

IV. STUDENT RIGHTS AND RESPONSIBILITIES

STUDENT LIFE STANDARDS AND DISCIPLINARY POLICY & PROCEDURES

Mount St. Joseph University (hereinafter the “University”) challenges students to growth in both responsibility and accountability. Failure to adhere to rules and regulations established by the University and other pertinent authorities carries with it well-founded sanctions. The Dean of Students is the official administrator of disciplinary decisions other than those related to academic integrity.

1. LIST OF OFFENSES

The following offenses committed by a student on or off University-owned or University controlled property, or against such property, or against a fellow student, another member of the University community, an invited guest, or any other individual, are considered, depending on the circumstances of the particular case, to warrant disciplinary action up to the possible level of temporary suspension or permanent dismissal. The following are listed as examples, and the list is not all-inclusive, nor are all of the offenses of equal gravity.

- a. Attempting, threatening or committing physical violence against any individual. This includes self-endangerment or threatening or attempting to intentionally harm oneself.
- b. Any conduct or words that are threatening, intimidating, harassing, coercive, or abusive, made to any individual or group on the basis of race, color, national origin, religion, sex, age, disability, sexual orientation or other minority status or affiliation.
- c. Intentionally hazing, stalking, threatening, intimidating, harassing, coercing, abusing or seriously embarrassing any person through conduct that would offend a reasonable person. Such conduct includes generally lewd, vulgar, tyrannical, abusive, harmful, insulting, humiliating, sexually suggestive, or other inappropriate or other offensive words or conduct directed toward any individual.
- d. Unwanted or non-consensual physical contact or imposition of a sexual nature. This includes any sexual words or conduct that is offensive to the individual at whom it is directed or sexual words or conduct that is directed at an individual whose judgment or ability to control the situation is impaired.
- e. Intentional destruction, damage, theft or unauthorized possession of property or merchandise belonging to the University, any of its staff, faculty, students or guests, or its on-campus third-party vendors, including but not limited to the University bookstore or dining services. Violations include, but are not limited to, incidents of arson, vandalism, larceny, burglary, robbery or embezzlement. Thefts are serious infractions and may lead to fines, restitution, and disciplinary proceedings inclusive of criminal charges.
- f. Theft, abuse, or misuse of information technology (e.g., computer, computer labs, social media, electronic mail, voice mail, telephone, fax, or illegally uploading/ downloading copyrighted works through peer-to-peer [P2P] file sharing).
- g. Obstruction, interference with, or disruption of teaching, research, administration, disciplinary procedures or other authorized activities.
- h. Alteration, forgery or misuse of University documents or records including fraudulent misuse of identification cards or furnishing false information to the University with intent to deceive.
- i. Tampering with or misuse of fire alarms or other fire prevention or firefighting equipment.
- j. Failure to comply with building evacuation or other emergency procedures as directed by University officials.
- k. Failure to comply with reasonable and appropriate requests of University faculty members, administrative staff members, or other employees or agents of the University in the course of

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performing said agents' duties as such or with sanctions imposed in connection with disciplinary action, which may be basis for additional sanctions. This includes compliance with all COVID-19 safety protocols.

- l. Minor violations of any University regulation or policy stated in the University Catalog, Student Handbook, or published or announced by the University in any other manner, are subject to be treated as a single offense subject to University disciplinary procedure.
- m. The illegal use, possession, sale, distribution, cultivation or manufacturing of drugs. Drug paraphernalia is prohibited on University-owned or University-controlled property, or at University sponsored events on or off campus. (*See Drug and Alcohol Policies and Guidelines Extended, Section IV.G.3 for more information.*)
- n. The sale, possession or consumption of alcoholic beverages by a student not of legal age, the sale or distribution of alcoholic beverages to individuals not of legal age or the consumption of alcoholic beverages in non-designated areas of the campus. (*See Drug and Alcohol Policies and Guidelines Extended, Section IV.G.3 for more information.*)
- o. Emanation of odor beyond one's self or living space that is noxious or offensive to a reasonable person due to its strength. Such odors include but are not limited to body odor, trash, marijuana, cigarettes, cigars, pipe smoke, perfume, air freshener, incense and dirty laundry.
- p. Unauthorized entry into or misuse of University facilities. These include, but are not limited to, Seton Center entrance doors that have been locked for the overnight period, areas that are officially closed, areas restricted to designated persons, and areas where the safety and welfare of the resident would be endangered. These areas include roof tops, the dining hall when closed, locked closets and rooms, and other facilities located across campus.
- q. Possession or use of firearms, explosives, or other dangerous weapons (e.g., knives other than those necessary for cooking, paintball guns, soft air guns, pellet guns, etc.) are prohibited. This prohibition is subject to the right of a person, who holds a valid license to carry a concealed handgun, to store said person's handgun in a locked trunk, glove box or other enclosed compartment or container within or on the person's privately owned motor vehicle; and, further, that the vehicle is in a location where it is otherwise permitted to be. All possession or use of firearms, explosives or other dangerous weapons is otherwise prohibited.
- r. Disorderly conduct.
- s. Failure to wear appropriate attire including shoes and shirt when using any University public area.
- t. Incurring financial obligations on behalf of the institution without proper authorization.
- u. Any violation of local, state or federal law, particularly violations that have an adverse effect on other members of the University community, the University campus, and/or the educational environment.

