

Mount Mercy Policies

Policy Against Alcohol or Drug Abuse

Statement of Philosophy/Purpose

Mount Mercy is committed to maintaining a safe and healthful environment for members of the University community by promoting a drug-free environment as well as one free of the abuse of alcohol. 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 violations will be dealt with more severely.

Health Risks

As an educational institution, Mount Mercy endeavors to protect and assist students by providing reliable information about the hazards of illegal drugs and alcohol. Health risks include, but are not limited to, adverse modification of one or more body systems, such as the nervous, cardiovascular, respiratory, muscular, endocrine, and central nervous systems; toxic, allergic, or other serious reaction; unfavorable mood alteration; and addiction. Physiological and psychological dependency, which manifests itself in a preoccupation with acquiring and using one or more drugs/alcohol may cause severe emotional and physical injury.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Common side-effects of alcohol consumption include digestive complaints and sleep problems and may adversely affect a student's academic performance. Because alcohol increases aggression, excessive consumption may lead to fighting, vandalism, criminal mischief, and verbal abuse. Alcohol abuse often plays a role in unwanted pregnancies and rape.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

Legal Sanctions

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. Each of these violations is a simple misdemeanor offense punishable by up to 30 days in jail and up to \$200 fine. In addition, a person found guilty of giving or selling an alcoholic beverage to a person under the legal age will be fined a minimum of \$500. State and federal legal sanctions are subject to change by the General Assembly and Congress, respectively. Sanctions for violations of Mount Mercy Policy are listed under "Enforcement Procedures," section of the Good Book.

Alcohol and Drug Abuse Education Services Available to Students

To assist students in broadening their knowledge of the harmful effects of controlled substances, and in the treatment of alcoholism or reliance on drugs, Mount Mercy will do the following:

1. Periodically sponsor programs and provide information regarding the dangers of drug abuse;
2. Notify all students of the Mount Mercy's policy of maintaining a drug-free environment;
3. Provide referrals and work cooperatively with area agencies regarding drug abuse concerns; and
4. Notify students of penalties which may be imposed for drug abuse violations.

Mount Mercy has put into action an expanded substance abuse education program. Information is important, but in some cases, there is a need for direct action including assessment, and if warranted treatment. Therefore, Mount Mercy may refer individuals for professional assessment and/or treatment as necessary.

RAs or other designated officers of Mount Mercy have the authority to enter resident's rooms or apartments if there are reasonable grounds to suspect the use of illicit substances.

The use of drugs such as stimulants, depressants and hallucinogens without medical direction is dangerous. Students may obtain information regarding the use of controlled substances through the Health Services or Counseling Services on campus, from academic courses which contain such content as described in the Catalog, or from local substance abuse agencies.

Students should be aware that:

1. The use of controlled substances except under a doctor's prescription is illegal.
2. The illegal use, possession or delivery of controlled substances is unacceptable behavior, and the student may be subject to both legal and disciplinary actions.
3. Both state and federal laws prohibit delivery of, manufacture of, or possession with intent to deliver a controlled substance, a counterfeit substance, or a simulated controlled substance. State penalties range from 5 to 50 years confinement and a fine of \$1,000 to \$1,000,000,

depending upon the type and quantity of drug involved. Specific drugs, amounts, and penalties are described in Iowa Code 124.401(1).

Federal penalties range from one (1) year confinement to life imprisonment and a fine of \$100,000 to \$8,000,000 depending upon the type and quantity of drug involved. Specific drugs, amounts, and penalties are described in 21 USC 841(b). State and federal legal sanctions are subject to change by the General Assembly and Congress, respectively.

Alcohol Regulations

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). Underage students at Mount Mercy who possess or use alcohol are subject to disciplinary action by the institution. 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.

Excessive alcohol consumption and/or the resulting irresponsible behavior are inconsistent with the goals and mission of Mount Mercy. Any/all individuals present during an alcohol policy violation may be found guilty of a behavioral violation and subject to disciplinary action by Mount Mercy.

1. Students who are not of legal age are not allowed to consume or possess alcohol.
2. Alcohol may not be consumed or possessed in Regina or McAuley Halls regardless of age.
3. The consumption or possession of alcoholic beverages is prohibited in all public areas. This includes hallways, public lounges or patios, recreational areas, campus grounds, and parking lots.
4. Kegs, including party balls or other containers of alcohol larger than one (1) quart, are not permitted by Mount Mercy.
5. If policies regarding the consumption or possession of alcohol are violated, unopened containers of alcohol will be emptied.
6. In the Andreas House suites and Lower Campus Apartments the following policies apply:
 - A. a. To prevent large group drinking, there may be no more than ten (10) of-age people in an Andreas House suite and no more than nine (9) of-age people in a Lower Campus apartment while alcohol is being consumed.
 - B. b. Students who are of legal age may possess/consume alcohol as follows (as long as no other policies are being broken):
 - i Alcohol may be consumed and/or possessed anywhere in the suite or apartment if everyone living in the suite or apartment is verifiably of legal age. Everyone present when alcohol is present must also be verifiably of legal age.
 - ii If there are both of-age and underage people living in the same suite/apartment, roommate pairs who are both of legal drinking age, may consume, possess, and store alcohol in their private bedroom only. The number of open alcohol containers present (whether empty or not) may not exceed one (1) 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.

- iii Guests who are of legal drinking age may be present as long as the number of individuals allowed in the suite or apartment is not exceeded (see paragraph 6a above).

C. c. At Andreas or Lower campus, alcohol may NOT be consumed or possessed under the following circumstances:

- i No underage guests are allowed in the suite or apartment when alcohol is present.
- ii If there are underage residents living in the suite or apartment, alcohol may not be consumed, possessed, or stored in the public living areas (this includes the kitchen, kitchen refrigerator, living room, bathrooms, and hallways).
- iii If only one individual in the roommate pair is of legal drinking age, no alcohol may be consumed, possessed or stored in the bedroom.
- iv Suite/apartment-mates not of legal drinking age may not enter the bedroom where alcohol is being consumed.
- v No open alcohol containers are permitted outside resident building (patios, entry ways, campus grounds, or parking lots). Open containers include cans, bottles, cups, glasses, squeeze bottles, or other containers on which the original seal has been broken.

