of Students:

1. Advise Respondents and Complainants on student conduct processes and procedures;
2. Serve as a hearing officer as designated by the Dean of Students;

3. Serve as the advisor to the student conduct process;
4. Maintain official conduct records;
5. Monitor sanction compliance; and
6. Coordinate the training and development of student conduct bodies

Student Organization

The term "student organization" means any group of individuals who have complied with the formal requirements for University recognition. These groups may include, but are not limited to, athletic teams or organizations.

University

The term "University" means Mount Mercy University.

University Official

The term "University official" includes:

1. Any person employed by the University performing assigned administrative or professional responsibilities including but not limited to entities such as Parking and Transportation and Resident Assistants acting as University employees;
2. Any student who is an assigned or appointed formal member of a University Conduct Body.

University premises

The term "University premises" includes all land, buildings, facilities, and other property in the possession of (or owned, used, leased, or controlled) by the University including, but not limited to, items such as adjacent streets and sidewalks, vehicles, and computers, web sites and university owned and/or operated computer networks, including wireless internet access.

Additional Applicable Definitions

New Reporting Categories for Clery: Under VAWA's SaVE Act institutions are required to add three categories that must be reported under the Clery Act, if incidents are reported to campus security authorities or local police agencies. That's according to the American Council on Education's (ACE) "New Requirements Imposed by the Violence Against Women Re-authorization Act" summary (4/1/13). The three categories, as defined in the National Association of College and University Attorney's (NACUA) "A Brief Analysis of The Violence Against Women Act (VAWA) and Changes to the Clery Act & Title IX Compliance" document (March 2013), are:

1. **Dating Violence** – violence committed by a person
 - a. who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - b. where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - i. The length of the relationship.
 - ii. The type of relationship
 - iii. The frequency of interaction between the persons involved in the relationship

2. **Stalking** –

Stalking is conduct directed at a specific person that would cause a reasonable person to feel fear and that significantly disrupts the person's work, educational performance, on-campus living, or participation in a university activity on or off campus.

A pattern of conduct perceived as threatening or harassing may violate university policy under a reasonable-person standard even if the person who commits the conduct did not intend to make the party feel threatened or harassed. A behavior pattern that the target of the conduct finds distressful may be considered a

violation even if the target did not specifically direct the person who commits the conduct to refrain from contacting him or her.

3. **Domestic Violence** –felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabiting with or has cohabited with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction.

of law or the dismissal of criminal court charges does not preclude University jurisdiction over the misconduct. Civil or criminal authorities are not precluded from taking action against students for on-campus violations of public laws and ordinances.

Section 4: Jurisdiction Over Student Conduct

The Code and the processes for its administration and enforcement exist for the protection and advancement of the University community’s particular institutional interests. The Code applies to individual students and student groups/organizations and is used to enforce University policies and regulations. Regardless of how it is handled by the court system, a violation of law may also be treated as a violation of University regulations.

Conduct proceedings on campus are designed to deal developmentally with student behavior in the University community that is prohibited or is deemed unacceptable to the University community. When the behavior is aggravated or presents a continuing danger to the University community, accused students are subject to separation from the University.

Conduct action is not a substitute for judicial mechanisms of the larger community. Criminal prosecution in the court system is designed to be punitive and to provide social consequences for convicted offenders. Student offenders may be charged under either or both systems. University sanctioning power, therefore, applies only to instances of student misconduct that are basic to its appropriate interests, as follows:

1. The opportunity of all members of the University community to attain educational objectives
2. The protection of the health, safety, welfare, and property of all persons in the University community
3. The protection of the University’s integrity and its property.

The University’s jurisdiction extends to all admitted or enrolled students while they are present on premises owned by the University, on city streets running through or adjacent to the campus, and in off-campus buildings occupied by students by virtue of their association with a group/organization given formal recognition by the University or at a host institution or other site for an academic or extracurricular University-related experience. In addition, the Code may also be invoked against students whose off-campus behavior:

- Potentially harms the institutional educational interests of the University. This standard is fulfilled when the behavior creates or has the potential to create general and negative public opinion of the University or its students or employees
- Threatens the well-being of its students or employees. This standard is fulfilled when the behavior has already threatened a member or members of the general public and there is reason to believe that such behavior might threaten or endanger students or employees if not addressed in the institutional community.

On occasion, instances of student misconduct may constitute offenses against the larger community. Students are responsible for knowing and observing all federal and state laws, and local ordinances. The fact that a student is or has been prosecuted in criminal court for a violation

Code of Conduct Continued

A. Complaint Procedure

Complaints, with the exception of those alleging discrimination on the basis of sex, may be brought to the Office of the Dean of Students by an individual acting as a Complainant or by a party acting on behalf of the University. Mount Mercy University may act as a Complainant and/or Co-Complainant against a student(s) when there is no other Complainant able to participate and/or willing to participate but the infraction is sufficient for further disciplinary review.

Any person may bring a complaint against a student under these procedures, based on an alleged violation of any Mount Mercy University rule or regulation or based on behavior not specifically covered by rules or regulations, but which is considered detrimental to the Mount Mercy community. All complaints shall be made to the Dean of Students (DOS). As the Student Code of Conduct applies to students on and off campus, actions resulting in potential violations may be brought forward by police or through arrest records available to the Office of the Dean of Students.

Complaints will be investigated, hearings may be conducted, disciplinary action may be recommended, and appeals heard as provided for by the Code of Student Conduct.

1. Complaints should be filed as soon as possible after the event takes place. The longer someone waits to report an offense, the harder it becomes for University officials to obtain information and witness statements and to make determinations regarding alleged violations.
2. Individuals may file a complaint in writing or verbally by meeting with the Student Conduct Administrator or his/her designee. Complaints will be considered the main basis of a case and should be made as clearly and carefully as possible. Upon receiving a complaint, the Student Conduct Administrator or designee will review the report and conduct an investigation to determine whether it appears to meet the criteria for a possible

violation of the Student Code of Conduct. The investigation may include meeting with the Respondent if at all possible.

3. The Student Conduct Administrator or designee may find that the report does not have merit or that it is possible to find a resolution by mutual consent of the parties involved including the Office of the Dean of Students. Such disposition will be final and there will be no subsequent proceedings.

4. If the charges cannot be disposed of by mutual consent, or if the Student Conduct Administrator determines that the alleged violation may result in harm to the Complainant, Respondent or the University community, the Complainant and the Respondent will be given the opportunity to express a preference for a conduct hearing before a hearing officer or a Conduct Board. The Student Conduct Administrator will consider their requests when referring the case to a conduct body. The Student Conduct Administrator is the final arbiter in determining which hearing process will be used to resolve charges.

The Code may be reviewed and amended by the Dean of Students and approved by the President.

B. Sex Based Discrimination

Complaints involving discrimination on the basis of sex, including sexual misconduct, relationship abuse and violence, stalking, harassment on the basis of gender identity and expression or sexual orientation, and pregnancy discrimination should be reported to the Title IX Coordinator at 319.363.1323 ext. 2568. More information about our Title IX procedures can be found in the Title IX section of the Good Book and on the Title IX webpage (<https://www.mtmercy.edu/campus-life/health-wellness/title-ix/>).

Section 5: Sanctions

The following sanctions comprise a range of official action that may be imposed for Good Book and Student Code of Conduct policy violations by individuals or groups. One or more sanctions may be imposed at the discretion of the hearing officer or conduct board in an effort to promote behavioral change. Sanctions attempt to teach alternative behaviors; increase personal and social skills; increase a student's awareness of obligations to others; demonstrate implications of actions; and explain rationale behind regulations. This list does not limit the actions available to a hearing officer or conduct board and is not inclusive of all possible actions that could be taken as a result of a violation of University policy. Students found responsible for violations will receive a minimum of disciplinary warning with expulsion being the maximum sanction.

During the adjudication process, a student's previous behavior will not be considered in the determination of his/her responsibility. However, if a student is found responsible, his/her previous behavior will be reviewed as part of the sanctioning process.

There are two levels of sanctions for the Student Code of Conduct.

Level One

Level One sanctions are not subject to appeal. Under special circumstances, the Dean of Students & Director of Residence Life may consider an appeal at this level.

Level Two

Level Two sanctions are for violations that limit a student's rights or have the potential of separation from the University. The student will be afforded a formal hearing process and may appeal that decision.

The following sanctions serve as guidelines rather than as a definitive list.

Level One Sanctions

Disciplinary warning – written warning that if there is a repetition of the same action or any other action in violation of the rules or regulations of Mount Mercy, the student can expect additional disciplinary action. A disciplinary warning is intended to promote reflection on the decisions and behavior leading up to a violation and promotes an increased awareness of the University's behavioral expectations.

Disciplinary probation – This action is designed to assist students in developing behavior appropriate to the University community through placing them on a warning status.

1. **Residence Hall Probation:** A change in student status for violating policies outlined in the Good Book and the Student Code of Conduct and Regulations involving written notice of the probation, its terms and time limit as established by the hearing officer or Conduct Board. Privileges of residents, including visitation, may be revoked for all or part of the time the resident is on probation. The resident is also informed that further violations may result in greater levels of sanctions. This level of probation is intended to provide the student an opportunity to reflect on, and learn from, his/her behavior while increasing awareness of the impact of his/her behavior on themselves and others and of the University's behavioral expectations. The importance of making mature decisions is stressed while a student is on probation.

2. **Disciplinary Admonition:** A change in student status involving written notice of the probation, its terms and time limit as established by the hearing officer or University Conduct Board. The student is notified that further infractions of any University regulation may result in more stringent restrictions being placed on his/her actions. Disciplinary Admonition is intended to provide the student an opportunity to reflect on and learn from his/her behavior while increasing his/her awareness of the impact of his/her behavior on themselves and others and of the University's behavioral expectations. The importance of making mature decisions is stressed while a student is on probation.