2. RESIDENCE HALL POLICIES

a. Residence Hall Community Standards for Residents and Guests.

Living in a residential community usually means some adjustments of individual habits and attitudes. Adjustments are usually achieved through trial and error, with some common sense, and rarely occur over night. The University policies and guidelines along with the residence hall policies and procedures promote a safe, educational community whose goal is a comfortable living environment. As a member of this community, you should expect to:

- study without interference or unreasonable noise/distractions;
- sleep without disturbance from noise and other distractions;
- have your personal belongings respected by others;

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- live in a clean environment;
- access your room and residence hall facilities;
- have personal privacy within the limits of your living space;
- host registered guests that adhere to all policies and procedures;
- discuss grievances with a staff member;
- be free from the threat of intimidation, physical and/or emotional harm.

As a member of this community, you have the responsibility to:

- verbally express your views in a constructive manner, if you feel your rights have been violated;
- treat other residents and University staff, including residence hall staff, with respect and consideration;
- read and understand all policies and procedures necessary for the hall and University communities to function;
- attend all floor meetings;
- respond to all reasonable requests of other residents;
- respond to and cooperate with residence hall staff members;
- take responsibility for personal and community security;
- take responsibility for securing and protecting your personal property and the property of the University;
- recognize that public area furnishings are used by the whole community and that the abuse of those areas violates the rights of all community members.

b. Policies Pertaining to All Students and Guests

Alcohol. The decision to drink is a personal one. MSJ residence hall policies foster an atmosphere conducive to individual choice and responsible consumption of alcohol. *However, if you misuse or abuse alcohol, you are held responsible for your behavior.*

In addition to complying with all applicable laws (see Ohio Revised Code Chapter 4301 (2008)):

- Persons under the age of 21 may not purchase, possess, or consume alcoholic beverages on campus or at a University sponsored event off-campus.
- Persons of legal drinking age may not supply alcohol to individuals under the age of 21.
- The misrepresentation of age or falsification of identification cards or use of another person's identification is prohibited.
- The opening or consumption of alcoholic beverages in a motor vehicle is prohibited. Possession and consumption of legal beverages in your room is permitted when in accordance with Residence Life policy and consistent with Ohio Revised Code, provided, however, that:
- When one roommate is not of legal drinking age, the roommate of legal drinking age shall not furnish alcohol to the underage roommate. When one roommate is of legal drinking age, the roommate of legal age may store and consume alcohol in said room.
- Individuals under the age of 21 may not be in the presence of alcohol when consumed by a person of legal drinking age in a student room unless they are the resident of that room and the resident's roommate is of legal drinking age.
- No alcohol is permitted at group events in residence hall facilities. Alcohol is not permitted in elevators, stairwells, lounges, lobbies, public hallways, Seton Center public area, or on campus grounds unless designated.
- Quantities of alcohol exceeding the following personal use limits are not allowed in any resident's room. The limits are 1.5 liters of wine or 750ml of spirits, or 12 12oz standard size cans/bottles of beer or malt beverages per legal aged resident assigned to the specific room. Spiked punch, "Jello" shots and grain alcohol are not allowed. Drinking games and drinking paraphernalia are not permitted.
- Kegs and large containers used for the purpose of holding alcohol are prohibited.

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- Alcohol-related conduct that infringes upon the enjoyment of others of a quiet, orderly living environment is not acceptable.
- Pyramids or displays of empty beverage containers, possession and/or display of drug and/or alcohol-related paraphernalia are prohibited.
- Students are required to provide a valid state driver's license, state ID card, passport, or visa as proof of your eligibility to consume and/or possess alcohol.

(See Drug and Alcohol Policy and Guidelines, Section IV.J.3, for more information.)

Appliances. Both safety and the conservation of energy are important considerations in the residence hall. Limit the number of small appliances in your room and the frequency of their use.

- Appliances allowed in residence hall rooms are limited to clocks, radios, stereos, TV's, fans, hair dryers, computers, lamps, coffee makers with an automatic shut-off mechanism and irons for pressing clothes.
- Appliances with a heating element must have the element enclosed and the Underwriter's Laboratory approval (with the exception of clothing irons).
- Space heaters, sunlamps, halogen lamps, octopus plugs, and extension cords **are not** permitted in residence hall rooms because this constitutes a fire hazard. Exceptions pertaining to extension cords are described in greater detail in this policy under "Fire Regulations."
- Toasters, toaster ovens, microwave ovens, George Foreman grills (or similar versions) and, popcorn poppers **are not** permitted. A kitchenette, equipped with a microwave, is available on each floor.
- Residents are allowed to keep a refrigerator of 4.1 cubic feet or less. Both the refrigerator and the power cord must be approved by Underwriter's Laboratory. The refrigerator cannot be self-defrosting.