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:

- 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.
- Alcohol may not be brought out of the designated alcohol sales/ consumption area.

The following rules must be observed:

- No Mount Mercy money may be used to purchase alcohol.
- No club, student, or employee of Mount Mercy may receive any portion of the money made from the sale of alcohol at the event.
- Alcohol may not be provided or distributed by student organizations or members of student organizations.
- Nonalcoholic beverages must be available.
- Alcohol may not be carried into the facility; nor may students come and go from the party frequently.
- Only single servings may be purchased; no pitchers are permitted.
- Students may not purchase more than one alcoholic beverage at a time.
- No Mount Mercy employee or student may certify age; only licensed agent may authorize age appropriate sale or provision.

Club officers and advisors are responsible for these stipulations related to the use of alcohol.

Enforcement Procedures

The use or possession of illegal drugs as well as the abuse of alcohol and other drugs creates a serious threat to the health and well-being of the user, and, in some instances, to other individuals as well. Mount Mercy will take all reasonable actions to provide an environment free of improper use of drugs and alcohol.

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.

Students found in violation of the policy may be referred to the Disciplinary Board. 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.

Clery Act

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, 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/campus-safety.

Committees with Student Membership

Cultural Affairs Committee

Plans and promotes Mount Mercy's annual concert-lecture series. Membership includes three students selected by the SGA. Students must have completed one academic year as full-time students at Mount Mercy.

Educational Policies Committee

Maintains continuous examination and improvement of the curriculum, studies instructional problems, and makes recommendations for changes in curriculum and educational policy. Membership includes two students selected by the SGA who have completed at least one academic year as full-time students at Mount Mercy.

Liaison to Faculty

Represents the student body to the faculty, attends faculty meetings, and communicates faculty activities to the SGA assembly.

Public Safety Committee

Considers and develops recommendations pertaining to campus parking, safety, and security. It elects annually from its own membership a three-person parking violations appeal board, consisting of one faculty, one staff, and one student representative to hear grievances related to parking violations. The committee reports directly to the Vice President for Administration. Its membership includes student representatives from the SGA, RAs, resident and nonresident students.

Strategic Planning Advisory Group

Functions as an advisory group to the President on: planning strategies on an on-going basis; institutional priorities; revisions in the strategic plan to meet emerging institutional challenges; and other advisory planning functions as requested. Members of the committee include two students (one of whom must be the SGA president). The group reports to and is responsible to the President.

Student Development Committee

Serves as a forum for faculty, students, and staff to share concerns about student needs, university life, and the campus environment. The committee reports to the President through the Provost and is responsible for changes in existing Mount Mercy policies affecting the lives of students. The committee elects annually, from its own membership, a disciplinary board of five members – two of whom (and one alternate) are students.

Computer Systems Acceptable Use Policy

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.

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 cannot monitor and does not 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.

Examples of such activities include, but are not limited to:

- Using or sharing another person's login ID to access computing facilities at Mount Mercy or another Internet facility. This includes permitting others to use one's own login ID.
- Unauthorized tampering with or modification of network resources.
- Using any means to crack or access systems, whether on campus or off, in an unauthorized or inappropriate manner.
- Using technology or facilities to engage in illegal or criminal activities.
- Using technology or facilities to threaten or harass another person.
- Attempting to read or access another person's electronic mail or protected files.

- Copying or distributing software in a manner which violates 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.
- Knowingly distributing or actively developing a computer virus, worm, or Trojan Horse.
- Repeated use of Mount Mercy technology or facilities in a discourteous manner.

Personal Web Page Guidelines

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

Emergencies/Crisis Management

Campus Emergency Situations

1. In the event of a crisis (weather-related, violence, pandemic flu, etc.) an announcement declaring an emergency will be made to the campus. The announcement may be made in one or more of the following ways:
 - A. Campus email notification system;
 - B. Text message notification;
 - C. Voice messages; voice mail messages; oral announcements by authorized officials;
 - D. Printed/posted written 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. mustering of students and headcounts;
 - D. assisting fellow students;
 - E. triage of injuries.
6. An announcement will be made, via means listed above, when the emergency is rescinded.

Emergency Injuries and Illnesses

Life-threatening/serious emergencies should be handled by the appropriate professionals – call 9-911. 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 be taken to Mercy Medical Center, St. Luke's Hospital, Mercy Care North, or another facility as requested. Resident students are asked to notify Residence Life personnel, the Switchboard, or a Public Safety Assistant before leaving campus. These offices are also to be notified if the person is admitted to the hospital. Once a resident student is treated and released, that student should notify the Director of Residence Life on the morning of the next class day.

In the event that a student's mental or emotional health, the well-being of that individual or other members of the campus community, or the effect of that individual's behaviors in regard to others is of concern to the campus, appropriate university personnel will assess the situation to determine an appropriate course of action. This course of action may include but is not limited to: mandated counseling; communication with parents/legal guardians; assessment by emergency medical personnel.

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 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, the Office of Residence Life, or the Dean of Students. 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 his or her state of health and well-being. Although 24 hours missing is often used as a guideline to warrant implementation of actions, there should be no hesitation in reporting a missing student if circumstances warrant a faster course of action.

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 Public Safety Department will obtain identifying information on the missing student, and endeavor 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 class, labs, recitals, scheduled organizational or academic meetings, or appearing for scheduled work shifts will be established. A welfare check of the student's room will be conducted in coordination with residential life personnel. All information will be shared with the appropriate law enforcement officials

If the student reported missing is an off-campus resident, The Mount Mercy University Public Safety Department may contact Cedar Rapids Police Department and institute similar procedures. 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 status with regard to mental/emotional/physical health.
- Work with the individual to arrange for any necessary assistance.
- Work with the individual to allay the concerns of the person(s) filing the initial report.