3. **University Probation:** This is the most serious level of conduct sanction, short of suspension from the University, during which the student is considered not in good standing. The student remains enrolled at the University under circumstances defined by the hearing officer or Conduct Board, and may not be allowed to represent the University in any official capacity or hold office in any student organizations including, but not limited to, intercollegiate athletic events or teams, recognized student organizations, theater groups or productions, musical organizations or SGA Officer positions. This probation level indicates to the student that further violation(s) of University regulations will result in more stringent conduct action, including but not limited to suspension or expulsion from the University. This level of probation is intended to promote reflection on the student's behavior and decisions while stressing making mature decisions, engaging in critical thinking and developing more appropriate behaviors as a member of the University community.

4. **Housing Reassignment:** This action is an involuntary reassignment to another assignment on campus for a designated period of time and may include restricted visitation privileges. This sanction is imposed to protect the welfare of the building, area, or floor community, and students having this sanction imposed should reflect on the behaviors necessary for an individual to be part of a residential community by respecting

others, and developing critical thinking skills and mature decision-making skills.

Restitution Fines– a student may be assessed the repair/replacement cost for any damage he or she has caused to property. When appropriate, fines may also be assessed.

Restitution Service: As part of the sanctioning process, students can be required to perform service to assist in developing increased awareness of the impact of their decisions and strengthen critical thinking abilities to identify appropriate behavior. These services can include performing assigned duties, sponsoring programs, etc.

Educational sanction – a student may be required to provide a specific service or participate in a specific program, receive specific instructions, or complete a research assignment. The student may be responsible for related expenses, including expenses for education, counseling, or treatment, if any expense is entailed.

Behavior Contract: A student and hearing officer may reach a written agreement concerning expectations for future behavior and decisions to assist in preventing inappropriate behaviors from recurring.

Restriction of Privileges: This action consists of an effort to assist students in developing an awareness of the responsibilities that go along with privileges and increase an awareness of appropriate behavior and how decisions impact themselves and others. Under this sanction, students may be restricted from entering certain buildings, attending certain events or using specific programs due to their behavior

Housing students may have their visitation privileges restricted or revoked for a certain time period, or specific guests may not be allowed into Mount Mercy University housing property. Participation in University organizations or holding office in organizations or other privileges can also be included under this sanction as deemed appropriate by the hearing officer or board based on the incident.

No-Contact Directive: This action is implemented at the discretion of a hearing officer directing a student to avoid initiating contact with another member of the University community, it may include limiting access to areas to avoid incidental contact. A No-Contact Directive may be imposed at a student's request without conduct proceedings if it does not involve any accommodation changes. Contact includes direct interactions in person or through technology, as well as the use of third parties to interact. The No-Contact Directive is not limited by location. They are issued open-ended; it would only be considered over if the person who originally requested it asked to have it canceled.

Conduct Referrals: Hearing officers may refer students found responsible for violations to campus resources to assist, educate or monitor them in the development of appropriate behavior, critical thinking skills, mature decision-making skills, etc. These referrals are mandatory, and failure to complete a referral could result in additional conduct action. Referrals may include University-sponsored alcohol and drug education programs, the Counseling Center, etc.

Registration Hold: A hold may be placed on a student's registration if the student has failed to complete a sanction or withdraws prior to official conduct on an allegation. Holds are intended to be temporary until either the sanction or conduct process is complete. Registration holds may also be used during periods of interim suspension, suspension or expulsion. Holds will not be lifted until the necessary sanctions are completed.

Level Two Sanctions

Suspension of Group Recognition: This action consists of the withdrawal of all or part of the official recognition of a group for a stated period of time and will include conditions for reinstatement of recognition. This sanction is intended to assist groups in developing a stronger sense of the responsibilities that go along with the privileges

of University recognition and a commitment to be a positive part of the University community.

Revocation of Group Recognition: This action is permanent cancellation of the official University recognition and privileges of a group found in violation of University regulations.

Housing Removal: This action is an involuntary removal from on-campus housing for a designated period of time and may include restricted visitation privileges. This sanction is imposed to protect the welfare of the building, area, or floor community, and students having this sanction imposed should reflect on the behaviors necessary for an individual to be part of a residential community by respecting others, and developing critical thinking skills and mature decision-making skills.

Exclusion from Mount Mercy facilities or activities – a student may be prohibited from attending a class, undertaking Mount Mercy employment, entering a building, participating in an extra-curricular activity sponsored by the institution, representing Mount Mercy in an official capacity, or using other services provided the institution. Such exclusion may be for a definite or indefinite period of time.

Interim Suspension – When the Dean of Students & Director of Residence Life has reasonable cause to believe that a student's presence on University premises or at a University-related or registered student organization activity poses a significant risk of substantial harm to the safety or security of themselves, others, or to property, the student may be immediately suspended from all or any portion of University premises, University-related activities or registered student organization activities. This temporary suspension will be confirmed by a written statement and shall remain in effect until the conclusion of a full hearing or administrative decision, without undue delay, in accordance with the rules of the university.

Disciplinary Suspension – A student may be involuntarily separated from Mount Mercy for a stated period of time after which readmission is possible. The Dean of Students shall determine when the suspension will become effective and how long it will be in effect. A student with one or more violations may be suspended from Mount Mercy for an indefinite period of time. A student suspended indefinitely may petition the Dean of Students for reinstatement.

Expulsion – for a serious violation of rules or regulations of Mount Mercy, a student may be dismissed from Mount Mercy permanently.

Section 6: Disciplinary Process

A. Conduct Officer's Scope of Responsibility

As a general rule, violations of Mount Mercy policies and behavioral standards will be referred to the conduct officer in the following areas:

- **Residential** – Violations of residential policies or of institutional standards of conduct committed in the residence halls or by residential students will generally be referred to the Residence Hall Area Coordinator of the hall the student resides in or in which the incident occurred or the Dean of Students & Director of Residence Life.
- **Athletic** – Violations of athletic department or team policies or behavioral expectations will be referred to the Dean of Students & Director of Residence Life (Please note: sport regulations governed by NAIA are not university regulated; therefore, the university may not set them aside or change their outcome. Example: red cards in Soccer) Violations of the Student Code of Conduct will be handled by the appropriate Conduct Officer.
- **Academics** – Please refer to the Academic Integrity Policy

- **All Other** - Violations of university standards of conduct occurring at campus events or committed by non-residential students will be referred to the Dean of Students & Director of Residence Life or his/her designee.

B. Notification of Conduct Violations

1. Allegations concerning violations of the Code must be brought in writing to the attention of the appropriate Conduct Officer identified in Section A. above within 120 days of discovery of the alleged offense. Violations alleged to have occurred more than 120 days earlier will be considered "stale" and normally will not be subject to conduct action. Exceptions to this policy will be made at the sole discretion of the Dean of Students & Director of Residence Life or designee. Such exceptions may involve allegations that are still under investigation or cases in which the safety of individuals or the University community is deemed by that official to be at risk.
2. Allegations of Code violations will be presented to the accused student(s) by means of a written notice from the appropriate Conduct Officer. This notice will contain the substance of the allegations and request the student to schedule a Student Conduct Conference, as outlined below. The Conduct Officer will contact the student in writing and/or by e-mail to the last known and updated address by the student on file with the University. The University has no further obligation to notify the accused with respect to inaccurate addresses if the student fails to properly notify the University of any change of address.

C. Student Conduct Conference

1. The Student Conduct Conference is an informal hearing to discuss the alleged incident and the student's options.*
2. The accused student is obligated to contact the Conduct Officer within three (5) business days of receipt to schedule a Student Conduct Conference.
3. The Student Conduct Conference provides the student with:
 - Opportunity to discuss the allegations and provide information
 - Notice of formal charges resulting from allegations
 - Notification of the process for resolving formal charges through conduct process
 - Opportunity to accept or deny responsibility for formal charges
4. After all information is presented the Conduct Officer will determine if the student is responsible for the alleged violations.
5. The student will be notified via mail and/or email of the decision of responsible or not and any/all sanctions assigned as a result of this finding.

*If the student chooses to participate in an Administrative Hearing the above steps are not taken and instead the format below will be followed.

D. Administrative Hearing – The purpose of the hearing will be to determine:

1. Were policies, standards, or behavioral expectations (i.e. team rules in an Athletic hearing), or legal statutes violated?
2. If it is determined that a violation of the above occurred, the hearing(s) will seek to ascertain who is responsible for the violation(s).
3. Students who fail to schedule or attend a hearing by the deadline indicated will waive their right to such a hearing, and a decision may be made without that student(s)' involvement. All decisions made as a result of the hearing(s) will be communicated in writing.

E. Process for Administrative and Conduct Hearings

1. Hearings are closed to the public. In addition to the conduct officer only the following normally are allowed to attend:

- Advisor for the accused or the complainant. The advisor shall be a silent observer and may not have an active role in the hearing. The student may choose only one person such as parent, faculty member, attorney, friend, etc.)
- The accused
- Witnesses or persons who have been asked to provide a statement by either the accused or complainant
- Conduct Officer
- Complainant
- Accused

In hearings involving allegations against student groups/organizations, the president or chief officer of the charged group/organization will be expected to participate in the hearing on behalf of the group/organization. The conduct officer may also recommend charges be brought against individual members of the group/organization as a result of information obtained in the course of the hearing.

2. Witnesses or persons asked to provide a statement shall be present only for the portion of the hearing that involves their statement and questions arising from that statement (In keeping with federal law, complainants of violence, whose status is determined by the conduct officer, may be provided the results of the hearing).

3. The conduct officer will preside over the Administrative Hearing. Admission of any additional persons to the hearing shall be at the sole discretion of the conduct officer.

4. Hearings are unlike courts. These conduct processes engage in a full discussion of allegations and circumstances. The University's rules differ from proceedings before criminal or civil authorities as follows:

- The presiding officer has sole discretion to decide what information and witnesses are allowed. Information will be allowed if, in the judgment of the presiding officer, it bears on the facts of the case.
- Information relevant to both the issue of responsibility and appropriate sanctions is normally allowed.
- Written statements by witnesses or others having knowledge of the allegations may be allowed in the absence of a personal appearance by the author of the statement. If it is later determined that the submitted statement was untrue, conduct action may be taken against the student who wrote the statement. Such statements may be considered by the conduct officer on the basis of their content and relevance.
- The witness will be heard if the presiding officer deems that it is offered in good faith, bears upon the facts of the case, and is not merely cumulative, i.e. does not simply repeat prior statements.
- Information that is not from a firsthand source may be considered in the course of a hearing under certain conditions; the legal rules of hearsay evidence do not apply. The presiding officer will rule on whether such information is appropriate and may be admitted in the hearing. In no case should the hearing outcome be decided solely on such information.
- In some cases, the presiding officer may issue a notice to appear as indicated below. Such internal notices are not issued unless the expected statements would be clearly relevant, and will not be issued with the intent to embarrass or harass a potential witness.
- All University students are expected to comply with notices to appear. University students who, absent good cause, fail to respond to such notices are in violation of this Code. Third parties not subject to the Code who may be requested to appear in a Conduct Hearing are expected to make every effort to assist the conduct process. The unavailability of such third parties to a hearing procedure will be treated as set forth below.