Authorized Entry. Students have the same rights to privacy as any other citizen and surrender none of these rights by becoming members of the academic community.

These rights of privacy extend to residence hall living. Authorized University personnel have right to enter a student's room: 1) for the purpose of performing maintenance and repair to rooms and equipment; 2) to ensure that health, safety and fire regulation standards are maintained; 3) in the event of an emergency which might endanger life, health, safety, or property; and 4) for the purpose of enforcing policies, regulations and procedures.

Candles. Candles, incense, or other open-flame elements are prohibited in residence hall facilities.

Drugs. *See Section IV.G.3 for more information.*

Emergency Procedures. *See Section IV.G.7 for more information.*

Entrances. Propping open building entrances, fire doors, or other locked doors is prohibited. Propping open doors decreases safety in the residence hall, and decreases the effectiveness of fire doors in keeping smoke out of fire exits.

Fire Regulations.

Extension Cords. Home-style electrical extension cords and plug expanders (e.g. octopus plugs, cube taps, and other multi-plug adapters and splitters) are not allowed for use in the Seton Center. Extension cords and plug expanders that fit the description will be confiscated.

Surge Protectors. Where an adequate number of receptacles are not readily available, Underwriter's Laboratory listed plug strips are permitted provided that they are no longer than six feet, are equipped with a fuse or circuit breaker, and are plugged into a permanently installed receptacle. These are the only type of extension cords or plug expanders that are allowed in the Seton Center. This is a very important fire safety rule – overloaded extension cords can cause fires! Extension cords that do not fit the approved ratings will be confiscated as will plug expanders (e.g., octopus plugs, cube taps, splitters, etc.)

Suspended Items. Fishnets, parachutes, flags, tapestries, or other types of cloth or roped items may not be suspended from room ceilings because this constitutes a fire hazard.

Smoke Detectors. Smoke detectors or sprinklers have been installed in every student room. At the beginning of the fall and spring semesters, the University provides replacement batteries for each unit. It is the responsibility of the resident(s) to keep the battery in the unit. If a battery is found removed, or if the detector has been tampered with in any way, the resident(s) will be subject to disciplinary action.

Fire Doors. The greatest danger in University buildings is not from flames, but from smoke. Fire doors in the residence hall and stairways hinder the spread of smoke and must be closed at all times. *See Section IV.G.7 for more information about campus emergency procedures related to fire.*

Firearms and Weapons. *See Section IV.G.1 for more information.*

Furniture. You are responsible for the proper care and condition of all furnished items in your room. Carpet placed in rooms must have a "Class A" rating and may not have a foam backing. Students are not allowed to modify University property to accommodate carpets. Double-faced tape, glue, adhesive backing, tape, or nails are not permitted for carpet installation. Residents must remove carpet prior to check out. Students who are assigned to a double room, may occupy and furnish only one- half of the room.

Guest and Escort. Residents are responsible for the actions of their guest(s) including guest's adherence to the residence hall policies and procedures.

- A "guest" is anyone who does not have a housing assignment from the Office of Residence Life for the current academic term. This includes enrolled students who do not live in the Seton Center and family members. Due to COVID-19, no guests are permitted in the Seton Residence Hall. Residents should meet guests in public areas outside or visit off campus. This includes family members.
- All guest must be accompanied by the host at all times during their visit on campus grounds.
- Campus housing is for extended use of currently enrolled students with valid Room and Board Agreements only. Resident students may not allow non-resident students to live in their rooms or sub-let their room. Persons found to be living illegally (without a valid Room and Board Agreement) will be asked to leave and may be subject to disciplinary action and/or trespassing charges. Resident students who allow persons to live illegally in any residence hall room are subject to disciplinary action.
- Residents are responsible for informing guests of security procedures in the event of an emergency.

- Cohabitation, defined as overnight visits with a sexual partner, is incompatible with the Catholic character of the University and with rights of the roommate(s) and will be considered a violation of the Guest and Escort policy.
- Any individual who has been dismissed from the University for academic, disciplinary or financial reasons is not permitted to be a guest in the residence hall or to visit campus.
- Students are responsible for the contents of their assigned rooms, **ALL** behavior occurring in their rooms, and the behavior of any guests.
- Failure to comply with these guidelines may result in the guests being removed from University property.

Hallway Sports. Activities involving, but not limited to, the use, discharge, or throwing of the following are prohibited in hallways, lounges, bathrooms or student rooms: rollerblades, skates, golf equipment, hockey equipment, bouncing balls, firecrackers, Frisbees, balls, water hoses, and containers of water. These items are damaging to University property and fire equipment, and can cause serious injury to residents. Any programs and events that would include a sport of some kind must be approved first by the Office of Residence Life.