Emergency Notification System

The 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 at least two contact phone numbers (your own, plus a secondary number which may be a home number, family member or your "in case of emergency" contact). 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. To update your contact information, visit the Registrar's office to fill out a "change of information" form or find the "change of information form" on myCampus.

Reporting Auto Accidents, Crimes Against Property

If you have an auto accident on Mount Mercy property or are the victim of vandalism, theft, or other crimes against property, please follow this procedure:

1. Do not move the vehicle or disturb the crime scene.
2. Contact the Safety Assistant (SA) on duty by dialing 319-363-8213 ext. 1234 or 0.
3. The SA will go to the scene of the incident and complete an incident report.
4. Call the police and give them the information in the report.
5. Contact your insurance company.

Severe Weather Locations

Mount Mercy is fortunate enough that it maintains a tunnel system that is connected to most residence halls and classroom buildings. In all cases if you are unable to reach the tunnel system find an interior space such as a bathroom with no windows. Avoid corridors and hallways.

Mount Mercy Pre-designated Spaces of Evacuation in the Case of Tornado Warning:

- If you are an occupant of Regina/McAuley residential halls evacuate immediately via stairwells to the tunnel system.
- If you are an occupant of Andreas House residential hall evacuate immediately to the Andreas 1st Floor Lounge or the Building "A" Laundry Room.
- If you are an occupant of Lower Campus Apartments, immediately travel to the Warde Dock door, and travel immediately to the tunnel area, if it is considered too dangerous to travel outside seek shelter in the bathroom.

- If you are in Warde, Donnelly, Basile, Hennessey or University Center evacuate immediately to the tunnel system.
- If you are located in the Busse Library evacuate immediately into the tunnel system.
- If you are located in the Busse Chapel area evacuate immediately through the library into the tunnel system.
- If you are in an open area of Mount Mercy campus proceed to the nearest building and respond as above.

Tunnel Security and Emergency Lighting System

The tunnels are secured every night. Courtesy phones are installed in the tunnels and may be used by anyone who is accidentally locked in the tunnel without a key. Dial "0" for the campus operator. The switchboard will notify Public Safety personnel and direct them to the caller's location. This may take a few minutes, so do not be alarmed.

Equal Opportunity

Mount Mercy University does not discriminate based on sex, race, color, creed, religion, national origin, age, disability, sexual orientation, gender identity or genetic information in regard to admissions, programs, activities or employment. Any person having inquiries concerning Mount Mercy's compliance with local, state and federal laws and regulations is directed to contact the Equal Opportunity Officer, Mount Mercy University, 1330 Elmhurst Drive NE, Cedar Rapids, Iowa 52402-4797, 319-363-8213, who has been designated by Mount Mercy to coordinate the institution's efforts to comply with the federal and state regulations concerning equal opportunity in admissions, programs, activities and employment.

Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) is legislation which guarantees to students certain rights regarding the student's educational records.

Student rights include:

1. The right to inspect and review their educational record.
2. The right to request amendment of education records the student believes are inaccurate.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
4. The right to file with the U.S. Department of Education a complaint concerning alleged failures by Mount Mercy to comply with the requirements of FERPA.

Directory or Public Information

At its discretion, Mount Mercy may provide "directory information" in accordance with the provisions of the Family Education Rights and Privacy Act of 1974 (FERPA). Directory information is defined as that information which would not generally be considered harmful or an invasion of privacy if disclosed. Designated directory information at Mount Mercy includes the following: student name, local and permanent addresses and telephone numbers, email addresses, dates of attendance, classification (i.e. freshman), full-time or part-time status, class schedule, major field of study, awards, honors (including dean's list), degree(s) conferred (including dates), previous institutions

attended, photographs, past and present participation in officially recognized sports and activities, physical factors (height, weight of athletes), date and place of birth and hometown.

Students may block the public disclosure of directory information by notifying the Registrar's Office, Warde 211 and filing the appropriate request to block disclosure form. Students should carefully consider the consequences of a decision to withhold directory information. Regardless of the effect on the student, the institution assumes no liability for honoring the student's instruction to withhold directory information. The block disclosure will remain in place until a written revocation is submitted by the student.

Release of Non-Directory Information

Students may request non-directory information in their educational records be released through authorization, in writing, and specifically including the student name, recipient's name, which record to release and the signature of the student. Examples would include the request to send an academic transcript or the request to release grades to a parent of a student.

Exceptions Under FERPA

Mount Mercy may disclose, without consent, personally identifiable information contained in the student's education records to school officials with legitimate educational interests. A school official is a person employed by Mount Mercy in an administrative, supervisory, academic, research or support staff position (including safety personnel and health staff); a person or company with whom the institution has contracted; a person serving on the Board of Regents; or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

Disclosure to Parents

When a student turns 18 years old or enters a postsecondary institution at any age, all rights afforded to parents under FERPA transfer to the student. However, FERPA also provides ways in which schools may share information with parents without the student's consent.

For Example:

- Schools may disclose education records to parents if the student is a dependent for income tax purposes.
- Schools may disclose education records to parents if health or safety emergency involves their son or daughter.
- Schools may inform parents if the student who is under age 21 has violated any law or its policy concerning the use or possession of alcohol or a controlled substance.

Immunization and Health Insurance

All new students must have an immunizations record on file with the Health Services Office by the first day of classes for the first semester in which they are enrolled. Failure to provide this information will result in cancellation of your registration.

All residential students must provide proof of health insurance. If you do not currently carry health insurance, information on a student program may be obtained from the Health Services Office.

The Emergency Contact, Immunization and Health insurance form may be downloaded from the Mount Mercy website at this address: www.mtmercy.edu/health .

Infectious Diseases

In keeping with the spirit of mercy and the commitment to those in need, Mount Mercy has developed the following guidelines. These guidelines are applicable to the entire Mount Mercy community. Based upon recommendations from the Center for Disease Control, they will be revised as medical and legal research results become available.

Persons diagnosed as having infectious diseases (including AIDS, a positive HIV serology, MRSA, Meningitis, etc.) and who are under appropriate medical supervision will be allowed to utilize all Mount Mercy facilities and services.