- If the presiding officer determines that a fair hearing cannot be held without the involvement of a particular witness, and if after good faith attempts are made, the witness either fails to or refuses to appear, the hearing may be postponed until the witness agrees to appear or provide a written statement; or the charges may be dismissed, at the sole discretion of the presiding officer.

5. The following procedures will be used in conduct hearings:

- The accused and the complainant will be given the opportunity to challenge a hearing panelist or presiding officer on the grounds of conflict with, bias about, or interest in, the case. It is at the conduct officer's discretion to support or refuse the challenge, unless the conduct officer is the subject of the challenge, in which case an official within the Dean of Students staff shall be brought in to hear the challenge and make the final determination. If a challenge is granted and a hearing panelist or presiding officer is disqualified then the hearing may be postponed as necessary in the discretion of the presiding officer/Student Affairs official.
- The presiding officer will state the charge(s) against the accused.
- The complainant will present information in support of the charge(s) and may also present written information and witnesses.
- The conduct officer will be provided access to copies of all written information submitted.
- The conduct officer may directly question the complainant and witnesses. The accused has the right to question the Complainant and the witnesses who appear. However in cases involving allegations of sexual violence, the complainant may be visually screened or not present during questioning.
- The accused may respond to the charge(s) and may present information in the form of written information or testimony of the accused or other witnesses.
- The conduct officer will be provided access to copies of all written information submitted by the accused or the complainant.
- The conduct officer may then question the witnesses presented by the accused or the complainant and may also question the accused or the complainant. The complainant may then question the witnesses, including the accused.
- The complainant will be provided the opportunity to make a closing statement.
- The accused will be provided the opportunity to make a closing statement.
- The presiding officer will conclude the information gathering portion of the hearing and set a time for deliberations to begin at the earliest possible time.
- The University may record a formal hearing. The recording shall not include the deliberations.
- At the conclusion of the hearing, all parties will be excused to allow the conduct officer to begin deliberations.
- During conduct hearings, deliberations about responsibility of the accused are conducted by the hearing panel/conduct officer in a closed session. Once begun, the deliberations normally will continue until a decision as to responsibility has been reached. Breaks will be granted at the sole discretion of the presiding officer.

6. All issues before conduct officers must be decided according to the preponderance of evidence standard (whether it is "more likely than not"). In finding responsibility of the accused under this standard of proof, the conduct officer must be convinced, based solely upon the information presented in the course of the hearing that the conduct alleged is more likely than not to have occurred.

7. In assigning appropriate sanctions, the conduct officer may consider relevant precedents and the conduct history of the accused. Consideration may also be given to aggravating or mitigating circumstances including but not limited to:

- intent to act in the manner described, regardless of motive;
- intent to violate the policy or regulation described;
- prior experience, age, and understanding;
- prior violations or related behavior;
- other personal circumstances that might have affected the accused student at the time of the violation; and
- how the conduct violation affected or potentially affected or still has the potential to affect others.

8. Repeated violations of the Code may result in the imposition of progressively more severe sanctions, although any sanction may be imposed as appropriate under the circumstances.

9. At the conclusion of the deliberation, the presiding officer will provide written notification of the decision within 48 hours to the conduct officer assigned to the case. Written/electronic notification of the decision and sanctions as well as appeal procedures if applicable will be sent to the appropriate parties to the address(es) most recently made available to the University.

10. A record of the Board's hearing proceedings will be kept and this will be considered confidential except in cases where it is deemed necessary by the Board that prepared statements be released to protect the welfare of persons or Mount Mercy University.

Section 7: Appeals

A. Right to Appeal

1. Students may request an appeal to the Dean of Students on the following grounds:
 - A procedural [or substantive error] occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.);
 - To consider new evidence, not reasonably available during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;
 - The Conduct Officer or a member(s) of the Hearing Board had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
2. Students have 48 hours from the time they receive notification of a sanction to file an appeal.
3. Appeals will be heard by Dean of Students or his/her designee. In order to file an appeal, the student must submit the appeal in writing.
4. If the Dean of Students served as the original conduct officer, or as the assigned conduct officer, or if the Dean of Students was removed from the process; appeals will be heard by the Vice President for Administration, Enrollment, and Student Services.
5. If multiple individuals were found in violation and/or sanctioned and wish to appeal, each individual must submit a separate appeal letter.
6. Every effort will be made to conclude the appeals process in a timely fashion.
7. A student's status and/or participation in sport or other University activities may be altered until a final decision is made. This is true in cases in which a student's continued presence constitutes an immediate threat or potential injury to himself/

herself or others and/or could disrupt the orderly functioning of Mount Mercy University as determined by Dean of Students & Director of Residence Life or appropriate hearing authority.

B. When the Dean of Students receives an appeal, he/she will determine the format of the appeal either an Appeal Board or a Summary Decision. These are final decisions without further appeal.

Summary Decision

Dean of Students will review the written appeal and any related documentation from the original hearing. The Dean of Students will make a final judgment and communicate that in writing to the student.

Disciplinary Appeal Board

1. The Appeal Board of the Student Development Committee will serve as the Disciplinary Appeal Board. Members must comply with all requirements set forth in this document.
2. A conduct officer will be assigned to the Disciplinary Appeal Board to serve as a resource for the chair.
3. A Disciplinary Appeal Board reviews the materials of the original case for any validation of the student's reason for appeal. The process is not a rehearing of the case. The Disciplinary Appeal Board's decision is final.
4. At the conclusion of the deliberation, the Presiding Officer will provide written notification of the decision within 48 hours to the Conduct Officer assigned to the case. Written/electronic notification of the decision and sanctions as well as appeal procedures if applicable will be sent to the appropriate parties to the address(es) most recently made available to the University.

E. Suspension or Expulsion

In the event that an Appeal Summary Decision or Disciplinary Appeal Board upholds a sanction of suspension or expulsion, the student has the right to make a final appeal to the Vice President of Administration, Enrollment and Student Services within 48 hours of receiving the sanction.

Section: 8 Interpretations & Revisions

Interpretation

Any question of interpretation regarding the Student Code of Conduct will be referred to the Dean of Students or his/her designee for final determination.

Revision

The Student Code of Conduct is subject to change. In general, the Student Code of Conduct will undergo a review once every three years to determine if significant changes need to be made. The Student Development Committee, comprised of at least one representative each from the student body, the faculty, and the staff, will conduct the review. The review may be made sooner at the discretion of the Dean of Students.

The University is responsible for notifying students when significant changes are made and students are responsible for being made aware of changes.

Safety and Security

Public Safety

Public Safety and Information Desk all fall under the umbrella of the Director of Public Safety. The purpose of the group is to provide students the safest environment possible to pursue their educational interests, while ensuring events are coordinated in an effective and efficient manner, supporting our *Students First* philosophy.

PUBLIC SAFETY

The Mount Mercy University Department of Public Safety is operational 24 hours a day, seven days a week. Mount Mercy operates an administrator-on-duty call system to ensure that administrative support and decision-making capacity is always available. All Public Safety staff members are trained in CPR/1st Aid/AED, emergency response, evacuation procedures and interpersonal skills. More information about Public Safety can be found here (<https://www.mtmercy.edu/campus-life/public-safety/index/>).

Public Safety officers patrol all Mount Mercy University properties and parking areas. They perform security escorts, and provide support for on campus crisis/emergencies. The Department of Public Safety is responsible for coordinating all fire and tornado drills, works to ensure lighting is safe and appropriate, and we work with Health Services to ensure that campus first aid kits are stocked and maintained. The Department of Public Safety maintains and utilizes security cameras to ensure safety and security on campus.

The Department of Public Safety at Mount Mercy oversees the safekeeping of the campus and its properties. We strive for a high level of safety services to the campus community. The Department of Public Safety is located inside the University Center, UC115. In case of emergency, persons should call ext. 1234 from any campus phone, or 319-363-1323 ext. 1234 from any off-campus or cellular telephone. Public Safety can be reached directly at 319-360-4839.

INFORMATION DESK

The Information Desk serves as a hub of information to the campus community, conveniently located on the first floor of the University Center. The information desk can provide information about events on campus and in the community. Furthermore, the information desk has equipment and seasonal tools that are available for checkout.

Run. Hide. Fight.

Mount Mercy University encourages the members of the Mount Mercy community to be aware of the Run. Hide. Fight. model. This model is utilized by numerous institutions and agencies, including the Department of Homeland Security. The model is based on specific concepts regarding the expectations of a person who is confronted with an active threat/shooter. The individual should run if they can safely do so. If they cannot, the person should hide from the threat.

If unable to hide, the individual should prepare themselves to fight the assailant. While the University hopes members of the community will never need to utilize this model, the University does want people to be prepared. This model can be adapted to any threatening situation, including situations that occur off-campus. Feel free to contact the Director of Public Safety for more information regarding this model or for additional training.

Clery Act / VAWA / Annual Security Report

As provided by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998, students are entitled to request and receive a copy of the Annual Security Report of any

campus. This report includes statistics for the previous three years concerning reported crimes that occurred on-campus; in certain off-campus buildings or property owned or controlled by Mount Mercy; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault*, missing persons, drug and alcohol programs, and other matters. You can obtain a copy of this report by contacting the Mount Mercy Public Safety Office in the University Center, 1330 Elmhurst Drive N.E., Cedar Rapids, Iowa 52402-4797 or by accessing the following website www.mtmercy.edu/annual-security-report (<https://www.mtmercy.edu/undergraduate/campus-life/public-safety/index/>).