Lock-outs. Resident students are responsible for keeping their room keys with them at all times. However, if a student is locked out of the residence hall room, the resident must find a Resident Assistant to key them back into their room. If no one is available to perform a lock-out, a student might have to wait. All residents should carry their keys at all times and never leave doors unlocked. Students are permitted two “grace period” lockouts. After two lockouts, there will be a \$5 charge for each time any student is locked-out of their room and requesting to be keyed back into their room.

Noise. Maintaining an academic environment in the residence hall is vital. Please discuss, understand, and abide by the community standards of quietness. Please respect the needs of others 24-hours a day.

- You must be courteous to other residents in regards to noise levels 24-hours a day.
- The use of electronic equipment such as stereos, radios, amplifiers, and musical instruments in a manner that violates a standard of quietness conducive to study, sleep, or that disturbs University offices or classes is prohibited. Such use may result in the equipment being confiscated, among other disciplinary actions.
- Stereo equipment or speakers may not be placed facing out of an open window.
- Excessive noise or other behavior that disturbs others within the residence hall or staff in their offices is not permitted, including hallway sports or running in the hallway.

Noxious Odor. *See Section IV.G.1 for more information.*

Personal Property & Insurance. Please protect your valuables. You are responsible for the security of your personal property. The University does not assume responsibility for theft, loss, damage, or destruction of personal belongings in or on residence hall property.

- Students are encouraged to obtain insurance through a parent or legal guardian, homeowner’s or renter’s insurance plan or another personal properties insurance provider, or to make other insurance arrangements to protect against damage or loss.
- Please lock your door when you are not present in your room and when you go to sleep. Be safe. You may be held accountable for the loss of University property if it is not properly secured.

Pets. Animals with the exception of authorized service and emotional support animals are not permitted in the residence hall. Fish, in containers no larger than 10 gallons, may be kept in the residence hall. The feeding of stray animals in or around the residence hall is strictly prohibited. The Office of Residence Life reserves the right to remove any unauthorized pets and/or other animals and take them to a nearby shelter.

Proper Attire. *See Section IV.J.1 for more information.*

Social Gathering in Residence Hall Rooms. Due to COVID-19, residents should visit with other residents in hall lounges or outdoor areas, practicing social distancing. Social gatherings in individual rooms are subject to all municipal, state, and federal laws, as well as University policies.

University officials and Office of Residence Life staff reserve the right to disperse a gathering when residents and/or guests are in violation of any University policy, or are causing undue disturbance to the community.

University ID. *Mount St. Joseph University students are required to carry the University Student Identification Card at all times while on campus.* For additional safety, residents may be asked to identify themselves, verify residency, and provide proof of age at any time.

- Report unauthorized people in the residence hall to residence life staff immediately or contact Campus Police.
- If you believe a crime is about to be committed, or has been committed, immediately call Campus Police and then report the incident to residence life staff. See Section II.F for more information.

Vandalism/Damage. Damaging University property is a serious offense. If you damage your room, hall facilities, hall equipment or hall decorations, you will pay the replacement cost of the item(s) and labor to repair the item(s). If you observe someone damaging the building, its furnishings, equipment, or decorations, and do not notify hall staff, you are considered to be an accomplice and you may share financial and disciplinary liability. When damage occurs to common areas the University will make every effort to identify the responsible person(s), otherwise, costs associated with damage to common areas (i.e.: lounges, hallways, bathrooms, etc.) will be charged to the residents of the floor and section of the residence hall in which the damage occurred unless the person(s) responsible for the damage is (are) identified.

Visitation. Due to COVID-19, no visitors are permitted in the Seton Residence areas.

- Residents may visit other residents without an escort. All non-resident guests must be signed in with an ID at the Seton Lobby Front Desk and escorted by and remain with their host at all times while in the residence hall (*See Guest and Escort policy*).
- Lounge spaces on the floors, hallways and laundry facilities in the residence hall have 24-hour visitation for residents ONLY.
- The Commuter Lounge and Seton Lobby 24-hour locations are open for all students.
- Any guest may be asked to leave the area, or campus, at any time for any reason deemed necessary by University officials.

3. DRUG & ALCOHOL POLICY AND GUIDELINES

Mount St. Joseph University seeks to provide an environment in which students may experience intellectual, emotional, physical, social, and personal growth. The development of the capacity to make informed decisions about drugs, including responsible choices about the consumption of, is a significant

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component of personal growth. The responsibility for making informed choices regarding drugs and the use of alcohol rests with all members of the University community: students, faculty, and staff.