Decisions regarding persons needing to withdraw from or terminate services with Mount Mercy because of health reasons related to infectious diseases shall be made on a case-by-case basis with the institution's assistance. Sick leave and leave of absence shall be granted to all employees with illnesses according to Mount Mercy procedures for granting such leave.

The medical records of any person will be considered confidential. The status of the infected person may be communicated to appropriate Mount Mercy and health personnel after consultation with the infected person. The infected person will be expected to act in a responsible manner in his/her relationships with other people and within the institution in order to lessen the chances of transmitting the disease.

Mount Mercy recognizes the need for counseling, emotional support, and valid scientific information for members of the campus community and will attempt to make appropriate referrals.

Mount Mercy recognizes that its role in the control of infectious diseases is to provide ongoing educational efforts. Therefore, the institution will provide such a program and will encourage full participation.

Routine screening of employees or students of Mount Mercy for infectious diseases shall not be a requirement for Mount Mercy admission, attendance, or employment.

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

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.

Latex Ban

Latex is an allergic reaction to substances in natural latex. Rubber gloves are the main source of allergic reactions, although latex is also used in other products such as balloons. Latex allergies can be a potentially life-threatening condition. As a campus, Mount Mercy is committed to providing a safe environment for students, faculty and staff to live and work in.

FOR THIS REASON, LATEX BALLOONS AND GLOVES ARE NOT ALLOWED FOR USE AS DECORATIONS OR AS ADVERTISING FOR EVENTS. Balloons made of Mylar or other latex-free substance may be used.

Parking

Vehicle Registration

All vehicles are required to display a current Mount Mercy University parking sticker when parking on campus. All stickers other than faculty/staff are valid from September 1 to August 31 for the academic year for which it is issued. Faculty/staff stickers are valid for a two-year period. This sticker permits, but does not guarantee, parking on campus in designated areas. Parking of all vehicles will be in designated spaces.

Parking Sticker Categories

- F/S: Faculty/Staff
- R: Residence Halls
- L: Lower Campus Apartments/Andreas House
- C: Commuters
- A: Alumni
- E: Emergency Responders

Please contact the University Center Information Desk, immediately whenever a new vehicle is acquired that will be used on campus. Any student who changes residency status must re-register his/her vehicle at the Information Desk in the University Center within five (5) days.

Parking stickers can be acquired at the University Center Information Desk from 8:00 a.m. until midnight. Commuter parking stickers and temporary permits are also available at the Information Desk. Alumni are referred to the Alumni Office for their parking stickers.

Stickers must be permanently affixed with the adhesive of the sticker. The sticker may not be affixed with cellophane tape. Stickers (except for temporary permits) must be affixed to the inside of the windshield in the bottom corner of the passenger side. Two-wheeled motor vehicle stickers should be permanently affixed in plain view of a Safety or Parking Assistant. Bicycles do not need a sticker.

One sticker for each student is included in tuition. All others will make arrangements for payment at the time of the registration of the vehicle.

There will be a \$5.00 fee for students and staff parking permits when registering more than one vehicle.

The care of anyone who misappropriates a parking sticker by means of theft or misrepresentation, or causes someone else to misappropriate a parking sticker, or who uses a parking sticker that is not issued from

the Information Desk shall be handled under the Mount Mercy Code of Conduct (see page 44).

Designated Parking Areas

Vehicles shall only be parked in those areas designated for the assigned sticker, as listed in the following paragraphs. If an area is NOT listed for your designated category, parking is prohibited. In particular, 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 lines; areas marked with a yellow "X;" the Sacred Heart Convent parking area; Hazel Drive (prohibited by the City of Cedar Rapids) and in the eight spaces in Lower Andreas Parking Area designated for Mount Mercy fleet vehicles. 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.

Students living in Regina or McAuley may park in the following areas: "R" Stickers

- The areas in the Prairie Drive lot NOT designated for faculty/staff.
- From 9:00 p.m. to 7:00 a.m., in the faculty/staff parking spaces in the Prairie Drive lot, from the Hennessey/Donnelly sidewalk to the Basile sidewalk.

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

Students living in Lower Campus or Andreas may park in the following areas: "L" Stickers

- Lower campus lot (adjacent to apartments).
- Andreas lot (below Andreas House).
- The areas in the Prairie Drive lot NOT designated for faculty/staff or reserved for Hennessey vans.
- From 9:00 p.m. to 7:00 a.m., in the faculty/staff parking spaces in the Prairie Drive lot, from the Hennessey/Donnelly sidewalk to the Basile sidewalk.

Commuters may park in the following areas: "C" Stickers

- The areas in the Prairie Drive lot NOT designated for faculty/staff.
- The 27th Street lot.
- Lower Andreas lot.
- Designated Mercy Drive parking with the exception of visitor, handicap (unless authorized by State of Iowa), admissions, faculty/staff, and loading and unloading spaces.
- From 5:00 p.m. to Midnight on weekdays and all day on weekends, commuters may park in the following faculty/staff lots: Prairie Drive lot spaces near Donnelly and Hennessey; on the drive in front of Warde Hall (this does NOT include visitor and loading/unloading spaces or the spot marked "President"); behind McAuley Hall; and eastern two rows of spaces in lot behind Warde Hall.
- From 9:00 p.m. to 7:00 a.m., in the faculty/staff parking spaces in the Prairie Drive lot, from the Hennessey/Donnelly sidewalk to the Basile sidewalk.

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 without permission from the Director of Public Safety.

Faculty/Staff may park in the following areas:

- The marked spaces behind Warde Hall.
- The designated faculty/staff area on the drive in front of Warde Hall.
- Prairie Drive lot, in particular designated faculty/staff areas (in front of Hennessey and between the Hennessey/Donnelly and Basile sidewalks).
- The lot behind McAuley Hall and kitchen area.
- The lot adjacent to the Busse Center.
- The 27th Street lot, specifically designated faculty/staff areas.
- The Andreas lots.
- Designated Mercy Drive parking with the exception of visitor, handicap (unless authorized by State of Iowa), admissions, commuter students, and loading and unloading spaces.