*See the 2.q. Sexual Misconduct Policy located in Section 2: General Standards of Conduct in the Student Code of Conduct for more information regarding these policies.

* See also Title IX (<https://www.mtmercy.edu/campus-life/health-wellness/title-ix/>) for more information.

According to the 2016 Clery Handbook, "The Violence Against Women Reauthorization Act of 2013 (VAWA) amended the Clery Act to disclose statistics, policies and programs related to dating violence, domestic violence, sexual assault and stalking...the disclosure of procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred...and implementation and disclosure of procedures for institutional disciplinary action in cases of dating violence, domestic violence, sexual assault, and stalking."

Weather

For information about MMU's weather policy please follow the link to the Weather and Closing Policies (<https://www.mtmercy.edu/undergraduate/campus-life/public-safety/policies-reporting/>) page on the Mount Mercy University website.

Security Escort Program

Public Safety personnel are available to accompany anyone to or from the parking areas or other on-campus locations. Please call 319-360-4839 or come to the Information Desk for this service. This service is available to anyone 24 hours a day.

Courtesy Services

A battery booster, tools, and snow shovels are available at the Information Desk for student use. Students will be required to show their Mount Mercy ID to use these items. Public Safety Officers may accompany you and may provide direction while using the battery booster, air compressor, and other tools. Mount Mercy owned vehicles and employees of Mount Mercy are not permitted to aid persons in jump-starting, repairing, or moving vehicles.

Report a Crime

Importance of reporting

Crime prevention cannot take place without the assistance of the Mount Mercy University community. The prompt reporting of crimes and suspicious behavior as well as cooperating with authorities during the investigation of crimes or offenses is encouraged. Your cooperation can aid us in preventing others from being victimized. The Department of Public Safety will assist anyone in filing a report with law enforcement agencies whenever necessary. If you have information about a crime you have witnessed or that has happened to you, and are unsure of how to proceed, please contact the Director of Public Safety or Dean of Students for support and assistance.

To report a crime or to file a complaint, please contact the Department of Public Safety. If you would prefer to submit an anonymous

report you can do so through the Silent Witness Form (https://cm.maxient.com/reportingform.php?MountMercyUniv&layout_id=1).

Reporting Policies

In the event that you witness a crime or emergency, promptly contact local authorities as well as the Department of Public Safety. A Mount Mercy University Public Safety Officer can be contacted at by calling 319-363-1323 ext. 1234 at any time. Public Safety can be reached directly at 319-360-4839.

Emergencies

In the event of an emergency, the police should be contacted immediately. 911 telephone service is in effect for the Cedar Rapids metropolitan area. If dialing from a campus telephone, please dial 9-911. Mount Mercy is E911 capable and that means that when 911 is called from a **campus phone** it will automatically communicate to the 911 dispatch nearest your location for emergency response in the event you are unable to communicate with 911 operators. Public Safety should also be contacted to assist emergency personnel. Emergency medical care is provided at all hours at both Mercy Medical Center, 701 10th Street SE, 319-398-6041, and St. Luke's Hospital, 1026 A Avenue NE, 319-369-7105.

FIRE ALARMS

When the fire alarm sounds occupants must leave buildings immediately. All are instructed to exit by the closest stairwell. To facilitate the quickest evacuation, students are encouraged to use all stairwells. Never use the elevator. In addition, each location will have a designated reporting zone. After exiting, go immediately to this designated spot and wait for further instructions from a Public Safety Officer or designated staff member or Cedar Rapids Fire Department representative. Individuals who tamper with fire equipment or who fail to evacuate when a fire alarm sounds are subject to disciplinary action and/or fines.

Missing Student Policy

If you believe that a student is missing, whether or not the individual resides on campus, contact any employee of the Department of Public Safety, Dean of Students, Residence Life staff or the Director of Public Safety. Once it is determined that reasonable cause for further action exists, all possible efforts will be made to locate the individual in order to ascertain their state of health and well-being.

In the case of an on-campus resident, each student has the option to register a confidential contact person to be notified in the case that the student is determined to be missing. Only authorized campus officials and law enforcement officers in furtherance of a missing person investigation may have access to this information. Regardless of the student preference in selecting a contact person, the Cedar Rapids Police Department or other appropriate law enforcement agency will be notified if the student is missing. As a matter of procedure in a missing person investigation, the Mount Mercy University Department of Public Safety will obtain identifying information on the missing student, and attempt to determine the student's whereabouts through contact with friends, roommates, associates, and/ or employers of the student. Whether or not the student has been attending their normal daily activities will be established. A welfare check of the student's room will be conducted in coordination with Residence Life personnel. All information will be shared with the appropriate law enforcement officials.

If the student reported missing is an off-campus resident, Mount Mercy University Department of Public Safety will contact the Cedar Rapids Police Department or the appropriate law enforcement agency and institute similar procedures as an on-campus resident. It is also the

policy of Mount Mercy University that any student less than 18 years of age and not emancipated, will have their parent or guardian notified of their status as a missing person.

If the individual is located, campus officials will:

- Explain the concerns which led to the actions listed above
- Attempt to ascertain the student's welfare with regard to mental/emotional/physical health
- Work with the individual to arrange for any necessary resources
- Work with the individual to allay the concerns of the person(s) filing the initial report within the boundaries of FERPA
- Contact the Department of Public Safety and any appropriate law enforcement agency when the student is located

Personal Safety Devices

The only approved personal safety devices recognized by Residence Life and Public Safety are pepper spray and mace. Students who own and/or carry personal safety devices should know how to use them properly and it should stay in their possession only. These devices should only be used when needed for protection and according to manufacturer's instructions. Inappropriate discharge or failure to use the device according to manufacturer's instructions will result in a referral to the student conduct system.

Iowa Sex Offender Registry

All Mount Mercy students and employees are advised of Iowa Code, Section 692A.3A which "provides that a person required to register under the Iowa Sex Offender Registry law who is a full-time or part-time student or is employed on a part-time or full-time basis at an institution of higher education must register with the sheriff of the county in which the institution is located and provide the sheriff with the name of the institution. The person must register with the sheriff within five (5) days of becoming a student or becoming employed at the institution."

In compliance with the Clery Act, the Mount Mercy community is advised, that the Iowa Sex Offender Registry is available at the website www.iowasexoffender.com (<https://www.iowasexoffender.gov/>).

Additionally, in that the Mount Mercy campus property lies in legal proximity to elementary and middle schools and under provisions of Iowa Code 692A.3A, Mount Mercy will not offer housing nor permit occupancy to those listed on the Iowa Sex Offender Registry.

Any student arrested, charged or convicted or any state or federal law may be subject to immediate housing contract-cancellation, or suspension of Mount Mercy registration.

Emergencies/Crisis Management

For a complete list of procedures and protocols for Mount Mercy University please review the Department of Public Safety website or contact the Director of Public Safety at 319-363-1323 ext. 1028.

Campus Emergency Situations

1. In the event of a crisis (weather-related, violence, pandemic flu, etc.) an announcement declaring an emergency will be made via RAVE to the campus. The RAVE program is utilized to distribute information in the following ways*:
 - a. Campus email notification system
 - b. Text message notification
 - c. Voice messages; voice mail messages
2. Once an emergency is declared by Mount Mercy, students are expected to comply with all official directives from the institution-designated officers or staff

3. If students are requested to evacuate the campus, they must do so in an orderly fashion and as directed by Mount Mercy
4. Students may be requested to gather in specific locations, or to remain in their current locations, and are expected to comply
5. For their own safety and the well-being of the community, students may be asked to assist with duties not commonly assigned to them, including but not limited to:
 - a. general housekeeping duties
 - b. general maintenance of facilities
 - c. gathering of students and headcounts
 - d. assisting fellow students
 - e. triage of injuries
6. The RAVE Emergency Notification System is the official way Mount Mercy will communicate with students in emergency or crisis situations. Student information, including cell phone numbers and home phone numbers that have been provided, and Mount Mercy email addresses are included in the institution's Emergency Notification System, which will alert students via phone call, voice mail, text message and email to emergency information and instructions in the event of an incident on campus or in the Cedar Rapids area. Students are unable to unsubscribe to this service. All students must register their phone number. Student's numbers will only be used for institutional purposes and will not be provided to outside vendors. Additional telephone and email may be included if you choose.

Emergency Injuries and Illnesses

Life-threatening/serious emergencies should be handled by the appropriate professionals – call 9-911 from a campus phone or 911 from a cellular phone. Please then notify Public Safety so they may assist emergency personnel to your location. If a student becomes ill or has an injury requiring medical treatment when the Health Services Office is not open, the student should go to Mercy Medical Center, St. Luke's Hospital, Mercy Care North, or another facility of their choosing. Residential students are asked to notify Residence Life personnel, the Information Desk, or a Public Safety Officer before leaving campus. These offices are also to be notified if the person is admitted to the hospital. Once a residential student is treated and released, that student should notify the Dean of Students on the morning of the next class day.

Information Desk

Identification Cards

Mount Mercy IDs are issued from the Information Desk. All students and employees are expected to obtain an ID card. ID cards are used to check out library books, charge food service and Campus Store items, and for identification purposes. This ID card is also used as the proxy card that grants access to residential housing and academic buildings. Because this card is connected to a student/faculty/staff account, if lost it must be reported immediately so it can be deactivated. Cards cannot be reactivated and a replacement card must be purchased. Cost of a replacement ID card is \$15.

Locate a Lost Item

The Information Desk stores lost and found articles. Missing items should be reported to the Information Desk. Items will be kept at the Information Desk for 30 days.

Use a Locker

Lockers are available for use and are free of charge. They are located at the tunnel entrance in McAuley Hall. Anyone interested in using a

locker can reserve one at the Information Desk. Items left in lockers after the last day of spring finals week will be discarded.

Key Check Out

Students, Faculty, and Staff can check out keys to various locations on campus. Students must be approved by their professor and this approval must be communicated in writing to the Director of Public Safety to be added to the access list. Students must provide contact information and their ID number for the duration of their key check out.