A comprehensive drug and alcohol education program supports members of the University community in making informed and responsible decisions about drugs and alcohol. This program has three primary components: first, to provide members of the University community with education regarding the academic, social, legal, and health-related effects of drug and alcohol use and misuse; second, to provide access and referral for the assessment of and treatment for individuals with drug and alcohol-related problems in cooperation with community agencies; and third, to provide for individual freedom while promoting the health, safety, and welfare of all members of the University community. It is assumed that the University's commitment to providing education in addition to health, counseling, and ongoing support services will be matched by responsible behavior with respect to alcohol and other drugs. The University's drug and alcohol policy applies to students and to student organizations conducting activities and events on and off campus and supplements, rather than replaces, the Student Life Standards and Disciplinary Policies and Procedures, including all policies, offenses, procedures and sanctions set forth therein. This policy also applies to any student misusing a drug prescribed to him or her by a physician. In accordance with the Ohio Revised Code Chapters 2925 and 4301 (March 2018), Mount St. Joseph University prohibits the illegal use, possession, sale, manufacture, or distribution of drugs, including alcohol, and drug paraphernalia. In addition, the misuse of substances that present physical or psychological hazards to individuals is prohibited; this includes synthetic versions of marijuana, THC, and stimulants, or beverages that combine both alcohol and caffeine. It is the University's intention that its policies comply with state and local laws governing the use, distribution, and consumption of alcohol. See Section IV.I.2 for more information.

While the possession and use of marijuana for medical purposes is legal under Ohio law, the manufacture, possession, distribution, dispensing and use of marijuana remains illegal under federal law. Consistent with federal law, including the Controlled Substances Act and the Drug Free Schools and Communities Act, the use and/or possession of marijuana (even for medical purposes) continues to be prohibited while a student is on University owned or University controlled property, and/or at any function hosted, authorized or supervised by the University regardless of where held.

A. HEALTH EFFECTS OF ALCOHOL AND/OR OTHER DRUGS

The use of alcohol and/or other drugs has many possible health effects. There are both short term and long-term effects of drug and alcohol use. In addition, overdose and withdrawal from alcohol and/or other drugs can produce additional effects on a person's health.

Alcohol. The use of alcohol can lead to impaired judgment and coordination, problems with vision and hearing, respiratory depression, increased aggression, liver and heart disease, pancreatitis, and cancer of the mouth, throat, esophagus, and/or voice box. Overdosing on alcohol can cause staggering, loss of coordination, slurred speech, dilated pupils, and nerve and liver damage. In women, consuming alcohol while pregnant can lead to fetal alcohol syndrome in babies. Abruptly terminating heavy long-term usage can result in withdrawal symptoms that include sweating, tremors, altered perception, psychosis, fear, and auditory hallucinations.

Narcotics. The use of narcotics may result in drowsiness, confusion, nausea, constricted pupils, and respiratory depression. Effects of overdosing on narcotics include slow, shallow breathing, clammy skin, convulsions, coma, and possible death. Withdrawal symptoms of narcotics use include watery eyes, runny nose, yawning, cramps, loss of appetite, irritability, nausea, tremors, panic, chills, and sweating.

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Depressants. The use of depressants can lead to slurred speech, difficulty concentrating, impaired judgment and coordination, and respiratory depression. Overdosing from depressant use can produce effects such as shallow respiration, clammy skin, dilated pupils, weak and/ or rapid pulse, coma, and possible death. Withdrawal symptoms include anxiety, insomnia, muscle tremors, loss of appetite, convulsions, delirium, and death.

Stimulants. The use of stimulants may include anxiety, blurred vision, impaired coordination, decreased appetite, increased heart and respiratory rates, elevated blood pressure, and delusions. Overdosing can lead to agitation, increased body temperature, hallucinations, convulsions, and possible death. Withdrawal symptoms seen in stimulant users include apathy, long periods of sleep, irritability, depression, and disorientation.

Hallucinogens. The use of hallucinogens may lead to confusion, violent behavior, anxiety, hallucinations, illusions, depression, distorted perception of time, convulsions, psychosis, flashbacks and after usage has ceased, heart and lung failure, irreversible brain damage, and coma. Overdosing on a hallucinogen can produce effects such as longer, more intense “trip” episodes, psychosis, coma, and death. There are no known withdrawal symptoms of hallucinogen use.

Cannabis. The use of cannabis may cause loss of appetite, impaired balance, coordination, memory and concentration, disoriented behavior, fluctuating emotions, increased risk of cancer, and psychosis. Overdosing on cannabis can lead to fatigue, lack of coordination, paranoia, and psychosis. Withdrawal symptoms include insomnia, hyperactivity, and decreased appetite.

Steroids. The use of steroids may result in weight and muscle gains and aggressive behavior. Effects of overdosing on steroids are quick weight and muscle gains, extremely aggressive behavior or “roid rage”, severe skin rashes, impotence, and development of irreversible masculine traits in females. Symptoms of withdrawal include significant weight loss, depression, behavior changes, trembling.

B. ALCOHOL POLICY GUIDELINES FOR INDIVIDUALS AND THE RESIDENCE HALL. SEE ALCOHOL POLICY, SECTION IV.G.3 FOR MORE INFORMATION. C. ALCOHOL POLICY GUIDELINES FOR UNIVERSITY EVENTS

Alcohol is a drug that may be possessed, sold, distributed or consumed at specified and approved University-sponsored or affiliated events in accordance with applicable laws and University policy. The following guidelines are intended to assist event planners in developing responsible practices, which are consistent with the University Alcohol policy. The guidelines are not intended to be all-inclusive. Event planning should be comprehensive and specific attention be given to the event’s purpose, the age of the participants, and environmental and safety precautions.