Alumni and Visitors to the Campus

Alumni who visit Mount Mercy regularly (such as Project Access, Mustang Club, Hennessey Fitness Club members, etc.) must register their vehicles. (Note: Alumni who are taking classes must register their vehicles as students). All visitors must obtain a visitor's pass.

Mount Mercy community members sponsoring visitors should obtain and distribute visitor passes in advance whenever possible. Otherwise, visitors must obtain passes upon their arrival at the Public Safety Office, the Switchboard, or the University Center Information Desk. The permit should be displayed on the passenger side of the dashboard of the vehicle. Visitors should adhere to the same parking policies as the campus community. Guest sponsors will be responsible for all citations received by the guest's vehicle. Visitors who receive a citation for "no permit" should return it to the Public Safety Office.

Alumni and regular visitors to the campus may park in the Prairie Drive lot, but NOT in the spaces designated for faculty/staff.

Visitors EXCEPT overnight visitors may park in the following areas:

- Spots designated in Lower Andreas.
- The first nine spaces on the half-circle drive in front of Warde Hall.
- Prairie Drive lot, but NOT in the spaces designated for faculty/staff.

Overnight visitors MUST obtain a pass (no charge), displayed on the passenger side of the dashboard and may park in the Prairie Drive lot.

Vendors

All vendors must park at the loading docks of Busse Center, Regina Hall, Warde Hall, or University Center. No registration is required. Service vehicles are expected to use Mound Drive.

Emergency Parking

In case of an emergency, the staff member responding must park in a legal space unless there is none available. In that case they may park as close as possible to the emergency. Any citations will be reviewed on a case-by-case basis by the Director of Public Safety. Residence Life staff are allowed to park in any legal space not designated for visitors, handicapped, or loading/unloading.

Anyone who needs to park close to a building for a short period of time to load or unload should use marked loading zones or loading docks (behind Busse Center, Warde, and University Center). No special

placard is needed for short or occasional use of loading/unloading areas. Vehicles parked for loading and unloading must not block sidewalks, park in handicapped parking spaces, or along fire lanes or driveways at any time. Persons who abuse this privilege will be issued a citation.

One space on the drive to the side of Hennessey, five spaces outside of Regina Hall, and two spaces in the rear Warde lot are limited to no more than 30 minutes for loading/unloading, taking care of quick business, dropping off a book, etc.

Handicap Stickers

Handicapped parking areas may be used only by those persons who display the appropriate state-issued handicapped-parking hang tag or license plate. No handicapped permits will be issued by Mount Mercy. Those in need of a permit are advised to consult with their doctor and the Department of Motor Vehicles. A Mount Mercy parking sticker is also required to park the vehicle on campus. Mount Mercy parking stickers may be obtained 8:00 a.m.-Midnight, Monday-Friday at the Information Desk.

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.

Temporary Permits and Disabled Vehicle Permits

Temporary parking permits, which list designated parking areas, are necessary for anyone bringing an unregistered vehicle on campus, including visitors. Temporary permits can be issued for a maximum period of 14 days; extension requests will be reviewed on a case-by-case basis. There is no charge for these permits. The permit should be placed on the passenger side of the dashboard so that it is visible from outside the vehicle. Mount Mercy parking stickers may be obtained 8:00 a.m.-Midnight, Monday-Friday at the University Center Information Desk.

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 by Mount Mercy personnel.

Restricted Parking Areas

Mount Mercy reserves the right to close a campus parking area for institutional purposes. Advanced notice will always be given to the Mount Mercy community before an area is reserved by means of signs posted around campus, voice mail, and, if time permits, in Tunnel Talk.

Speed Limit / Moving Violations

The speed limit on campus is 15 miles per hour, or less when pedestrians are present.

Any vehicle operated on Mount Mercy property in an unsafe manner which is observed by Public Safety personnel or any Mount Mercy official may be subject to disciplinary actions and citations. This would include, but is not limited to, reckless driving, speeding, and failure to

stop at a stop sign. The Director of Public Safety will mail a notice to the person who registered the vehicle at Mount Mercy detailing the observed violation, including the date, time, and location, and issue a citation for the violation. As with any other violation, the person to whom the vehicle is registered is responsible for the citation. Appeals of these citations may be made to the Director of Public Safety in writing within seven (7) calendar days of notification of the violation.

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 Student Financial Services 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.

Repeat student violators of the parking rules and regulations will be subject to disciplinary action by the Vice President for Administration or designee. Twelve or more citations in one (1) 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.

To provide for emergency vehicle traffic and pedestrian safety, Mount Mercy reserves the right to have cars towed away when necessary. Mount Mercy also reserves the right to have abandoned, disabled, or non-registered cars towed away. 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 wrecker coming to campus.

Parking Violation / Citation Schedule is as follows:

Student Cost	Amount
Reckless Driving	\$25

Major Violations

Student Cost	Amount
Handicapped	\$100
Barred Vehicle	\$100
Admission Only 8 a.m. - 5 p.m.	\$25
Convent (including garage)	\$25
Excessive Speeding	\$25
Failure to Stop for a Stop Sign	\$25
Fire Lane/Driveway/Roadway	\$25
Improper Registration	\$25
"L" Sticker Only	\$10
Loading/Unloading/30-minute Zones	\$25

No/Expired Permit	\$25
Parked in Faculty/Staff	\$25
Parked in Grass	\$25
Parked in Visitor	\$25
Snow Removal	\$25
Wrong Way in a One Way	\$25

Minor Violations

Student Cost	Amount
Blocking Sidewalk/Crosswalk	\$10
Commuter in Resident	\$10
Compact Parking	\$10
Motorcycle Parking Only	\$10
Not a Legal Space	\$10
Permit in Wrong Location	\$10
Reserved/Restricted Parking	\$10
Resident in Commuter	\$10
Straddling Two Spaces	\$10

Booting Vehicles

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 in the Public Safety Office, to include the switchboard at all times. When a vehicle is placed on the boot list and Mount Mercy has a record of the owner of the vehicle, a notice that the vehicle is on the boot list will be sent to the owner by U.S. Mail at the last known address of the owner.