Fleet Vehicles

Mount Mercy University has a fleet of vehicles that are available to be used by Students, Faculty, and Staff conducting Mount Mercy business. These vehicles can be driven by approved drivers that are at least 21 years of age. Approval is given by Mount Mercy University's insurance provider. More information regarding policies and procedures surrounding the Fleet can be found on the Department of Public Safety website.

Parking

Purpose and Policy

The purpose of the campus parking policy is to establish and enforce regulations for the safety and welfare of students, employees, and visitors traveling to or parking on Mount Mercy University property.

Designated Parking Areas

Vehicles shall only be parked in those areas designated for the assigned permit, as listed in the following paragraphs. Parking is prohibited on all sidewalks, driveways, and fire lanes (campus roadways not specifically marked for parking are considered fire lanes); on any grass area; on parking stall lines; areas marked with a yellow "X;" the Sacred Heart Convent parking area. Hazel Drive has been opened up for parking by the City of Cedar Rapids.

Please note, there are spaces marked for compact vehicles only. Regardless of manufacturer's terminology, only a vehicle whose bumper is within the yellow line at the back of the space may park there.

If a permit holder leaves their vehicle on campus during breaks, it must be parked in the Lower Andreas Lot and must be registered with the Department of Public Safety.

Sacred Heart Convent

Sacred Heart Convent is the residence of many retired Sisters of Mercy and is private property, separate from Mount Mercy. Parking in any convent parking area is strictly prohibited.

Restricted Parking Areas

Mount Mercy reserves the right to close a campus parking area for institutional purposes. The University will endeavor to provide advanced notice when possible to the Mount Mercy community before an area is reserved by means of signs posted around campus, campus e-mail, and, if time permits, cones and signage.

Coe Agreement

A reciprocal agreement exists between Mount Mercy and Coe College to honor each other's parking stickers. The parking sticker will be obtained where the student is enrolled. This agreement allows students of either institution to park in a designated area. Any person parking in a restricted area, for example, handicapped, loading zone, etc., or in an area for which the permit is not valid, will be ticketed according to the rules determined by the institution whose property is involved.

Liability Statement

Mount Mercy assumes no responsibility or liability for loss or damage to any vehicle or its contents operated or parked on campus. It is advisable to keep cars locked at all times. The parking regulations have been prepared by the Campus Safety and Security Committee. Suggestions to improve the parking system on campus are welcomed by the Campus Safety and Security Committee and the Department of Public Safety. Any suggestions should be made to the committee or the Director of Public Safety.

Each member of the Mount Mercy community is responsible for being familiar with the information appearing in the Parking Policy. Failure to read the regulations will not be considered an excuse for noncompliance.

Vehicle Registration

All students, faculty, and employees are required to properly display a current Mount Mercy University parking permit when parking on

campus. All permits have the expiration date printed on them and will only be honored during the valid time period. This permit allows, but does not guarantee, parking on campus in designated areas. Parking of all vehicles will be in designated spaces. Parking regulations are enforced 24 hours a day, seven days a week in all parking areas, and tow away zones. Any fines accrued by the vehicle are the responsibility of the permit holder. The care of anyone who misappropriates a parking permit by means of theft or misrepresentation shall be handled under the Mount Mercy Code of Conduct. In the event a student changes their status that would require them to get a different permit, they will have five (5) days to get the new permit type. An example is a commuter student moving into Lower Campus, they will need to get a "L" permit within five (5) days. Visitors can contact the information desk to request a visitor pass prior to their visit.

The hang tag permits are issued to one person and cannot be transferred to other people. The hang tag permit can be transferred to other vehicles owned/operated by the permit holder. Each vehicle should be registered with Public Safety. Anyone utilizing another person's hang tag permit will be subject to citation under the no permit violation.

Additional permits can be obtained through the information desk.

Temporary, Visitor, and Alumni

Temporary and Visitor permits are available at the Information Desk. Alumni will now be issued visitor permits. All visitors are required to have a visitor parking pass/permit. The permit should be displayed on the passenger side of the dashboard of the vehicle. Any student who moves onto campus and needs access to a different parking lot must re-register his/her vehicle at the Information Desk within five (5) days. Guest sponsors will be responsible for all citations received by the guest's vehicle. Overnight visitors are to park in the 27th Street Lot or the Prairie Drive Lot.

Handicap Permits

Mount Mercy University provides handicapped parking for individuals with valid state issued permits. To obtain handicapped parking permission please contact the Iowa Division of Motor Vehicle for a State permit.

The number and location of handicapped parking spaces on the campus is mandated by the federal Americans with Disabilities Act and by the State of Iowa. By law these spaces cannot be used for any other parking. Motorists who park illegally in designated handicapped areas will receive a citation by either/or Mount Mercy and/or the State of Iowa.

Motorcycles and Mopeds

All operators of motorcycles and mopeds who park on campus must acquire a parking permit and affix to the vehicle. For assistance in appropriate display please contact the Department of Public Safety. Motorcycles and mopeds are allowed to park in regular vehicle parking areas and designated motorcycle parking areas.

Permit Categories

“R” Permits: Residential students living in Regina or McAuley

- The areas in the Prairie Drive lot NOT otherwise designated.

“L” Permits: Residential students living in Lower Campus or Andreas

- Lower campus lot (adjacent to apartments)
- Andreas lots (below Andreas House)

“C” Permits : Commuter students

- The areas in the Prairie Drive lot NOT otherwise designated.
- The 27th Street lot.
- Lower Andreas lot.

Commuters who park overnight on campus must park in the Prairie Drive lot, Lower Andreas, or the 27th Street lot. No commuter vehicle may be stored on campus for any length of time without prior authorization from the Director of Public Safety.

“E” Permits: Faculty/Staff

- Behind Warde Hall
- Drive in front of Warde Hall (Designated Areas)
- Prairie Drive lot
- The lot behind McAuley Hall
- The lot adjacent to the Busse Center (Designated Areas)
- The 27th Street lot
- The Andreas lots
- Designated Mercy Drive parking

“A” Permits: Alumni

- Alumni permits will no longer be honored. Alumni will need to get a visitor's permit from the Information Desk or the Department of Public Safety.

Visitor

Visitors may park in the following areas:

- Spots designated on Warde Avenue
- Prairie Drive lot, but NOT in the spaces designated for faculty/staff
- 27th Street Lot
- Spots designated on Mercy Drive
- Overnight visitors can only park in the 27th Street Lot or Prairie Drive Lot

All visitors need a visitor's permit, which can be obtained from the Information Desk or the Department of Public Safety.

Violations, Citations, and Towing

Mount Mercy is private property, and the right is reserved to deny the use of campus parking areas to unauthorized persons and to those who frequently or flagrantly violate Mount Mercy parking regulations. Student tickets will be billed to the student's account. All academic credit, honors, and grades will be withheld until all fines are paid. Employee citation fees will be payroll deducted unless other arrangements are made with the Business Office.

Multiple tickets for the same offense can be issued if the violation is still occurring when the next round of ticketing is done, but no closer together than one hour. The exception to this rule is the 30-minute zones on campus which may be ticketed every 30 minutes.

Repeat student violators of the parking rules and regulations will be subject to disciplinary action. Twelve or more citations in one academic year will result in probation. Fifteen, or more, parking citations will result in that person not being allowed to bring a vehicle on campus for the period of one year from the date of his or her parking privileges being revoked. Additional parking violations received following this period will result in the loss of all parking privileges.

Mount Mercy also reserves the right to have cars that are abandoned, disabled, non-registered, obstructing the path of emergency vehicle traffic, or threatening pedestrian safety to be towed away. Cars must be moved at least once every thirty (30) days or they may be considered abandoned. Cars will be towed to a car storage firm in

Cedar Rapids. The car owner will be responsible for all costs incurred by the towing firm. In the event that a car is moved after the towing firm has been notified, the owner will be responsible for the cost of the tow truck coming to campus.

Vehicle Removal and Enforcement Policy

A vital piece of the parking enforcement program is to identify vehicles that are unknown in the campus parking system or have received repeated parking citations. A "boot" list shall be maintained by the Department of Public Safety. When a boot is placed on a vehicle and Mount Mercy has a record of the owner of the vehicle, an email will be sent to the permit holder.

If located on university property, a vehicle on the "boot list" may have a vehicle immobilizer or "boot" placed on its tire until the person responsible for the vehicle has resolved all parking violations. Vehicles on the "boot list" may have the boot placed on their vehicle at any time including on the weekends. When the boot is placed on the vehicle, a bright orange notice will be placed on the windshield to notify the driver/owner of the boot placement. It will also provide information on how to contact the Department of Public Safety. Damage or theft of a boot will be billed to the violator.

Removal of the boot by the Department of Public Safety is contingent on payment of all outstanding fines and receipt of valid Mount Mercy University parking registration. Proof from the Business Office must be given to Public Safety Officer prior to boot removal. The Dean of Students or the Director of Public Safety may authorize the removal of the boot based on extraordinary circumstances.

Unknown Owner

A vehicle which does not carry a valid Mount Mercy parking registration and has received 3 or more unpaid parking citations which have not been addressed or appealed is eligible for a boot to be placed on it. The Department of Public Safety will determine when a vehicle should be booted and update the boot list.

Parking Violation / Citation Schedule is as follows:

MAJOR violations that will result in a \$100.00 fine:

- Barred Vehicle
- Booted Vehicle
- Fire Lane/Driveway/Roadway
- Handicapped

MAJOR violations that will result in a \$50.00 fine:

- No/Expired Permit
- Failure to Remove Car for Snow Removal

MAJOR violations that will result in a \$25.00 fine:

- Abandoned vehicle (not moved at least once every 30 days)
- Parking in Admission Only
- Blocking Sidewalk/Crosswalk
- Convent (including garage)
- Failure to Stop for a Stop Sign

- Improper Registration
- Loading/Unloading/30-minute Zones
- Not a Legal Space
- Parked over the Parking Stall Line
- Parking in lot not approved by permit
- Parked in Grass
- Reckless Driving
- Speeding
- Straddling Two Spaces
- Driving the Wrong Way in a One Way

MINOR VIOLATIONS THAT WILL RESULT IN A \$20.00 FINE

- Reserved/Restricted Parking

MINOR violations that will result in a \$10.00 fine:

- Commuter Parked Overnight
- Compact Parking
- Motorcycle Parking Only

Citation Appeals

If a person chooses to appeal a citation received for a violation, an appeal form may be filled out on the Mount Mercy University website (<https://www.permitsales.net/MountMercyU/>).