Guidelines

1. Students, student organizations, faculty and staff must comply with all applicable laws and University regulations regarding use and availability of alcohol at events on and off campus.
 - a. Officers, planners, and advisors of organizations that sponsor events at which alcohol is available shall be familiar with applicable laws and University policy governing consumption of alcohol and the potential legal liability associated with the sale or serving of alcoholic beverages. Alcohol can only be served by a liquor license holder on or off campus. Currently, AVI Foodsystems, Inc., through their employee(s), is the liquor license holder at events on campus in the designated areas of the license agreement.
 - b. AVI Foodsystems, Inc. shall ensure that alcoholic beverages are not accessible to or served to persons under the legal drinking age or to persons who appear intoxicated. This includes, but is not limited to, checking identification (valid state driver’s license or state ID) to determine age.

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- AVI Foodsystems, Inc. shall also refuse to serve persons whose behavior suggests that they are intoxicated.
- c. At functions where alcoholic beverages are provided through the liquor license holder, direct access to the alcohol shall be limited to a person(s) designated as the server(s) by the liquor license holder. Alcohol can only be served by the liquor license holder through their employee(s).
 - d. Consumption of alcoholic beverages is permitted only within the area designated for the event.
 - e. Alcohol education information can be obtained through the Wellness Center, and information.
 - f. Student Organizations must seek permission to serve alcohol at their event through the Dean of Students at least three weeks prior to the actual event and before any promotional/publicity materials are distributed.
 - g. The sponsoring organization is responsible for contacting Chief of Campus Police to arrange and pay for security coverage during events.
2. Students, student organizations, faculty and staff, should discourage abuse and excessive consumption of alcohol.
- a. There shall be a purpose for any gathering other than the availability of alcohol.
 - b. Social events shall not include any form of “drinking contests” or give away alcoholic beverages as prizes.
 - c. Alcohol shall not be available at or be a part of membership recruitment functions.
 - d. The quantity of alcohol purchased and/or sold at an event shall be carefully planned in consultation with AVI as the liquor license holder. The quantity of alcohol purchased for an event shall be limited to three drinks per person of legal drinking age in attendance over a three-hour period. Alcohol may only be served in the following prescribed portions per drink: Beer must be sold in cans not to exceed 12 ounces; wine in servings not to exceed 5 ounces; and mixed drinks in servings not to exceed 1.5 ounces of liquor
 - e. Alcohol may not be brought into an event by individuals.
 - f. Food shall be readily available at any event at which alcoholic beverages are served. Food served shall not be limited to salty foods that increase thirst, such as popcorn, chips, and pretzels.
 - g. “Punches” made with alcohol or random combinations of beer and/or liquors are prohibited.
 - h. The Dean of Students must approve all advertising and/or promotional materials for events involving alcohol prior to dissemination.
 - Advertising shall focus on the purpose or theme of an event and not reference the availability of alcohol.
 - The availability of alcohol shall not be used as an inducement to participate in events.
 - Brand names, logos, and symbols of alcohol (kegs, mugs, etc.) may not appear on promotional material.
 - Advertising shall not portray drinking as a solution to personal or academic problems of students.
 - Advertising should not encourage any form of alcohol abuse.
 - i. University officials and/or AVI employees, in their sole discretion, reserve the right to deny access to an event, limit the amount of alcohol possessed/purchased/consumed, or ask an individual to leave an event based on behavior that suggests intoxication.
3. Students, student organizations, and administrative units shall respect the decision of persons who are of legal drinking age and choose to drink responsibly as well as the decision of persons who choose not to drink.
- a. Persons who choose not to drink shall not be harassed or coerced into consuming alcoholic beverages.
 - b. Non-alcoholic beverages shall be made available at the same location as alcoholic beverages, and should be featured prominently. Groups are encouraged to serve no/low-alcohol beer.

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- c. Non-alcoholic beverages served shall be a popular brand and presented in an appealing way which does not stigmatize persons who choose not to drink.
- d. Persons who choose not to drink shall be permitted to participate in all activities, which are a part of an event.
- e. Any person under 18 years of age without a MSJU University ID may not be admitted to events at which alcohol is served unless accompanied by a designated MSJU community member.

4. DISCIPLINARY PROCEDURES FOR ALCOHOL AND OTHER DRUG OFFENSES

Disruptive behavior to the campus and surrounding community-directly related to the use of alcohol or other substances is prohibited. Students who, after using alcohol or other drugs, become physically or verbally abusive, or refuse to cooperate with University staff members (including student employees and all volunteers) who are performing their duties, are in violation of this policy. This includes, but is not limited to: fighting, disruptive behavior, loss of consciousness, destruction of private or public property, and harassment of others. Mount St. Joseph University attempts to ensure the safest environment possible so that the educational process is not hindered unnecessarily. Therefore, the University deems it necessary to have penalties and/or special restrictions for the violation of its Drug and Alcohol Policy. The University believes these penalties serve the best interest of the University community as a whole and the students who violate the policy.