All safety assistants are expected to actively search for vehicles on the list during their assigned shift. If located on university property, a vehicle on the 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 be booted at any time including on the weekends. The weekend is defined as after 4:30 p.m. on Friday until 8:00 a.m. Monday. When the boot is placed on the vehicle, a bright orange notice will be placed on the windshield to notify the drive/owner of the boot placement. 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, payment of a boot removal fee and receipt of valid Mount Mercy University parking registration. The Vice President for Administration or the Director of Public Safety may authorize the removal of a vehicle immobilizer 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 will be booted. The Public Safety Office will determine when a vehicle should be booted and update the boot list.

Payment of Fines

All fines are collected by the Student Financial Services Office between the hours of 8 a.m. to 4 p.m. Monday through Friday. The receipt for payment provided by the Student Financial Services Office

must be provided to the Department of Public Safety prior to removal of the boot.

- The boot notices will be bright orange and clearly provide information on how to contact the Department of Public Safety.
- The vehicle owner must come to the Department of Public Safety Office and must provide proof of vehicle ownership, to include state registration or title, as well as a photo ID and current Mount Mercy University parking registration. If the vehicle is registered or titled to a third party who is not a parent or sibling the boot will not be removed until ownership is established and all fines and costs are paid.
- If a vehicle is booted after hours or on the weekend and the Student Financial Services Office is closed the Public Safety Department may accept payment to remove the boot providing the following guidelines are followed:
 - Fines and costs must be paid in full before the boot will be removed. Either check or cash is acceptable with the following exception. If the owner is not a currently registered student, staff or employee all fines must be paid in cash.
 - A booted vehicle information (BVI) sheet will be completed regardless of the method of payment. A copy will be made and placed in the Director’s mail box.

Cash Payments

If a payment is made in cash the following procedure will be followed:

- The cash will be counted by at least two members of the Mount Mercy University staff. This can be any combination of Safety Assistant and Switchboard Staff.
- The cash will be counted in the presence of the payee.
- A receipt for the payment will be provided to the payee.
- The cash will be placed in an envelope with the completed BVI form and sealed. The two persons responsible for the count will then sign and date the envelope along the seal.
- Clear tape will be placed over the seal and envelope placed in the locked box located in the Public Safety Department.
- An additional copy of the BVI will be placed in the Directors’ mail box.
- At the earliest opportunity the cash will be delivered to the Student Financial Services Office and receipt appended to the BVI.

Towing

The Vice President for Administration or the Director of Public Safety reserves the right to tow any vehicle on Mount Mercy University property when the towing is reasonably necessary to protect Mount Mercy property or promote safety. Vehicles of repeat violators of Mount Mercy regulations with unresolved violations may also be towed. Owners or operators of the vehicle that is towed are responsible for all towing costs.

Citation Appeals

If a person chooses to appeal a citation received for a violation, an appeal form may be obtained at the Mount Mercy University website, University Center Information Desk or the Department of Public Safety.

Completed appeal forms must be returned to the University Center Information Desk or the Department of Public Safety. 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 copy of the citation must be attached. Appeals not containing this information will be denied. 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, one staff member, and one faculty 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.

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, faculty or staff member is enrolled or employed. This agreement allows students or employees 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 Parking Subcommittee of the Campus Safety and Security Committee.

Suggestions to improve the parking system on campus are welcomed by the Campus Safety and Security Committee. Any suggestions should be made to the committee or the Vice President for Administration.

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

Posting Policy

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 the Office of Student Activities, 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 the Office of Student Activities 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, in or 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 26 posters; 17 for Residence Life and 9 for Student Activity Boards.
8. Posted notices must be removed by the sponsor group or individual within 24 hours after the event has taken place (except on weekends). 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 (see appendix A). 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. The Student Activities Office 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 the Office of Student Activities and must be displayed in an appropriate, safe and non-disruptive manner.

Sexual Harassment / Abuse

3.5.11 Policies Against Sexual Harassment and Sexual Abuse

3.5.11.1 Policy Prohibiting Sexual Harassment

3.5.11.1.1 Statement of Policy

Sexual harassment of students, faculty or staff is not tolerated at Mount Mercy. 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.

Sexual harassment undermines the educational mission of Mount Mercy through its detrimental impact on individuals and our community as a whole. Sexual harassment stifles the realization of the complaining party's full potential and is especially serious when it exploits a power differential between the parties in the situation.

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. Any alleged conduct will be examined in context and by analyzing the totality of the circumstances.

3.5.11.1.2 Definition of Sexual Harassment

Sexual harassment is defined as unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or status in a course, program or activity;
2. Submission to or rejection of such conduct is used as a basis for an employment or educational decision affecting an individual;
3. Such conduct has the purpose or effect of interfering with an individual's work or educational performance, or of creating an intimidating, hostile, or offensive environment for work or learning.

Sexual assault, sexual battery, sexual coercion and other forms of sexual violence are forms of sexual harassment. (This definition is in accordance with federal and state civil rights acts including Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964 as amended, and the Iowa Code chapter 216.)

Sexual harassment occurs in a variety of circumstances that tend to share a common element – the inappropriate introduction of sexual conduct or comments in the work or educational setting. Behavior that is in violation of this policy is unwanted, one-sided, and demeaning. It would cause a reasonable person to feel humiliation or discomfort. Harassment can occur in a wide range of relationships. It can occur

between members of the same sex and members of the opposite sex. Faculty, staff or students may be subjects of sexual harassment or they may be perpetrators of sexual harassment.