Appeal forms must be completed on-line. All appeals must be submitted within seven (7) calendar days of the violation. Appeals not made within seven (7) calendar days will be automatically rejected.

The appeal form must be completely filled out. The page number and the information from the current Good Book that apply to the citation must be cited. A person must explain why he/she was not in violation. If sufficient information is not given, the appeal will be denied.

The Appeals Committee is a subcommittee of the Campus Safety and Security Committee and consists of one student, Facilities Director, and one faculty/staff member. The committee has the power to alter the monetary amount of each fine. The decisions of the Appeals Committee are final. Persons who file appeals will be notified by the committee of decisions relating to their appeal. All appeal responses are sent to the Mount Mercy email account listed on the appeal form.

If a student wishes to contest a charge on a Mount Mercy bill, the student must submit a copy of the bill along with a written statement outlining what charge is being contested and why it should not appear on the bill. The Director of Public Safety will investigate the charge and notify the person in writing as to the outcome of the investigation.

Snow Removal Policy

Mount Mercy Snow Removal Policy Information

The Snow Removal Procedure (SRP) is utilized when winter weather occurs that requires Facilities and Maintenance crew to have clear access to remove snow from Mount Mercy parking lots. An email correspondence to all students with reminders of the snow removal procedures schedule will be sent. The email will state the date the snow removal procedure will take place and any additional information needed. MMU will endeavor to share the plan at least 24 hours in advance when if at all possible.

All vehicles on campus, regardless of their running condition, must park as outlined below. Any vehicle not removed from designated areas will be ticketed. Public Safety will be present to help direct traffic and provide vehicle assistance that may be needed. You can call them directly at 319-363-1323 ext. 1234. Tunnels will be open for ease of pedestrian traffic and access to Basile, Donnelly, and Hennessey may be granted based on weather conditions.

Time	CAN Park	CANNOT Park
9:00 pm-9:30 pm	All open lots including Faculty/Staff, Admissions and West end of the Pit (nearest Warde and Basile)	Lower Andreas Lot, Lower Campus Apartments
9:30 pm - 11:00 pm	All open lots including Faculty/Staff, Admissions and Lower Andreas Lot	Upper Andreas Lot, Overnight Parking in Pit Lot
11:00 pm and after	All Residential Student Parking	McAuley Lot, Mercy Drive, Visitor, Admissions, UC and Faculty/Staff Parking

Title IX

Gender Based Misconduct Policy

"No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." Legal Citation: Title IX of the Education Amendments of 1972, and its implementing regulation at 34 C.F.R. Part 106 (Title IX)

Introduction

Members of the university community, guests and visitors have the right to be free from all forms of gender and sex-based discrimination, examples of which can include acts of sexual violence, sexual harassment, domestic violence, dating violence, and stalking. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. Mount Mercy believes in a zero-tolerance policy for gender-based misconduct and as such we are committed to creating and maintaining an atmosphere in which all members of the campus community are treated with respect and dignity. This policy is intended to reinforce academic freedom and maintain academic standards as it seeks to assure fairness for all and thus provide a non-threatening environment for the widest possible exchange of ideas.

When an allegation of misconduct is brought to an appropriate administration's attention, and a respondent is found to have violated this policy, serious sanctions will be used to reasonably ensure that such actions are never repeated. This policy has been developed to reaffirm these principles and to provide recourse for those individuals whose rights have been violated. This policy is intended to define community expectations and to establish a mechanism for determining when those expectations have been violated.

Mount Mercy has developed, implemented, and disseminates a written sexual assault policy for Mount Mercy University. This policy is published in the Good Book, online, and is available in the Dean of Student's Office. This policy covers concerns of sexual misconduct including sexual abuse, sexual assault, domestic violence, dating violence, and stalking involving a student, both on and off campus. Below you will find additional information regarding this policy.

Title IX Coordinator

Each college or university receiving Federal financial assistance must designate at least one professional employee as the Title IX Coordinator to oversee compliance efforts and investigate any complaint of sex discrimination. Adoption of procedures to provide prompt and equitable resolution of complaints is a critical function of the Title IX Coordinator. The Coordinator assists individuals alleging sexual harassment or discrimination in filing their grievance(s). The Coordinator also works in conjunction with other college officials focusing on prevention and policy development.

At Mount Mercy University, the Title IX Coordinator is responsible for monitoring the overall implementation of Title IX for the University. Major duties include, but are not limited to:

- Training investigators, hearing boards, and appeals officers
- Overseeing the investigation process from start to finish
- Providing notices of charge, hearing, and outcome to Complainant and Accused parties

- Coordinating campus notification
- Ensuring preventative and protective measures are put in place pre and post
- Work with Complainant and Accused to put in place initial remedial actions
- Assuring compliance with the timeline
- Record-keep all activities

The Title IX Coordinators at Mount Mercy University

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In seeking to identify and respond to instances of sexual harassment, Mount Mercy recognizes the need to consider accepted standards of mature behavior, academic freedom and freedom of expression. Title IX requires Mount Mercy University to respond to certain harassment on the basis of sex, which it knows about or reasonably should have known about. The university must:

- Investigate what happened.
- Take appropriate steps to resolve the matter. The University must do its best to eliminate the harassment, prevent recurrence, and remedy effects even if no formal complaint has been made or when a person making a complaint does not wish to further participate in the process.
- Take interim measures during the investigation to prevent potential further harassment.

Sexual Misconduct Policy

Expectations

The expectations of our community regarding sexual misconduct can be summarized as follows: In order for individuals to engage in sexual activity of any type with each other, there must be clear, knowing and voluntary consent prior to and during sexual activity. Consent is sexual permission. Consent can be given by word or action, but non-verbal consent is not as clear as talking about what you want sexually and what you don't. Consent to some form of sexual activity cannot be automatically taken as consent to any other form of sexual activity. Silence--without actions demonstrating permission--cannot be assumed to show consent.

Additionally, there is a difference between seduction and coercion.

Coercing someone into sexual activity violates this policy in the same way as physically forcing someone into sex. Coercion happens when someone is pressured unreasonably for sex.

Because alcohol or other drug use can place the capacity to consent in question, sober sex is less likely to raise such questions. When alcohol or other drugs are being used, a person will be considered unable to give valid consent if they cannot fully understand the details of a sexual interaction (who, what, when, where, why, or how) because they lack the capacity to reasonably understand the situation.

Individuals who consent to sex must be able to understand what they are doing. Under this policy, "No" always means "No," and "Yes" may not always mean "Yes." Anything but a clear, knowing and voluntary consent to any sexual activity is equivalent to a "no."

Sexual Misconduct Offenses include, but are not limited to:

1. Quid Pro Quo Harassment
2. Sexual Harassment
3. Hostile Environment Harassment
4. Non-Consensual Sexual Contact (or attempts to commit same)
5. Sexual Assault
6. Domestic Violence
7. Dating Violence

The University's Sexual Misconduct Policy can be found in Section 2: General Standards of Conduct (<http://catalog.mtmercy.edu/thegoodbook/codeofconduct/#generalstandardsofconducttext>) of the Student Code of Conduct.

Other Misconduct Offenses when sex or gender-based

1. Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
2. Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of gender;
3. Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
4. Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the university community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);
5. Bullying, defined as repeated and/or severe aggressive behavior likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally (that is not speech or conduct otherwise protected by the 1st Amendment).
6. Violence between those in an intimate relationship to each other;
7. Stalking, defined as repetitive and/or menacing pursuit, following, harassment and/or interference with the peace and/or safety of a member of the community; or the safety of any of the immediate family of members of the community.

This policy was adapted from ATIXA with permission from ATIXA.

Reporting

Conduct Proceedings

A Student Complainant may bring an internal complaint against the Respondent using the formal process provided for sexual harassment complaints. This begins by reporting the incident/situation to the Dean of Students (or otherwise named Title IX Student Claim Recipient). The Dean of Students will evaluate the information provided and determine if there is the possibility of a Title IX claim, a different student conduct proceeding, or if there is not a meritorious claim. The Dean of Students remain neutral in the matter, and will only determine if there is a matter appropriate to investigate. At no point will the Dean decide the truthfulness of the violation by the accused.

The Dean of Students will discuss potential options with the Student Complainant, including formal and informal resolutions to the alleged violation.

As a rule, either party may have an advocate at any meetings or hearings related to this matter. This process may be used whether a criminal charge is filed or not and also may be used if the Respondent is found not guilty in a criminal court. The University reserves the right to bring a complaint against a student for sexual misconduct if the student is deemed a threat to the University community. If the incident has been reported to the police and the Respondent has been charged with the crime, the individual may be suspended indefinitely pending review of the circumstances by the University. The Respondent may be expelled, suspended for a specific period, or barred from attending, as determined by the Dean of Students or appropriate Vice President. In a situation where sexual abuse has occurred, the University will take appropriate steps to accommodate changes to a Complainant's academic, employment and/or living situations, if requested and reasonably available.

If a Title IX claim may have occurred, the Dean of Students will assign the Complaint to two Title IX trained investigators.

Timeline

The Investigators are neutral fact-finders who are faculty and staff specifically trained to investigate sexual misconduct cases and who will conduct interviews with the individual bringing forth the complaint, the respondent, and any relevant third-party witnesses. They will also gather evidence as they deem necessary to the case. The recordings of these interviews and evidence reviewed will be provided to both parties. The parties will have the opportunity to provide follow-up questions they would like asked to witnesses and the opposing party. The Investigators will create a Final Report, which presents their findings addressing whether it is more likely than not that college policy has been violated. Where the investigators deem that there is insufficient evidence to support the allegations, the Investigators will state this.

After the Investigators Report is created, the University will issue a Final Decision which includes the findings and any disciplinary action which is deemed appropriate.

Sanctions

Any student found responsible for violating the Title IX policy will likely receive a sanction ranging from warning to expulsion, depending on the severity of the incident, and taking in to account any previous campus conduct code violations.