1. Penalties: In addition to all other sanctions and penalties otherwise available, violation of the Drug and Alcohol policy includes but is not limited to the following penalties:

- a. First Offense: Requires disciplinary probation and fine ranging from \$50-\$100. Additionally, disciplinary penalties may include educational sanctions and parental notification.
- b. Second Offense: Requires disciplinary probation, fine ranging from \$75-\$125, parental notification, and mandatory participation in a comprehensive substance abuse assessment and compliance with the assessment's recommendations, including counseling if necessary. Any cost associated with the assessment and/ or off-campus counseling is the responsibility of the student.
- c. Third Offense: May result in suspension from the University either immediately or at the end of the semester. The student may return only after evidence of the successful completion of a treatment or counseling program for alcohol or other drug abuse or weekly attendance at an appropriate self-help group, i.e., Alcoholics Anonymous or Narcotics Anonymous. Further attendance at such a group is required as long as the violator attends the University. Violations of policy relating to the possession, use, or sale of illicit drugs are referred to the Dean of Students for appropriate sanctions.

Verification of registration for subsequent semesters could be withheld until the student complies or is in the process of complying with the penalties assessed for the first and second offenses.

Good Samaritan/Amnesty Policy

Mount St. Joseph University values a safe environment conducive to learning and is committed to ensuring the safety and wellbeing of each student. The University is also committed to providing guidance so that students can learn to develop a responsible approach to social challenges, including whether to use alcohol, how to do so in moderation, and how to comply with local, state, and federal laws governing alcohol consumption.

Mount St. Joseph University expects students to abide by laws and University policies regarding alcohol and drug possession and consumption. For those students who choose to consume alcohol, Mount St. Joseph University expects that they do so in moderation to minimize the incidence of alcohol poisoning

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and alcohol-related injuries. However, the University acknowledges there may be times when students may face medical emergencies involving excessive drinking and/or drug use. In these situations students are expected to call for assistance (e.g. Resident Assistants, Campus Police, 911, etc.) when concerned for their own health or welfare, or that of another student. In order to encourage students to seek prompt and appropriate attention for alcohol or any other drug intoxication, the University has instituted a Good Samaritan/Amnesty Policy.

Mount St. Joseph University's Good Samaritan/Amnesty policy is applicable to:

- The student requesting medical assistance for oneself
- The student(s) seeking medical assistance for another person

Seeking medical assistance for oneself or a fellow student demonstrates responsible student behavior. When evaluating an alcohol violation, the University will consider whether a student sought medical assistance for oneself or another person in need and, in most cases, view the act of seeking medical assistance as good judgment and not deserving of typical disciplinary sanctions. Thus, if it is determined that the Good Samaritan/Amnesty policy applies to a given situation, the concerned students will not be subject to a disciplinary fine or disciplinary probation. However, the students will be required to meet with the Dean of Students or Designee who will facilitate an appropriate consequence which may include parental notification, mandated counseling for assessment and treatment recommendations, or participation in a prevention class or online course for sanctions. Please note that this policy does not excuse or protect those who repeatedly or flagrantly violate the Student Life Standards and Disciplinary Policy and Procedures. If a student received medical amnesty for a prior incident, the availability of amnesty for a subsequent incident is at the discretion of the Dean of Students or Designee. If other infractions are concurrent at the time of intoxication including but not limited to physical or sexual assault, distribution of illicit substances or property damage, this policy does not apply.

SEEK ASSISTANCE WHEN: You suspect someone has alcohol poisoning, even if they are not exhibiting the classic signs and symptoms

CALL 911 OR CAMPUS POLICE WHEN THE PERSON:

- is unconscious
- is breathing less than eight times a minute, and/or
- has repeated and uncontrolled vomiting.

DON'T LEAVE AN UNCONSCIOUS PERSON ALONE:

- Alcohol continues to be released into the bloodstream and the level of alcohol in the body continues to rise
- While waiting for help, turn the person on their side; don't try to make the person vomit

5. TOBACCO/SMOKE FREE POLICY

In the interest of the health, comfort and safety of students, faculty, staff, and campus visitors, use of tobacco and tobacco products in all forms, including but not limited to cigarettes, cigars, chewing tobacco, hookah, e-cigarettes and personal vaporizers, are prohibited on University property. This restriction includes, but is not limited to academic and living facilities, athletic and recreational facilities, parking garage and lots, University vehicles, and personal vehicles being driven or parked on University property.