Examples of conduct that may give rise to sexual harassment complaints include, but are not limited to:

- physical assault, indecent exposure, or physical contact of a sexual nature;
- direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades or letters of recommendation, etc.;
- direct propositions of a sexual nature;
- a subtle pressure for sexual activity or a pattern of conduct (not legitimately related to the subject matter of a course, if a course is involved) intended to denigrate, distress or humiliate through sexual comments or sexually explicit statements, questions, jokes or anecdotes. This pattern of conduct may include unnecessary touching, unwanted staring, patting, hugging or brushing against a person's body; remarks of a sexual nature about a person's clothing or body; or remarks about sexual activity or speculations about previous sexual experience;
- a pattern of conduct that would denigrate, distress or humiliate a reasonable person of the same sex as the person at whom the conduct was directed. The pattern of conduct may, but need not, be of a sexual nature so long as it is directed at another because of sex. Examples include but are not limited to
 - name-calling jokes or negative comments about the person's sex/gender
 - physical intimidation, vandalism or pranks
 - displays of reading materials or pictures containing negative material about a particular sex, including electronic materials

3.5.11.1.3 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 Vice President of Administration, as explained below.

3.5.11.1.4 Procedures

It is the goal of Mount Mercy to ensure a prompt and thorough investigation and review of allegations of sexual harassment, to find an equitable resolution, to apply disciplinary sanctions or educational solutions where appropriate, and to provide an institutional process to assure fairness to all parties. (If anyone who normally would be involved in this process is a party to the complaint, the President will appoint an alternate). This process provides for both an informal and a formal set of procedures with the intent to insure that all complaints of

sexual harassment are addressed and resolved in a fair and equitable manner.

1. Individuals are encouraged, when they are comfortable in doing so, to attempt to resolve their concern privately. However, any member of the Mount Mercy faculty, staff, or student body who believes they have been subjected to unlawful discrimination or harassment may initiate either an informal or a formal complaint, as provided by this policy. Individuals may also file a criminal complaint with the police.
2. As the first step in the process, a person with a sexual harassment complaint may contact any trusted employee of the University. This person will then assist the complainant in contacting the Equal Opportunity Officer (EOO) or request that an alternative be designated by the President if the Equal Opportunity Officer is the subject of the complaint. Consistent with state and federal time-lines, a complaint should be initiated with the EOO as soon as possible, but not more than 300 days after the alleged sexual harassment incident.
3. The EOO will schedule an Initial Meeting with the Complainant. The EOO will also inform the Complainant that he or she has the right to contact the Cedar Rapids Police regarding the matter. The EOO will not contact the student's family or guardian unless authorized by the student to do so, though a student will be advised to contact his or her family guardian themselves. The EOO will also make a determination whether immediate action is necessary to protect the safety of the Complainant and take appropriate action.
4. At the Initial Meeting the EOO will arrange for the complainant to document the complaint in writing. The written complaint should include the following information: name, address and telephone number of the complainant, nature of the complaint, date(s), the location of the occurrence(s), individual(s) involved including possible witnesses, evidence on which the complaint is based, and redress sought by the complainant.
5. The EOO will inform the Complainant of the options available and determine if the Complainant wishes to proceed under the Informal or the Formal Procedure.
6. The Complainant must advise the EOO in writing within fifteen (15) calendar days of the Initial Meeting whether Complainant chooses to proceed under the Formal or Informal Procedure. If the Complainant does not make a timely choice, the Complaint will be addressed using the Formal Procedure.

3.5.11.1.4.1 Informal Procedure

1. If the Complainant chooses to proceed under the Informal Procedure in situations not involving sexual violence, the EOO will inform the Accused of the nature of the complaint, identity of the Complainant, the complainant's willingness to attempt to resolve the matter informally, and that retaliation by the Accused is strictly prohibited and will result in sanctions. The Accused will then be given the opportunity to agree to participate in the Informal Procedure. In the event the Accused chooses not to proceed under the Informal Procedure, the Complainant will be so advised by the EOO and the EOO will initiate the Formal Procedure.
2. If after consultation with the Complainant and the Accused the parties agree to proceed under the Informal Procedure, the EOO will notify the appropriate Facilitator of the complaint. (Two neutral Facilitators and two alternates, two faculty and two staff, who will be trained in the process of nonbinding mediation, will

be appointed by the President at the beginning of each academic year to assist with the Informal Procedure. The faculty Facilitator will facilitate when the accused is a faculty member and the staff Facilitator will facilitate when the accused is an administrator, staff member or student. In the event of a conflict, the alternate Facilitator will serve).

3. If the complaint warrants, the Facilitator may recommend to the EOO actions protecting the rights and privacy of either the Complainant and/or the Accused until the process is concluded.
4. The Facilitator will meet with the Complainant, the Accused and the EOO to determine if a resolution is available that is acceptable to the Complainant, the Accused, and the EOO.
5. If a mutually acceptable resolution is agreed upon, the Facilitator will insure that all agreed to steps are taken to finalize the resolution. Finalization of the resolution includes, but is not limited to, a written document signed by the Complainant, the Accused and the Facilitator.
6. If a mutually acceptable resolution is not agreed upon, the Facilitator will then advise the EOO to initiate the Formal Procedure.
7. The Facilitator will notify the parties of the conclusion of the Informal Procedure, write a summary of the complaint and the results of the Informal Procedure and file it with the EOO's office. This summary will be available if there are other alleged incidents of sexual harassment. A written record of any sanctions taken will be placed in the Accused's personnel or academic file.
8. The Informal Procedure will not be used to resolve complaints of sexual violence.

3.5.11.1.4.2 Formal Procedure

If a complaint is not resolved informally or if the Complainant chooses to initiate the Formal Process:

1. The EOO or his/her designee will begin a prompt and thorough investigation. The investigation normally will be started no later than ten(10) days after the Formal Process is initiated.
2. If the Accused has not already been informed of the complaint, the EOO will inform the Accused of the nature of the complaint, identity of the Complainant, and that retaliation by the Accused is strictly prohibited and will result in sanctions.
3. The Complainant, the Accused and appropriate witnesses will be interviewed by the EOO and applicable documents will be reviewed by the EOO. The Complainant and the Accused may identify witnesses to be interviewed. All interviewees will be directed to maintain confidentiality with respect to the investigation and will be informed about the non-retaliation policy.
4. Upon completion of the investigation, the EOO will prepare a written report which details the EOO's findings, conclusions and any recommended actions, which will be shared with the Complainant and the Accused.
5. If the Complainant and Accused accept the EOO's recommended actions, they will be implemented and a final report will be placed on file in the EOO's office. Any formal action against the Accused will be placed in the Accused's personnel or academic file.
6. If either the Complainant or the Accused do not accept the recommended actions, they must give written notification to the EOO within five (5) calendar days after the EOO delivers written notice. The EOO will then notify the other party within five (5) calendar days thereafter and the Complainant, the Accused or the EOO will then request a fact-finding hearing.