Appeals

Process Guidelines

Sanctions imposed during the conduct process post-investigation can be appealed by any party according to the grounds, below. Post-hearing, any party may appeal the findings and/or sanctions only under the grounds described, below.

- All sanctions imposed will be in effect during the appeal. A request may be made to the Title IX Appeal Officer for special consideration in exigent circumstances, but the presumptive stance of the institution is that the sanctions will stand. Graduation, study abroad, internships/externships, etc. **do NOT** in and of themselves constitute exigent circumstances, and students may not be able to participate in those activities during their appeal. In cases where the appeal results in reinstatement to the institution or of privileges, all reasonable attempts will be made to restore the student to

their prior status, recognizing that some opportunities lost may be irretrievable in the short term.

- The decision may be appealed by petitioning the Appeal Officer. Respondent students or complainants must petition within 3 business days (72 hours) of receiving the written decision for a review of the decision or the sanctions imposed. Any party who files an appeal must do so in writing to the Dean of Students Office. The DOS will share the appeal with the other party (e.g., if the Respondent student appeals, the appeal is shared with the complainant, who may also wish to file a response. All appeals and responses are then forwarded to the appeals officer/committee for initial review to determine if the appeal meets the limited grounds and is timely. The original finding and sanction will stand if the appeal is not timely or substantively eligible, and the decision is final. If the appeal has standing, the documentation is forwarded for consideration. The party requesting appeal must show error as the original finding and sanction are presumed to have been decided reasonably and appropriately. The ONLY grounds for appeal are as follows:
 1. A procedural irregularity occurred that would substantially impact the outcome of the decision;
 2. To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction. A summary of this new evidence and its potential impact must be included;
 3. The Title IX Coordinator or Investigators possessed a conflict-of-interest that resulted in a bias that determined the outcome of the matter.
- If the appeals officer determines that new evidence should be considered, it will return the complaint to the original Investigators to reconsider in light of the new evidence, only.
- If the appeals officer determines that a material procedural error occurred, it may return the complaint to the Investigators with instructions to reconvene to cure the error. In rare cases, where the procedural [or substantive] error cannot be cured by the Investigators (as in cases of bias), the appeals officers or committee may order a new investigation on the complaint with a new set of Investigators. The results of a reconvened hearing cannot be appealed. The results of a new hearing can be appealed, once, on the three applicable grounds for appeals.

The procedures governing the hearing of appeals include the following:

- All parties should be timely informed of the status of requests for appeal, the status of the appeal consideration, and the results of the appeal decision;
- Appeals are not intended to be full re-hearings of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original hearing, and pertinent documentation regarding the grounds for appeal;
- This is not an opportunity for appeals officers to substitute their judgment for that of the original hearing body merely because they disagree with its finding and/or sanctions. Appeals decisions are to be deferential to the original hearing body, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so;
- The appeals committee or officer will render a written decision on the appeal to all parties within seven (7) business days* from

hearing of the appeal. The committee's decision to deny appeal requests is final.

Resources

Mount Mercy encourages all individuals who have been sexually abused to seek medical attention as well as emotional support. The University Health Services Office and University Counselor are available to assist students. Employees may seek assistance through the University's EOO or Title IX Coordinator Employee Assistance Program.

Counseling and Emotional Support

Helping the individual affected by the harassment regain control of his or her choices is an important goal for responding to a party complaining of harassment. If the person does not wish to make a complaint, he/she may talk to a member of the counseling staff, University Nurse, or the University Chaplain. Because these staff members are professionals with special requirements regarding confidentiality, they are not required to report the incident and will not report the incident unless the complainant decides to release the information. They can provide information and confidential support about choices resulting from sexual harassment or abuse. All other employees of the University are expected to assist in reporting the complaint to the Equal Opportunity Officer (EOO), currently the Director of Human Resources, or the Title IX Coordinator as explained below.

Training, Prevention, and Awareness Programs

The Campus SaVE Act updates requirements concerning awareness and prevention programming about sexual assault and other intimate partner violence. Mount Mercy University is committed to doing training and awareness programs for students as well as training for officials conducting disciplinary proceedings and/or investigations in a way that protects the safety of victims and promotes accountability. Mount Mercy University does this by:

- Prevention and awareness programming offered for all incoming students;
- Training on sexual harassment, Title IX, consent, and confidentiality for employees;
- Defining and educating student body on consent;
- Reporting sex offenses;
- Facilitating Bystander intervention trainings;
- Risk reduction education;
- Ongoing prevention and awareness campaigns including self-defense classes, seminars and trainings facilitated by local experts in the community, Title IX, Consent, and sexual harassment

Campus Sexual Violence Elimination Act (Campus SaVE Act)

The Campus Sexual Violence Elimination Act or Campus SaVE Act (H.R. 6461) is a bill introduced in the 2nd session of the 111th Congress by Rep. Tom Perriello (D-VA 5th) and a bi-partisan group of 5 co-sponsors from across the country. The measure would amend the federal Jeanne Clery Act to update 18-year-old sexual assault policy requirements for institutions of higher education to also address a broader scope of intimate partner violence including stalking, dating violence, sexual violence/assault, and domestic violence offenses. The Campus SaVE Act also enhances existing prevention education and victims' rights provisions.

Sexual Violence Risk Reduction Tips

Risk reduction tips can often take a victim-blaming tone, even unintentionally. With no intention to victim-blame, and with recognition that only those who commit sexual violence are responsible for those actions, these suggestions may nevertheless help you to reduce your risk experiencing a non-consensual sexual act. Below, suggestions to avoid committing a non-consensual sexual act are also offered:

- If you have limits, make them known as early as possible.
- Tell a sexual aggressor “NO” clearly and firmly.
- Try to remove yourself from the physical presence of a sexual aggressor.
- Find someone nearby and ask for help.
- Take affirmative responsibility for your alcohol intake/drug use and acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views a drunk or high person as a sexual opportunity.
- Take care of your friends and ask that they take care of you. A real friend will challenge you if you are about to make a mistake. Respect them when they do.

If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner. These suggestions may help you to reduce your risk for being accused of sexual misconduct:

- Clearly communicate your intentions to your sexual partner and give them a chance to clearly relate their intentions to you.
- Understand and respect personal boundaries.
- DON'T MAKE ASSUMPTIONS about consent; about someone's sexual availability; about whether they are attracted to you; about how far you can go or about whether they are physically and/or mentally able to consent. If there are any questions or ambiguity then you DO NOT have consent.
- Mixed messages from your partner are a clear indication that you should stop, defuse any sexual tension and communicate better. You may be misreading them. They may not have figured out how far they want to go with you yet. You must respect the timeline for sexual behaviors with which they are comfortable.
- Don't take advantage of someone's drunkenness or drugged state, even if they did it to themselves.
- Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
- Understand that consent to some form of sexual behavior does not automatically imply consent to any other forms of sexual behavior.
- Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language.

In campus hearings, legal terms like “guilt,” “innocence” and “burdens of proof” are not applicable, but the university never assumes a student is in violation of university policy. Conduct hearings are conducted to take into account the totality of all evidence available, from all relevant sources.

Mount Mercy reserves the right to take whatever measures it deems necessary in response to an allegation of sexual misconduct in order to protect students' rights and personal safety. Such measures include, but are not limited to, modification of living arrangements, interim suspension from campus pending a hearing, and reporting the matter to the local police. Not all forms of sexual misconduct will be deemed to be equally serious offenses, and the university reserves the right to impose different sanctions, ranging from verbal warning to expulsion,

depending on the severity of the offense. The university will consider the concerns and rights of both the complainant and the person accused of sexual misconduct.

Victims' Rights Provisions

The Campus SaVE Act establishes a baseline framework for institutions to respond to sexual assault and other intimate partner violence. Mount Mercy University policy will:

- Provide students and employees who report victimization information in writing of their rights to notify law enforcement and to be assisted by campus authorities in doing so, an explanation of their rights to obtain no contact orders or enforce an order already in existence, and contact information for campus and local advocacy, counseling, health, mental health and legal assistance services.
- Provide notification to students and employees who report victimization options for and assistance in changing academic, living, transportation and working situations if requested and reasonably available.
- Provide information for honoring any lawful no contact or restraining order.
- Disclose the range of possible sanctions that may be imposed following an institutional disciplinary procedure.
- Detail procedures victims should follow if a sex offense occurs, including who to contact and information about the importance of preserving physical evidence (an existing provision of the Clery Act).
- Disclose a summary of institutional disciplinary procedures that Accusers shall have the opportunity to request prompt proceedings, Proceedings shall be conducted by officials trained on sexual assault and other intimate partner violence issues, and shall use the **preponderance of the evidence** standard (which is “more likely than not” and the standard used by civil courts in the United States).
- Both accuser and accused are entitled to be accompanied to any related meeting or proceeding by an advisor of their choice, and that both must have the same opportunity to have others present during any proceeding.
- Both Complainant and Accused are entitled to be informed in writing of the final results within one business day of such outcome being reached.

Victims' Protective Measures

Immediately after the Intake Meeting, the Title IX Coordinator will determine whether interim interventions and protective measure should be implemented, and, if so, take steps to implement those protective measures as soon as possible. Examples of interim protective measures include: an order of no contact, residence hall relocation, adjustment of course schedules, a leave of absence, or reassignment to a different supervisor or position. These remedies may be applied to one, both, or multiple parties involved. Applicable law requires that, when taking such steps to separate the Complainant and the Accused Party, the University must minimize the burden on the Complainant and thus should not, as a matter of course, remove the Complainant from his or her job, classes or housing while allowing the Accused to remain. Violations of the Title IX Coordinator's directives and/or protective measures will constitute related violations that may lead to additional disciplinary action. Protective measures imposed may be temporary pending the results of an investigation or may become permanent.

Primary prevention is defined to mean programming and strategies intended to stop sexual and intimate partner violence before it occurs through the changing of social norms and other approaches. Awareness programming is defined to mean programs designed to communicate the prevalence of intimate partner violence including the nature and number of cases reported at each institution in the preceding 3 calendar years.

Best Practices Report

The Campus SaVE Act provides for the collaboration of the U.S. Departments of Justice and Education to collect and disseminate best practices information about preventing and responding to sexual assault and other intimate partner violence.