6. FEDERAL STUDENT FINANCIAL AID PENALTIES FOR DRUG LAW VIOLATIONS

Students who are currently enrolled and are completing the FAFSA will be asked: "Have you been convicted for the possession or sale of illegal drugs for an offense that occurred while you were receiving

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federal student aid?” Students who answer “Yes” will be asked an additional series of questions to determine if the conviction affects their eligibility for federal student aid. Students convicted of a federal or state offense of selling or possessing illegal drugs that occurred while they were receiving federal student aid should still complete and submit the FAFSA to determine if there is aid for which they are still eligible. Students who leave question 23 blank cannot receive federal financial aid until they respond by making a correction to their FAFSA. A student who has been convicted of possession or sale of illegal drugs loses Title IV eligibility for a period of time specified in law. The period of ineligibility depends on whether the conviction was for possession or sale of (including conspiring to sell) illegal drugs. If convicted of both the longer period of ineligibility applies.

For convictions involving possession, the periods of ineligibility are as follows:

One conviction: one year after the date of conviction.

Two convictions: two years after the date of the second conviction.

Three or more convictions: indefinite from the date of the third conviction

For convictions involving sale, the periods of ineligibility are as follows:

One conviction: two years after the date of conviction.

Two or more convictions: indefinite from the date of the second conviction. A federal or state drug conviction can disqualify a student for federal financial aid. Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV aid—they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside, or removed from the student’s record does not count, nor does one received when the student was a juvenile, unless the student was tried as an adult.

Regaining Eligibility

A student regains eligibility the day after the period of ineligibility ends or when the student successfully completes a qualified drug rehabilitation program. Further drug convictions will make the student ineligible again.

A student whose Title IV eligibility has been suspended indefinitely may regain eligibility only by successfully completing a drug rehabilitation program. A student who is under a one- or two- year penalty may regain eligibility before the expiration of the period of ineligibility by successfully completing a drug rehabilitation program. If the student successfully completes an approved drug rehabilitation program, eligibility is regained on the date the student successfully completes the program. It is the student’s responsibility to certify to the school that he/ she has successfully completed the rehabilitation program. To qualify the student for eligibility, the drug rehabilitation program must include at least two unannounced drug tests, and:

- have received or be qualified to receive funds directly or indirectly under a Federal, State, or local government program; or
- be administered or recognized by a Federal, State, or local government agency or court; or
- have received or be qualified to receive payment directly or indirectly from a Federally or State licensed insurance company; or
- be administered or recognized by a Federally- or State-licensed hospital, health clinic or medical doctor.

7. CAMPUS EMERGENCY PROCEDURES

Students are expected to follow all University emergency procedures as communicated by University officials. Students are expected to follow all directives given by University officials (i.e. Campus Police Officers, residence hall staff, Directors, Deans, President of the University, etc.). For information on

current emergency procedures, please refer to <http://www.msj.edu/student-life/public-safety-campus-police/resources-information/disaster-and-emergency-response-plan/>

a. Bomb Threat. In the event of a bomb threat in the residence hall, the building is evacuated according to fire procedures. Persons must follow directions of the residence hall staff and other University officials. See MSJ emergency procedure through this link:

<http://www.msj.edu/student-life/public-safety-campus-police/>

b. Fire Alarms. Fire drills are held periodically to ensure safety of students. When the alarm sounds, you must exit the building immediately. *Do not call the Seton Center Front Desk unless you have emergency information.*

- Learn the location of all fire exits, fire alarms, and fire extinguishers on your floor.
- If the alarm sounds, put on your shoes, get a coat (if necessary), lock your door, and leave the building by the nearest stairway possible. Do not use the elevators! You may return only upon authorization of a staff member. Do not take chances with fire – even a small one can get out of control quickly. If a fire cannot be extinguished with available equipment, activate the nearest fire alarm.
- Pulling a false fire alarm, tampering with fire equipment, or the false reporting of an emergency to the police or fire department is punishable under Ohio Revised Code 2917.32 as a first degree misdemeanor. Conviction carries a maximum \$1000 fine and 6 months in jail. University judicial action also results.
- Unauthorized use of, tampering with, or damaging emergency or safety equipment is punishable under Ohio Revised Code 2909.07 as a third degree misdemeanor.

Conviction carries a maximum \$500 fine and/or 60 days in jail. University judicial action also results.

- Interference with and/or non-adherence to emergency evacuation procedures or drills is punishable under Ohio Revised Code 2917.13 and Ohio Fire Code FM106.4. University judicial action also results.
- Setting or intentionally starting a fire on campus is prohibited.

c. Health Emergencies. In the event of serious illness or accident, call the Life Squad (911) and then notify Campus Police (dial 0) to meet emergency personnel. If a resident student, also notify the Resident Assistant and or the Health Services staff member. The RA notifies the Coordinator of Residence Life.

d. Tornado Alert. In the event of a tornado, the storm siren located on the roof of Seton Center will activate and warn resident students. Residence hall students are encouraged to take shelter on the ground floor of Seton Center, in the hallways near the Mail Center and the Lions Den Game Room, away from outside windows.