- A. Any such request for a fact-finding hearing must be made to the appropriate hearing panel within fifteen (15) calendar days after the EOO provides written notice by U.S. mail of any recommended actions. The hearing panel will make its decision based on a preponderance of the evidence.
- B. Where the Accused is a member of the faculty, the procedures set forth in section 4.14 Grievance Policy of Volume IV, Faculty Manual will apply to the fact-finding hearing and all appeals thereto. Where the Accused is a member of the administration or staff, the procedures set forth in section 2 Grievance Policy of Volume V, Staff Policies will apply to the fact-finding hearing and all appeals thereto. (In the event the Accused is a student, the Dean of Students will appoint a student representative to sit as an ex-officio member of the hearing panel).
- C. During the Fact-Finding hearing, the Complainant, the Accused and the EOO shall each have the opportunity to present evidence in support of their respective positions. The EOO shall be designated to present evidence to support the position of the University.
- D. Legal representation is allowed at the fact-finding hearing, but counsel's presence is limited to observation and advising the party.
7. The time frames established above may be extended by agreement of the parties or as determined to be equitable by the EOO.

3.5.11.1.5 Exclusive Procedures

The procedures set forth in Section 3.5.11.1.4 above, including those referenced in subsection 3.5.11.1.4.2.C therein shall be the exclusive procedure through which the matter shall be subject to review within the University.

3.5.11.1.6 Sanctions

Remedial actions will depend upon the severity of the incident, the offending party's prior record and the specifics regarding the nature of the violation. Each complaint will be resolved on an individual basis. In a situation where sexual harassment is found to have occurred, when deemed appropriate, the University will take appropriate steps to accommodate changes to a Complainant's academic, employment, and/or living situations if requested and reasonably available.

Examples of possible sanctions include, but are not limited to, restricting participation in an educational program, verbal counseling, warning letters, impact on promotion or salary, suspension, expulsion, or termination.

3.5.11.1.7 Retaliation

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

3.5.11.1.8 False Reports

Any individual making deceitful allegations of sexual harassment will be subject to appropriate sanctions as defined in Section 3.5.10.1.6.

3.5.11.1.9 Definition of Other 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.

3.5.11.2 Policy Prohibiting Sexual Abuse

3.5.11.2.1 Statement of Policy

Sexual abuse is a serious criminal offense which can adversely affect the lives of all concerned. Mount Mercy is committed to addressing allegations of sexual abuse and to providing counseling and support. The University shall maintain the confidentiality of all proceedings to the extent that University procedures and state and federal law allow.

3.5.11.2.2 Definition of 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:

1. 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.

2. 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.
3. Such other person is a child.

3.5.11.2.3 Support

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 Employee Assistance Program. See Section 3.8.2.3.

3.5.11.2.4 Reporting

Incidents of sexual abuse 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.

A person with a complaint may contact any trusted person (e.g. one of the deans, the counselor, residence life, an academic advisor). This person will then assist the complainant in contacting the Equal Opportunity Officer (EOO). The EOO will maintain a record of and investigate any reported additional incidents, as set forth above in Section 3.5.10.1.4..

3.5.11.2.5 Campus Safety

Mount Mercy expects students, faculty, and staff to report allegations of sexual abuse to the Cedar Rapids Police Department for any investigation and possible charges. Mount Mercy safety assistants will respond to an emergency, but safety assistants are not law enforcement officers.

3.5.11.2.6 University Disciplinary Proceedings

The complainant may file an internal complaint against the accused using the formal process provided for sexual harassment complaints. 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 alleged assailant 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 alleged assailant has been charged with the crime, the individual may be suspended indefinitely pending review of the circumstances by the University. The assailant 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.

3.5.11.2.7 Retaliation

Retaliation of any kind against anyone in good faith filing a complaint of sexual abuse or participating in the investigation process is prohibited

and may be sanctioned. Anyone who believes they have been subjected to retaliation should immediately report the situation to the EOO or the Dean of Students. Any individual making deceitful allegations of sexual abuse may also be subject to appropriate disciplinary sanctions.

3.5.12 Sex Offender Registry

All Mount Mercy University students and employees are advised of Iowa Code, Section 692A.103 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 all relevant information. The person must register with the sheriff within five 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 www.iowasexoffender.com (<http://www.iowasexoffender.com>)

. Additionally, in that Mount Mercy campus property lies in legal proximity to elementary and middle schools and under provisions of Iowa Code 692A.114, Mount Mercy will not offer housing nor permit occupancy to those listed on the Iowa Sex Offender Registry.

Smoke-Free Environment

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.

For more information, please visit www.iowasmokefreeair.gov (<http://www.iowasmokefreeair.gov>) .

Weapons Policy

Mount Mercy University prohibits possession, use, and transportation of any dangerous or potentially dangerous weapons described below on all University properties.

1. Fixed blade knives concealed on the person or in the vehicle (e.g., Bowie knife, knife, or instrument of like kind or description)
2. Shotgun or rifle or other shoulder gun
3. Pistol or revolver
4. Air gun (e.g., air or gas powered rifle or pistol, paintball guns, BB guns)
5. Bow and arrow (e.g., archery equipment)
6. Slingshots (including throwing weapons)
7. Swords
8. Crossbows
9. Brass knuckles
10. Fireworks, firecrackers or explosive devices
11. Martial-arts items and weapons
12. Laser pointing devices

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.