Reporting

Mount Mercy expects students to report allegations incidents of sexual misconduct. These may be reported either by the complainant, or by another person with the approval of the complainant, who shall serve as a liaison with the appropriate University personnel. This may be done without revealing the name of the complainant. The information will be kept confidential to the full extent permitted by law. The complainant is encouraged to report any incidents of alleged sexual abuse to the Cedar Rapids Police Department.

Students who bring information to the University have four options:

1. Choose to file a report with Mount Mercy University only
2. Choose to file a report with Cedar Rapids Police Department only
3. Choose to file a report with both Mount Mercy University and Cedar Rapids Police Department
4. Choose to file a report with neither

Confidentiality, Privacy and Reporting Policy

Different people on campus have different reporting responsibilities and different abilities to maintain confidentiality, depending on their roles at the university and upon university policy.

When consulting campus resources, all parties should be aware of confidentiality, privacy, and mandatory reporting in order to make informed choices. On campus, some resources can offer you confidentiality, sharing options and advice without any obligation to tell anyone unless you want them to. Other resources are expressly there for you to report crimes and policy violations and they will take action when you report your victimization to them. A victim may seek assistance from some university officials without starting a formal process that is beyond the victim's control, or violates her/his privacy.

To Report Confidentially

If one desires that details of the incident be kept confidential, they should speak with on-campus mental health counselors, campus health service providers or off-campus rape crisis resources who can maintain confidentiality. Campus counselors are available to help you free of charge, and can be seen on an emergency basis. In addition, you may speak on and off-campus with members of the clergy and chaplains, who will also keep reports made to them confidential.

Reporting to those who cannot maintain the privacy of what you share

You can seek advice from certain resources who are not required to tell anyone else your private, personally identifiable information unless there is cause for fear for your safety, or the safety of others. These are individuals who the university has specifically designated as "confidential resources" for purposes of providing support to students. Those are the individuals listed above.

Faculty, non-counselor staff members, and administrators are mandatory reporters. If a student confides in a member of one of those groups, the employee is still required to bring that information to the appropriate Title IX officer as part of the Title IX process. This is not their choice, it is required by law. If you are unsure of someone's duties and ability to maintain your privacy, ask them before you talk to them. They will be able to tell you, and help you make decisions about who can help you best.

Federal Statistical Reporting Obligations

Certain campus officials have a duty to report sexual assault, domestic violence, dating violence and stalking for federal statistical reporting purposes (Clery Act). All personally identifiable information is kept confidential, but statistical information must be passed along to campus law enforcement regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the annual Campus Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters include: student/conduct affairs, campus law enforcement, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories) and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

Federal Timely Warning Reporting Obligations

Victims of sexual misconduct should also be aware that university administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The university will make every effort to ensure that a victim's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. The reporters for timely warning purposes are exactly the same as detailed at the end of the above paragraph.

QUESTIONS AND ANSWERS

Here are some of the most commonly asked questions regarding University's sexual misconduct policy and procedures.

- *Does information about a complaint remain private?*
The privacy of all parties to a complaint of sexual misconduct must be respected, except insofar as it interferes with the university's obligation to fully investigate allegations of sexual misconduct. Where privacy is not strictly kept, it will still be tightly controlled on a need-to-know basis. Dissemination of information and/or written materials to persons not involved in the complaint procedure is not permitted. Violations of the privacy of the complainant or the accused individual may lead to conduct action by the university. In all complaints of sexual misconduct, all parties will be informed of the outcome. In some instances, the administration also may choose to make a brief public announcement of the nature of the violation and the action taken, without using the name or identifiable information of the alleged victim. Certain university administrators are informed of the outcome within the bounds of student privacy (e.g., the President of the university, Dean of Students, Director of Public Safety). If there is a report of an act of alleged sexual misconduct to a conduct officer of the university and there is evidence that a felony has occurred, local police will be notified.[1] (p.) This does not mean charges will be automatically filed or that a victim must speak with the police, but the institution is legally required to notify law enforcement authorities. The institution also must statistically report the

occurrence on campus of major violent crimes, including certain sex offenses, in an annual report of campus crime statistics. This statistical report does not include personally identifiable information.

- *Will my parents be told?*

No, not unless you tell them. Whether you are the complainant or the accused individual, the University's primary relationship is to the student and not to the parent. However, in the event of major medical, disciplinary, or academic jeopardy, students are strongly encouraged to inform their parents. University officials will directly inform parents when requested to do so by a student, in a life-threatening situation, [or if an accused individual has signed the permission form at registration which allows such communication].

- *Will the accused individual know my identity?*

Yes, if you file a formal complaint. Sexual misconduct is a serious offense and the accused individual has the right to know the identity of the complainant/alleged victim. If there is a hearing, the university does provide options for questioning without confrontation, including closed-circuit testimony, Skype, using a room divider or using separate hearing rooms.

- *Do I have to name the perpetrator?*

Yes, if you want formal disciplinary action to be taken against the alleged perpetrator. No, if you choose to respond informally and do not file a formal complaint (but you should consult the complete confidentiality policy above to better understand the university's legal obligations depending on what information you share with different university officials). Victims should be aware that not identifying the perpetrator may limit the institution's ability to respond comprehensively.

- *What do I do if I am accused of sexual misconduct?*

DO NOT contact the alleged victim. You may immediately want to contact someone who can act as your advisor; anyone may serve as your advisor. You may also contact the Dean of Students Office, which can explain the university's procedures for addressing sexual misconduct complaints. You may also want to talk to a confidential counselor at the counseling center or seek other community assistance. See below regarding legal representation.[2] (p.)

- *Will I (as a victim) have to pay for counseling/or medical care?*

Not typically, if the institution provides these services already. If a victim is accessing community and non-institutional services, payment for these will be subject to state/local laws, insurance requirements, etc.

- *What about legal advice?*

Victims of criminal sexual assault need not retain a private attorney to pursue prosecution because representation will be handled by the District Attorney's [Prosecutor's] office. You may want to retain an attorney if you are the accused individual or are considering filing a civil action. The accused individual may retain counsel at their own expense if they determine that they need legal advice about criminal prosecution and/or the campus conduct proceeding. Both the accused and the victim may also use an attorney as their advisor during the campus' grievance processes.

- *What about changing residence hall rooms?*

If you want to move, you may request a room change. Room changes under these circumstances are considered emergencies. It is typically institutional policy that in emergency room changes, the student is moved to the first available suitable room. If you want the accused individual to move, and believe that you have been the victim of sexual misconduct, you must be willing to

pursue a formal or informal university complaint. No contact orders can be imposed and room changes for the accused individual can usually be arranged quickly. Other accommodations available to you might include:

- Assistance from university support staff in completing the relocation;
 - Arranging to dissolve a housing contract and pro-rating a refund;
 - Assistance with or rescheduling an academic assignment (paper, exams, etc.);
 - Taking an incomplete in a class;
 - Assistance with transferring class sections;
 - Temporary withdrawal;
 - Assistance with alternative course completion options;
 - Other accommodations for safety as necessary.
- *What should I do about preserving evidence of a sexual assault?*
Police are in the best position to secure evidence of a crime. Physical evidence of a criminal sexual assault must be collected from the alleged victim's person within 120 hours, though evidence can often be obtained from towels, sheets, clothes, etc. for much longer periods of time. If you believe you have been a victim of a criminal sexual assault, you should go to the Hospital Emergency Room, before washing yourself or your clothing. The Sexual Assault Nurse Examiner (a specially trained nurse) at the hospital is usually on call 24 hours a day, 7 days a week (call the Emergency Room if you first want to speak to the nurse; ER will refer you). A victim advocate from the institution can also accompany you to the Hospital. If a victim goes to the hospital, local police will be called, but s/he is not obligated to talk to the police or to pursue prosecution. Having the evidence collected in this manner will help to keep all options available to a victim, but will not obligate him or her to any course of action. Collecting evidence can assist the authorities in pursuing criminal charges, should the victim decide later to exercise it.
For the Victim: the hospital staff will collect evidence, check for injuries, address pregnancy concerns and address the possibility of exposure to sexually transmitted infections. If you have changed clothing since the assault, bring the clothing you had on at the time of the assault with you to the hospital in a clean, sanitary container such as a clean paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe, and may render evidence useless). If you have not changed clothes, bring a change of clothes with you to the hospital, if possible, as they will likely keep the clothes you are wearing as evidence. You can take a support person with you to the hospital, and they can accompany you through the exam, if you want. Do not disturb the crime scene—leave all sheets, towels, etc. that may bear evidence for the police to collect.
 - *Will a victim be sanctioned when reporting a sexual misconduct policy violation if he/she has illegally used drugs or alcohol?*
No. The severity of the infraction will determine the nature of the university's response, but whenever possible the university will respond educationally rather than punitively to the illegal use of drugs and/or alcohol. The seriousness of sexual misconduct is a major concern and the university does not want any of the circumstances (e.g., drug or alcohol use) to inhibit the reporting of sexual misconduct.
 - *Will the use of drugs or alcohol affect the outcome of a sexual misconduct conduct complaint?*

The use of alcohol and/or drugs by either party will not diminish the accused individual's responsibility. On the other hand, alcohol and/or drug use is likely to affect the complainant's memory and, therefore, may affect the outcome of the complaint. A person bringing a complaint of sexual misconduct must either remember the alleged incident or have sufficient circumstantial evidence, physical evidence and/or witnesses to prove his/her complaint. If the complainant does not remember the circumstances of the alleged incident, it may not be possible to impose sanctions on the accused without further corroborating information. Use of alcohol and/or other drugs will never excuse a violation by an accused individual.

- *Will either party's prior use of drugs and/or alcohol be a factor when reporting sexual misconduct?*

Not unless there is a compelling reason to believe that prior use or abuse is relevant to the present complaint.

- *What should I do if I am uncertain about what happened?*

If you believe that you have experienced sexual misconduct, but are unsure of whether it was a violation of the institution's sexual misconduct policy, you should contact the institution's student conduct office or victim advocate's office. The institution provides non-legal advisors who can help you to define and clarify the event(s), and advise you of your options.